(This paper was presented at a Seminar organised by the IDP at Jalandhar on September 20, 1992)

Historical March Of Human Rights With Special Reference To Kashmir And Punjab

(1) The issue of human rights has today become a very important item of the international agenda. Consequently, the human rights record of every state in jurisprudence and its implementation now constitutes the legitimate concern of the world community.

I. Concept

(2) Briefly stated, the concept of human rights today denotes a set of just claims to which every human being is entitled to as a member of the human social organisation and which must not be taken away by any authority under any situation.

(3) The long-term conceptual basis of human rights lies in the age-old lofty human doctrine that all human beings are born equal. All belong to one human family, having the same basic rights without any distinction of race, sex, language, colour, religion, property, social status, etc. As to its short-term cause, the invigoration of the human rights issue rests with the ending of the cold war, a sequel to the emergence of a new interdependent world.

II. Historical Context

(4) Historically, the issue of human rights is as old as Man himself. But each historical age has been characterised by its given form of human rights. Thus, in the clan community, (i.e., a unit of 10-12 persons, with kinship relations under a clan leader), the human rights consisted of equality in all matters among the clan members, while the inter-clan relations were marked by complete barbarity under which the captured non-clan persons

were even put to death. Next, passing through the stages of the tribal and the religious communities respectively, the human rights continued to expand in humanist breadth and depth. The 1215 British Magna-Carta, according to modern reading, was a big milestone in the human rights process, though it only ensured the rights and privileges of the 13th century British Nobles and Barons.

(5) The 16th century anti-papal reformation (i.e., a movement to reform the Catholic Church) gave a new fillip to the human rights process. In the 17th century, the human rights, for the British thinker, John Milton, amounted to opposition to the papal and feudal authority. The 17th century British Leveller concept of natural rights prescribed political rights only for property owners, excluding the slaves and the alms takers. Also, the 17th century Hobbesian Doctrine, while emphasising a "natural right of every man to everything", advocated monarchical absolutism and the Lockean theory subordinated natural rights to utilitarian considerations.

(6) In the late 18th and the early 19th centuries, Thomas Jafferson, the great American Libertarian, on the one hand, shaped the declaration of American independence and, on the other, wrote the advertisements for the fugitive slaves. His charter of human rights was meant for American Englishmen and not for women, African slaves, Red Indians or pro-British monarchists.

(7) In the late 18th century, the French Revolution projected its own meaning of the human rights which, on the one hand, brought forth a new slogan of individual human liberty, equality and fraternity (reflecting the coming of a new democratic order in Europe) and, on the other, tried to impose the French hegemony over the whole of Europe through the Napoleonic wars. In the 19th-20th century Marxian Thought, the emphasis on human rights shifted from the individual to the community, leaving out the big money and landholders. The liberal concept of individual human rights and the Marxist concept of collective human rights remained the reference points of all sorts of liberals and communists respectively upto 1945.

III. Modern Phase

(8) The post-1945 period (i.e., the aftermath of the horrors of Fascism, Nazism, militarism and totalitarianism) opened the modern phase of the human rights process.

(9) In 1948, the UN adopted (without any dissenting vote) the Universal Declaration of Human Rights (reproduced on page 534

of this Volume) whose very first Article declared: "All human beings are born free and equal in dignity and rights." The declaration included both the socio-political and socio-economic rights. But, from the very beginning, differences arose on the question of priority between the two types of rights. In brief, the debate centered on the question whether freedom from want or the guarantee of civil and political rights constituted the primary human right—an old controversial question between the Liberal and the Socialist Schools of Thought. The issue was compromised after 18 years of discussion.

(10) In 1966, the UN prepared two separate Covenants on the basis of its 1948 Declaration. One Covenant covers the social, economic and cultural rights, based on the principles of equity and social justice, and incorporated the rights to food, clothing, housing, education, health, employment, fair wage, etc. The other Covenant contained the civil and political rights, such as rights to life, conscience, religion, expression, association, fair trial, etc.

(11) The 1948 Declaration and the two International Covenants have now been ratified by almost all, barring a few countries. This international approval, while setting forth an international standard to measure national behaviour of every country, has erected conditions for the further advance of human rights.

IV. State of Human Rights
In Present Day World

(12) A survey of the global scene shows that the present state of human rights is marked both by the positive and the negative aspects.

(13) On the positive side, the human rights Committee established under Article 41 of the International Covenant on Civil and Political rights and functioning under Optional Protocol (accepted by less than half the total number of countries) has proved a useful agency in defence of human rights. In Europe, the European Commission and the European Court of Human Rights, set up under the European Convention on Human Rights adopted at Strasbourg by the 21 member States of the European Council, have made substantial contributions to the cause of human rights. In Latin America, the inter-American Commission and the inter-American Court of Human Rights, set up under the 1969 American Convention on Human Rights and ratified in 1978, have brought considerable gains to the human rights movement. The 1981 African Charter on Human and Peoples

Rights, having become operative in 1986, has been one more step in the sphere of human rights growth.

(14) On the negative side, the violations of human rights, in varying degrees, are still prevalent in almost all countries, especially the developing ones. According to various human rights organisations, nearly three million people have been extra-judicially done away with worldwide since 1970 (*Indian Express*, 09.12.1991, P-8). The Amnesty International's 1992 global survey of human rights shows that abuses of human rights continued in 142 countries. It states that at least 2,94,000 political prisoners were detained without charge and trial or under administrative detention in more than 60 countries. Prisoners of conscience were held in 65 countries and 'possible' prisoners of conscience in 27 countries. More than 1,300 political prisoners were imprisoned after unfair trials in at least 18 countries, more than 500 people died apparently as a result of torture or inhuman prison conditions or in 'suspicious circumstances' in some 40 countries. At least 1,270 persons disappeared after arrest by security forces in 20 countries. In 1991, about 2,086 prisoners in 32 countries were executed and 2,703 sentenced to death in 62 countries. More than 2,500 people remained on death row in the US alone. China executed over 1,000 persons in 1991 and over 1,600 were on death row. The extra-judicial executions of over 1,000 persons took place in Burundi against a backdrop of ethnic tensions and of at least 360 persons in Peru. The number of large-scale extra-judicial killings in Iraq and Yugoslavia could not yet be ascertained. Pakistan was second to China in passing 200 death sentences. More than 1,500 possible prisoners of conscience were held in Myanmar, while Britain, together with Greece, France and Switzerland, hold about 700 POC. The situation on detention without trial was dismal in South Korea (where praising North Korea is a crime), Vietnam, Afghanistan, Indonesia, Cambodia, Philippines, Sri Lanka, Pakistan and India.

(15) The violations of human rights, whether of individuals or of ethnic groups, are primarily taking place in those countries which are dominated by authoritarianism of one form or the other—i.e., fundamentalism of various types, semi-military regimes, one party ruled or centralised states, etc. As long as the agents of authoritarianism will continue to hold on, the cycle of violence will never be broken.

V. Human Rights Situation In India

(16) India was one of the earliest subscribers to the 1948 UN

Declaration and the 1966 Two International Covenants, barring the Optional Protocol which recognises the competence of the Human Rights Committee (set up under Article 41 of the civil and political Covenant) to consider communications from individual nationals of ratifying countries. It had also been a pioneer among the developing countries in the sphere of granting certain human rights in its Constitution under two heads, i.e., justiciable fundamental rights and non-justiciable directive principles.

(17) However, notwithstanding these positive constitutional-legal steps, the situation of human rights in India continues to be highly unsatisfactory. For example, despite the constitutional guarantee of the right to life, millions of our people die every year due to hunger and undernourishment and millions pass away because of lack of timely medical care. Despite the constitutional guarantee of the right to free expression and assembly, political meetings of those opposed to government are either sometimes officially prohibited under continuing colonial rules or forcibly broken up through gangsterism. Despite the constitutional guarantee of the right to equal treatment, the law enforcement agencies play a partisan role in favour of the rich as against the poor and in favour of the majority community as against the minorities while handling the communal and casteist conflicts. Despite the non-justiciable constitutional commitment to provide universal education, millions of our children have no opportunity to go to school and 48% of our people remain illiterate even 44 years after decolonisation. Despite the constitutional guarantee against self-incrimination, thousands of undertrials are subjected to third degree methods and inhuman treatment including blinding (Bhagalpur case) during interrogations. Numerous cases of death in police custody on account of physical torture occur every year. Police encounters is only a euphemism for killing those, considered to be dangerous by the police. Outrages against minorities and weaker sections are considered as normal affairs. The prevailing impression of the law enforcers on the people is not that of law abiding but of law violating forces.

(18) This shows that mere insertion of the human rights in the Constitution is not enough guarantee of their actual realisation. Equally important is the question of their implementation.

(19) The violations of the international standards of human rights in India have invited sharp criticism from abroad especially from the human rights organisations. According to Amnesty International's annual report of 1992 (pertaining to the year 1991),

at least 25,000 political prisoners, including the prisoners of conscience, were held without charge or trial under special or preventive detention laws in India. In an another report, 'India—Torture, Rape and Deaths in Custody', released in May 1992, Amnesty International gives details of 455 people reported to have died in custody of police and security forces as a result of torture or ill treatment between 1 January 1985 and 1 May 1992.

(20) The Amnesty International's observations about India have been continuously denied by the entire Indian officialdom, including the Prime Minister. But even the reports submitted by various official commissions and agencies do not lend support to the Indian denials. The official facts themselves speak that there is a steady increase in crimes against women, that rape and dowry deaths are going up, that atrocities against scheduled castes and tribes are multiplying, that communal and casteist riots are mounting up, that crimes against children and child labour are widespread, that, despite their prohibition by the Indian Constitution, the barbarous practices of human sacrifice, *sati*, infanticide, bonded labour, etc., still go on, that private armies kept by the land-owners run havoc in Bihar and other states in Central India, that conditions in the prisons are hopeless, that custodial deaths and fake encounters are on the rise. In the face of these official admissions, the anxiety about human rights in India among the democratic minded people at home and abroad is quite natural.

(21) If New Delhi's contention—that the Amnesty International and the Asia Watch have exaggerated and sometimes fabricated allegations of human rights violations—is true, then why does not it permit these two organisations to visit Kashmir and Punjab and see things for themselves?

(22) Five factors, in the main, are responsible for the distressing condition of the human rights in our country.

One is the prevalence of unscrupulous political norms (or vote bank politics) in our country. This is evident from the domination of money and muscle power (represented by black money-holders and power-brokers) in our political process and of non-issues (like Babri Masjid dispute, *Mandalwad*, centralised unity of the country, etc.) in our national process.

The other is the authoritarian nature of the Indian State which, by virtue of its constitutional powers (under Article 356) can nullify all the fundamental rights.

The third factor is the existence of undemocratic laws, new

and old, on our statute book. These include all the detention laws and other laws, bye-laws, rules and regulations arming the law interpreting (i.e., judiciary) and the law enforcing agencies (i.e., police and security forces) with extraordinary powers to search, interrogate and even detain without warrant in disturbed areas.

The fourth factor is the rot in our law interpreting and law enforcing institutions. This can be seen from the erosion of the credibility of our judiciary (Justice Ramaswami episode, crores of pending cases, favouritism in the appointment, promotion and transfer of judges etc.) and the practice of the culture of violence by the police and the security forces in the enforcement process.

The fifth factor is the low level of human rights consciousness of our countrymen. This is reflected by the large-scale illiteracy and the wide-spread ignorance about the fundamental and non-fundamental rights in our country, the lack of economic means by a big chunk of our people to seek redress, the continuation of old ethos emphasising subservience to authority, and the toleration of unscrupulous politics, the hesitation in combating injustice, etc.

VI. Human Rights Violations
In Kashmir And Punjab

(23) The human rights position in Kashmir and Punjab is highly alarming. Both states have been marked by their specific armed struggles between the Indian security forces, on the one hand, and the concerned militant groups, on the other. Both states have been virtually placed under the rule of the police and the army, with merely formal constitutional-legal guarantees.

(24) Though both the Kashmir and Punjab problems are marked by common basic points (i.e., having a similar ethnic nature and arisen as a similar reaction against the anti-minority general line of the authoritarian Indian State and the specific unscrupulous politics of each of the mainstream parties, each is also characterised by its specific features. These are:

Firstly, while the Kashmir issue has been internationally accepted as a disputed question, the Punjab problem is considered by all as an internal matter of India. It is because of the Kashmir issue that India and Pakistan need to spend big sums on defence. The Indo-Pak problem will, and can, only be solved when the Kashmir issue is properly resolved. If we tackle all the Indo-Pak differences and not the Kashmir issue, the Indo-Pak tensions will remain as before.

Secondly, while the armed struggle in Kashmir has assumed a mass character, the Khalistani militancy has not been able to

acquire a mass base,

Thirdly, while all the Khalistani militant groups are united on one goal, i.e., Khalistan, the Kashmiri militancy is divided on the fundamental objective—one part standing for independent Kashmir and the other for Pakistan.

Fourthly, while the Kashmiri militancy consciously avoids attacking common individuals of other religious faiths and makes the security forces as its main target, the Khalistani militancy deliberately engages in the killings of ordinary members of other communities.

Fifthly, while Kashmir is predominantly a Muslim majority region, the Sikh community in Punjab constitutes nearly 64% of the population.

(25) Without looking at the above similarities and dissimilarities, the totality of the said struggles cannot be seen.

(26) New Delhi has adopted the same gun-wielding strategy to deal with both the ethnic problems, with same methods varying according to each specific situation. For example, in Kashmir, it has resorted to a method of wholesale state suppression, while, in Punjab, the method of partial and selective state suppression has been adopted by it. That is why there has been a two-sided confrontation in Kashmir between the security forces and the people, on the one hand, and between the security forces and the militants, on the other, while, in Punjab, it is mainly a militant vs Police conflict.

(27) Since 1989, when the armed Kashmiri militant groups emerged demanding the right of self-determination to the Kashmiris, the Indian security forces have used lethal force against unarmed demonstrators, shooting down scores of civilians. Following militant attacks, the security forces have often indulged in reprisal killings of civilians by opening fire in crowded markets and residential areas. They have often conducted house to house searches, beating young men, and, in some cases, raping young women and burning down *mohallas, bastis* and villages.

(28) Leaving the mass suppression in Kashmir, there is the same pattern of state suppression of the militants in Kashmir and Punjab. Scores of people have simply disappeared, the security forces refusing to acknowledge that they had even been arrested. Many of them may have been killed in custody. In some cases, the police acknowledge the arrests, but claims that the detainees had escaped. In some cases, the security forces state that the persons concerned have been killed in armed

encounters, a guise for extra-judicial killings.

(29) Often people have been arrested on mere suspicion that they are linked to militant groups. In some cases, relatives of suspects have been arbitrarily detained and tortured to extract information about the suspects. Methods of terror generally include: beatings, sexual annoyance, electric shocks, etc. Those tortured include, young and old as well as women and adolescents.

(30) Though New Delhi has not issued proper statistics on the number of people detained or imprisoned for political reasons, the Punjab official sources disclosed in May 1992 that about 11,000 persons were being held for political reasons in the state. Earlier (October 1991), the Jammu-Kashmir Governor said that 5,000 militants and 2,500 accomplices have been arrested. But, the civil liberties groups suggested that the actual could be around 15,000. While a portion of detainees is reported to be detained in various prisons in India, including Kashmir and Punjab, large numbers have been retained in interrogation centers and security forces' camps. The detainees have been placed in confinement for months together without trial under the provisions of the special legislation on detention. There are reports of torture during the process of interrogation.

(31) The security forces have continuously thwarted attempts to bring perpetrators of human rights violations to book. Hardly ever, any security personnel has been convicted of committing human rights violations.

(32) The provisions of the special legislation on preventive detention and the trials conducted under it fall far short of international standards of justice.

(33) For their part, both the Kashmiri and the Khalistani militants have flagrantly violated international humanitarian law as well as the rules of war requiring protection of civilians. They have killed, kidnapped and assaulted hundreds of civilians and government servants, including men of security forces, and thrown bombs, grenades and other explosive devices at buses, residences and offices. They have attacked newspaper offices and threatened reporters, leading sometimes to their killings.

VII. Dangerous Justifications Of Human Rights Violations

(34) The argument—that the human rights violations in Kashmir and Punjab are justifiable in the interests of national cause—only indicates state lawlessness which has not served,

and cannot serve, the interests of any nation. It is only adherence to the rule of law that has been, and can be, the sole guarantor of a nation's interests.

(35) Similarly, the proposition—that those who are responsible for national security or for the maintenance of public order must be the sole authority to decide of what the national security or public order requires—turns the hangman into the judge, cuts at the root of the democratic order and harms the national interests.

(36) Further, the assumption—that in order to end the militant atrocities and defeat the Pak machinations, it is necessary to resort to ruthless suppression—cannot be held as an excuse for Indian security forces brutality. It is, highly improper according to the international humanitarian law that the law enforcers may stoop to the level of militancy. The government must be fair and just in all situations by upholding the rule of law.

(37) Furthermore, the reasoning—that the conditions in the Third World are somewhat different and so they cannot fully subscribe to the advanced countries' human rights standards and that the countries which spawn the Los Angeles riots, militancy in Ireland, anti-Arabism or anti-Blackism in France and Germany, should hardly preach to others—does not permit India to commit human rights violations with impunity. To approve the prevailing Indian human rights violations in Kashmir and Punjab in the name of the Third World is only a subtle device to hide Indian state lawlessness in these two states or to ratify it by comparing it with the undesirable happenings in the First World is merely a vindictive idea.

VIII. Violence And Human Rights Movement

(38) The human rights movement is opposed to all types of violence—State or Private. Because, all violent acts, violate human rights and are unlawful, unjust and immoral.

(39) The human rights movement, in its condemnation of militancy, has more often to engage in the criticism of state militancy rather than the private one. This is due to five main reasons:

Firstly, the state militancy generally commits more crimes against the common people—firing on peaceful processions, wrongful arrests, torture, ill treatment, rapes, fake encounters, reprisal killings, setting on fire hundreds of houses, etc.—than the private one.

Secondly, the violent acts of the state militancy are more condemnable than the private one. Because, the security forces, being committed to the Indian Constitution and jurisprudence, are bound by law not to exceed beyond the legal

limits under any circumstances.

Contrary to this, the private militancy declares to achieve its political aim through anti-state terror, an equally condemnable way.

Thirdly, the human rights violations by the state militancy further increase the alienation of the common people as has happened in Kashmir and Punjab.

Fourthly, the 'black laws'—TADA, the Disturbed Areas Act and the Armed Forces (Special Powers) Act, etc.—conferring more coercive powers on the security forces, lead to further victimisation of the people.

Fifthly, in the post-cold war world, the violence has neither worked in favour of insurgency nor counter-insurgency. Every contest (e.g., Cambodia, Afghanistan, Angola, Namibia, South Africa, Somalia, Nicaragua, Al Salvador, etc.) had concluded in negotiated a settlement, through give and take.

IX. Needed Steps Towards Human Rights

(40) This Seminar is being held at a time when the globalisation process, unleashed by the newly emerged interdependence of countries (itself a product of the post-1945 scientific-technological revolution) is leading to the crumbling of the last vestiges of the old world order, based on the logic of cold war, and laying the foundation of a new world order, based on the rule of law, human rights, sustainable development, environmental improvement, peace, equity and social justice. Thus, internally as well as externally, each nation and every grouping of nations, according to their given conditions, are passing through a global restructuring process. In most of the countries, this process is proceeding in a peaceful and orderly way, while in some, where the dominant group is resisting the change by denying equal rights to the ethnic minorities or violating the human rights, it has turned out violent, sometimes even resulting in the destabilisation of a part or the whole of that country. Thus, in the global restructuring process, the road to a country's progress lies not in internal centralisation and external confrontation but in internal democratisation and external cooperation and friendship with the neighbouring countries.

(41) In order to meet the demands of the new global reality, this Seminar makes the following suggestions for the consideration of New Delhi, militants, Kashmiri and Sikh communities and the people of India, to carry out the rational development of the common human rights process (also a very important part of India's restructuring process yet to be consistently undertaken).

(A) To New Delhi it appeals:

Firstly, to undertake immediate steps for ending the 44 year old Indo-Pak cold war confrontation (which had already imposed three hot wars on India and Pakistan) by suggesting to Pakistan a joint control (either through Indo-Pak Condominium or Confederation) of a fully autonomous Kashmir valley alongwith a joint defence of the two countries, with Jammu and Ladakh regions to remain with India and Azad Kashmir with Pakistan.

Secondly, to invite the representatives of all the Kashmiri groups, including the militants, for a dialogue on the suggestion of granting full autonomy to the valley under joint Indo-Pak control, vested only with valley's defence and currency.

Thirdly, to invite the representatives of all the Sikh groups, including the militants, for a dialogue on the proposal of granting a special status within the Indian Union, with only defence, foreign affairs and currency remaining with the Centre.

Fourthly, to carry out India's restructuring process by upholding the following principles.

*To adhere to the rule of law and a decentralised federal structure with autonomy to all states and a special status to Punjab.

* To build Indian economy as a part of the world economy, based on the principle of sustained development, with a two-fold aim—environmental improvement, on the one hand, and improvement in the quality of human life (i.e., banishing poverty and the economic inequalities), on the other.

* To adopt human, just and fair norms of behaviour.

* To follow international cooperation and friendship in foreign affairs.

* To set up Indo-Pak Confederation on an equal basis with defence and an autonomous Kashmir as the 2 confederal subjects.

* To develop SAARC Common Market and SAARC Common Security System.

Fifthly, to immediately defuse the current tense and confrontationist situation in Kashmir and Punjab by taking the following steps.

* Review cases of all detainees and release all those against whom there is no criminal evidence.

* Desist making further arrests as far as possible. Any necessary future arrest be made under the effective control of a judicial authority and the arrested person be kept at an officially recognised place (i.e., jail, police station, etc.) and his relatives and lawyers be immediately informed.

* Bring before the magistrate all the remaining arrested persons (notwithstanding special provisions of all the detention laws).

* Scrap all the detention laws.

* Institute all enquiry through an independent body into all allegations about human rights violations (i.e., wrongful arrest, torture, ill-treatment, rape, extra-judicial killings or disappearances, reprisal killings, etc.) and prosecute all those found guilty of crime.

* Educate the entire security forces' personnel about human rights (i.e., UN Declaration on Human Rights and the two International Covenants, the Geneva Agreements concerning war, the Fundamental Rights and the Directive Principles as mentioned in the Indian Constitution, the relevant portions of the Indian Penal Code, etc.) and their primary loyalty to the Indian Constitution and laws and about their duty to resist political interference by the political parties.

* Give adequate compensation to the victims (or their relatives) of human rights violations.

* Permit International Committee of the Red Cross for undertaking its activities in areas of civil conflicts, such as Kashmir, Punjab, Assam, Nagaland, etc.

* Use non-lethal methods of crowd control.

(B) To the Militants, this Seminar Appeals:

To abide by the provisions of the Geneva Agreements which prohibit the killings of unarmed civilians and to adhere to the laws of war in conducting hostilities.

To adopt peaceful methods of struggle if New Delhi creates a congenial atmosphere for talks.

To accept the reality that a fair and just solution of the Kashmir problem is the one that reconciles the interests of the three parties, i.e., the people of India, Pakistan and Jammu-Kashmir, and ensures a better future for all of them. The only solution that meets this two-sided objective is the one of joint Indo-Pak control over a fully autonomous Kashmir valley, with Jammu as a full-fledged state and Ladakh as a union territory within the Indian Union and Azad Kashmir within Pakistan.

To accept the reality that a fair and just solution of the Punjab problem is the one that meets the aspirations of the ethnic Sikh community, on the one hand, and unites the entire Punjabi community, on the other. The only solution that meets this two-sided objective is the one of granting special status to Punjab within

the Indian Union. The anti-Hindu stance of the slogan of Khalistan divides the Punjabis on communal lines. A split within the Punjabi community is not in the interests of the Sikh community.

(C) To the Kashmiri Community, this Seminar Appeals:

To uphold the fair and just solution of the Kashmir problem that stands for a fully autonomous Kashmir valley under the joint control of an Indo-Pak Condominium or Confederation. This not only helps the cause of the Kashmiri community, but also serves the interests of the Indian and the Pakistani people by bringing India and Pakistan nearer to each other.

(D) To the Sikh Community, this Seminar Appeals:

To raise two banners: the banner of granting special status to Punjab within the Indian Union and the banner of an Indo-Pak Condominium or Confederation. Both these banners would help the cause of the Sikh community. The former would help strengthen the unity of the Punjabis by bringing the Punjabi Hindu and the Punjabi Sikh communities closer together, while the latter would gradually lead to the creation of conditions for the unity of the two Punjabs in future.

(E) To the Indian And the Pakistani People, this Seminar Appeals:

To erase the mindset of 1947 partition and look to the common future of India and Pakistan as well as the SAARC. Today, progress of India and Pakistan lies neither in mutual confrontation nor joining the different regional groupings. But it primarily rests with a dramatic breakthrough in their frozen cold war attitudes and thus opening the gateway not only for an Indo-Pak cooperation and friendship, but also for building up the SAARC as the world community's one of the viable institutions for social advance—thus changing the fate of one-fifth of mankind living on this sub-continent. In initiating this historical process, Kashmir can play the pivotal role by acting as the connecting bridge between two historical rivals. This is the demand of the new era of globalisation (a product of the newly emerged world reality of the interdependence of countries) in which the old sovereign nation based world order is reluctantly making way for a new world order of interdependent nation-states. 25-08-1992

(This paper was presented at a Seminar in Jammu on November 15, 1992)

India's Future Demands A Just Kashmir Solution That Is Fair To All Concerned Entities

I

(1) Everybody talks of the Kashmir problem as a political one. But hardly anyone states one's own political prescription for its solution.

(2) Our chief national spokesperson, i.e., the New Delhi Government, while continuously speaking of a political settlement, has mainly relied on the gun since the inception of the Kashmiri militancy some 31 years ago under three regimes of varying colours, namely, the Congress rule led by Rajiv Gandhi, the NF, BJP and Left Parties undeclared coalition headed by V.P. Singh and the Congress supported SJD Government directed by Chandra Shekhar. Thus, all the Indian mainstream parties have indeed upheld the politics of the gun as the only viable solution to the Kashmir problem, with the minor difference that, while the Congress rule has used the gun under the direction of the New Delhi nominated civilian Governor, the BJP has desired the use of the gun under the military command and the NF-Left combine now feels to entrust the gun's control to a local pro-India political management.

(3) So far, the politics of the gun has not yielded any productive result. But our dominant national opinion makers continue to place high hopes in its viability by quoting its wonderful performance in dealing with the ongoing Khalistani militancy and the earlier Naga, Manipuri and Mizo armed disturbances.

(4) However, in order to see the utility of the politics of the gun,

what our nation urgently needs is to give a close look to the two recent strategic experiences, the international and the national.

(5) The post-cold war international experience shows that the military solution has been losing its validity all alone the line. During the past four years, it has worked neither in favour of the insurgency nor that of the counter-insurgency anywhere in the world. Every contemporary contest (e.g., Cambodia, Afghanistan, Angola, Namibia, South Africa, Somalia, Nicaragua, Al Salvador, etc.) has concluded in a negotiated settlement through give and take.

(6) The post-1947 national experience reveals that the military solution has been too costly and yet an ineffective option. Despite India's top priority to its national defence (the main factor responsible for causing distortions in the Indian economy) and its heavy national loss in the three Indo-Pak and the one Sino-Indian wars, India's disputes with the two neighbours stand as before. In Punjab today, despite big Khalistani losses, the situation remains as volatile as it has been in the post-Blue Star Operation period. This is, because the epicentre of the Punjab problem (i.e., the Sikh community's feeling of unfair treatment at the hands of New Delhi) continues to emit new shock waves, peaceful or non-peaceful, in our social fabric. The earlier Naga, Manipuri and Mizo protests (a phenomena of the cold war era), far from evaporating by the military action, still go on simmering in one form or the other.

(7) Obviously, ignoring or misinterpreting any strategic experience generally produces harmful results.

II

(8) For the past one year, New Delhi has been time and again repeating its new action slogan of reviving the political process in Jammu-Kashmir, specifying at times even the time frame for the holding of Assembly and Lok Sabha elections in that state. But, every time, it has to extend the period of its electoral time table due to developments, unfavourable to itself. Now, an all parties delegation, after its officially sponsored study tour of the valley, has reported to the Prime Minister about the gravity of the Kashmir situation and the inadvisability of holding an election there under the prevailing conditions. This invalidates New Delhi's 1992 oft-repeated pronouncements that the Kashmiris are disillusioned with the militancy, that the militancy is on the way out and that the administration is in full control of the situation in the valley.

(9) Obviously, a miscalculation of the ground realities generally brings fourth undesirable results.

III

(10) New Delhi's preference for military option and its miscalculation of the ground realities in the valley are not accidental matters, but stem from two misconceptions.

(11) One misconception is that New Delhi, by over-emphasising the secondary factors (such as Pakistani incitement, Muslim fundamentalism, political and economic mismanagement, unemployment, etc.) as the main causes of the Jammu-Kashmir problem, considers itself as the aggrieved party instead of being the initiator of the trouble in Jammu-Kashmir. In this way, it overlooks the role of its nation-building model (responsible for the distortions in India's national process) in generating a discriminatory policy against the minorities in general and the minority dominated states in particular. The evidence about this discriminatory policy can be seen from the separatist movements in all the minority dominated states—first in Christian dominated Nagaland and Mizoram, then in Sikh dominated Punjab and later in Muslim dominated Kashmir—and the ongoing Muslim protest on the Babri-Masjid issue all over India.

(12) The other misconception is that New Delhi, by looking at the Jammu-Kashmir problem from the constitutional-legal angle (based on the Jammu-Kashmir Ruler's 1947 Instrument of Accession, Jammu-Kashmir Constituent Assembly's 1954 approval of Jammu-Kashmir's accession with India and Pakistan's non-compliance of 1948-49 UN Resolutions on Jammu-Kashmir), considers it as mainly a law and order problem.

(13) Unless these misconceptions are corrected by coming to terms with reality, the Jammu-Kashmir problem cannot be amicably solved.

IV

(14) An objective and dispassionate look at the Jammu-Kashmir problem brings forth its multi-dimensional features.

(15) The first or the basic feature of the Jammu-Kashmir problem—as evident from a whole series of historical facts, i.e., the UN Resolutions, Simla Pact, continuous Indo-Pak talks on Jammu-Kashmir problem at the higher level, the still running UN Observers' offices at Jammu, Srinagar and Muzaffarabad, the Jammu-Kashmir Constitution's provision for maintaining vacant seats in the Jammu-Kashmir Legislature for the people of 'Azad Kashmir', the continuation of the evacuee property in Jammu-Kashmir, etc.—consists of its being a dispute between India and Pakistan.

(16) The second feature of the Jammu-Kashmir problem—as evident from the Indian peoples resolve for not parting with the Kashmir valley and the Pakistan peoples determined bid to thwart Kashmir valley's final accession with India—consists of its being a question of national prestige for both India and Pakistan.

(17) The third feature of the Jammu-Kashmir problem—as evident from the overwhelming majority of the Kashmiris' struggle to opt out of India and the efforts of the majority of people in the Jammu and Ladakh regions to secure for themselves statehood and Union Territory status respectively—consists of its being a multi-ethnic and multi-regional problem.

(18) The above features demonstrate that the Jammu-Kashmir problem is a highly complex and complicated question.

V

(19) The foregoing facts point out that the state of the Jammu-Kashmir tangle cannot remain the same anymore. It is bound to undergo a drastic change one way or the other.

(20) An endeavour to maintain the status quo means the continuation of the traditional Indo-Pak tensions on the one hand, and the prolongation of the ethnic turmoil in the Kashmir valley, on the other.

(21) Also, any attempt to change the situation in the interests of one side or the other implies the generation of a new Indo-Pak confrontation, containing the threat of a nuclear conflagration.

(22) Both these positions are neither in the interests of India nor that of Pakistan or the people of Jammu-Kashmir.

(23) Thus, a clear lesson from the hard facts of the Jammu-Kashmir imbroglio is that its just solution is, and can be, the one that is fair to all concerned entities (i.e., the people of India, Pakistan, Kashmir, Jammu, Ladakh and Azad Kashmir). Obviously, such an option can only be considered out of the national bounds and cannot favour or disfavour one side or the other. It can only be formulated through dialogue and negotiations between India, Pakistan and the representatives of different regions of Jammu-Kashmir.

(24) But a negotiated settlement is not, and cannot be an easy task. It is possible if India and Pakistan try to get rid of the 1947 mindset, learn from the post-1947 experience of Indo-Pak relationship and proceed from the new world reality.

(a) To get rid of the 1947 mindset means to give up the beliefs and postures of the partition and accept the reality of the existence

of two separate, independent states of India and Pakistan.

(b) Learning from the post-1947 experience of Indo-Pak relationship implies to abandon the Indo-Pak confrontationist attitude and pose that have not only hampered their respective all-round development, but also hindered the consolidation of the SAARC and its further advance towards a common market.

(c) To proceed from the new world reality signifies to adopt the vision of One World which, emerging from the reality of the interdependence of countries, considers the interests of India and Pakistan as complementary, with a common future. It demands that the two countries must join their hands in order to build their shared fate and thus open the gateway for the progress of the SAARC.

(25) The only Jammu-Kashmir democratic solution—that can satisfy the aspirations of the Kashmiri and other ethnic groups in Jammu-Kashmir, on the one hand, and meet the national hopes of India and Pakistan and also bring them closer together, on the other—is to place a fully autonomous Kashmir valley or the entire Jammu-Kashmir state (consisting of five equally autonomous regions), with the approval of the concerned people, under the joint control of India and Pakistan, be it called an Indo-Pak Condominium or Confederation, entrusted with the responsibility to manage the defence and the currency of the Kashmir valley or the Jammu-Kashmir state, as the case may be.

The establishment of Indo-Pak Condominium or Confederation would help in creating favourable conditions in South Asia for ending regional conflicts, strengthening democracy and economic growth, halting the march of Hindu and Muslim fundamentalism, improving environment, etc.

(26) Thus, the challenging Jammu-Kashmir problem—that had been the root cause of generating three Indo-Pak wars in the past—can be turned into a great historic opportunity to serve the interests of not only the people of India, Pakistan and Jammu-Kashmir, but also of the world.

VI

(27) If New Delhi and Islamabad are not agreeable to build a common future and still persist to fritter away their respective national energies by opposing each other, then four other options can become the basis for a negotiated settlement of the Jammu-Kashmir problem. These are:

(a) A fair and free election under the direction of an independent

agency, mutually agreed to among the involved parties.

(b) Kashmir valley to be made independent, Jammu and Ladakh regions to remain with India and 'Azad Kashmir' with Pakistan.

(c) To place the Kashmir valley under the UN control till the concerned parties are able to reach an agreement.

(d) A Triest-like solution (between Italy and Yugoslavia), i.e., status quo with the free movement of the people living on either side of the line of actual control in Jammu-Kashmir.

(28) Of these solutions, the first three are not acceptable to India at this moment, while the fourth one is neither appealing to the Kashmiris nor to Pakistan.

This means the maintenance of the tense relations between India and Pakistan and the continuation of the high or low voltage turmoil in the valley.

VII

(29) Both New Delhi and Islamabad still continue to be mired in the cold war logic, ignoring the realities of the new world era. In this situation, the Indo-Pak people in general and the Jammu-Kashmir people in particular can set a new democratic trend by upholding the just solution of Indo-Pak Condominium or Confederation for the settlement of the Jammu-Kashmir problem—thus bringing the two respective national governments to a sensible course.

(30) It is high time that this Seminar issues an appeal to all those people who are desirous of a negotiated democratic solution to the Jammu-Kashmir problem to come closer together (irrespective of party affiliations) in order to chalk out an agreed proposal for the resolution of this burning problem which, if allowed to explode, can, with its nuclear dimensions, spell disaster not only for the people of South Asia but the whole world.

Besides, this Seminar should also appeal to its organisers to call another representative meeting of those who uphold a negotiated settlement of the Jammu-Kashmir problem within a reasonable time.

04-11-1992

Supreme Court's Ambiguous Verdict On Reservations

I

(1) The full implications of the Supreme Court's six-three majority judgement (covering about 1,100 pages) on one of the most volatile national issues, i.e., the issue of reservations for socially and educationally backward classes, can become evident only after its detailed study. But a preliminary view of whatever has been reported in the Press brings forth three main considerations concerning this judgement.

Firstly, the majority judgement, at one place, accepts the caste as a legitimate unit for defining the socially and educationally backward classes and yet, at another place, it considers the caste unit as only one among so many factors, all collectively forming the criterion for identifying the social and educational backwardness.

Secondly, while validating the 27% reservation quota in the Central Government services and the public sector undertakings for socially and educationally backward classes on the casteist basis, the majority judgement again deviates from this norm by decreeing that the real backwardness can only be determined by separating the 'creamy layer' of the socially and educationally backward castes. This implies the further sub-division of the backward castes on the indices of poverty, illiteracy, disease, living conditions, historical discrimination, and so on, as laid down by the majority judgement itself. This logically raises the question that if varying indices are to be applied to the thousands of castes for demarcating socially and educationally backward classes, then why can't this be done in a secular way by applying these very indices to the whole Indian population.

Thirdly, the majority judgement does not specify the time limit for this category of reservations, though the scheduled castes and scheduled tribes type of reservation requires a parliamentary sanction after every ten years.

(2) All this shows that the majority judgement is an ambiguous

decision and does not provide a clear-cut basis to sort out socially and educationally backward classes. The positive side of the majority judgement includes: the fixation of 50% job reservation limit and the non-applicability of the reservation order to specialised jobs, admissions to educational and professional institutions, promotions in government services, etc.

II

(3) From where does the social and educational backwardness arise in India? The casteist school holds that it arises from the age-old caste-hierarchy which, according to this school, constitutes India's dominant social reality in the matter of identity, occupation, marriage, etc. To find out the exact position, it is necessary to look at certain facts, both global and national.

(4) On the global level, over 100 countries, including India, have been characterised as socially and economically backward countries, according to various expert estimates. These estimates broadly show that there is a common general cause of this backwardness, supplemented by the particular national causes. But none of these countries, excepting India, has known any caste system in history. The international institutions, such as the UN and its various agencies, the World Bank and the IMF, etc., hold that the socio-economic backwardness of the developing countries is an outcome of multiple causes—political, economic, cultural and historical—with poverty being the principal one. Had casteism been the main generator of socio-economic backwardness, there would have been no backwardness in caste free Bangladesh, Bhutan, Pakistan, etc.

(5) On the national level, the economic, cultural and political realities present the following picture.

(6) In the economic sphere, five points are worth-studying.

The first point is as to who determines what the Indian people should do to earn their living. Is it being decided by the caste hierarchy or something else? In the good times of caste hierarchy, each caste was assigned a specific job which none of its members could change under any circumstances. But today, there is no legal or social binding and everybody is free to adopt any profession. The main consideration for pursuing any occupation these days is primarily money—the chief medium of market mechanism. That is why a *Brahmin* businessman, belonging to the top layer of the caste code, would not hesitate to undertake shoe manufacturing, a lowly job by caste standards, if it yields more profit.

The second point is as to who controls India's industrial, trade and agricultural sectors. In the ancient times, the two top castes (the Brahmin and the Kshatriya) held full sway over the economy. Today, the state sector, the biggest economic sector, is owned by the state. In the private sector, nearly 40% is also owned by the state financial institutions, while the ownership of the rest vests in the small shareholders. The big corporate houses control between 1 to 10% in various corporate enterprises. The biggest corporate business is run by the House of Tatas, belonging to the Parsi community, having no relation to the caste hierarchy. Also, none of the first ten industrialists comes from the two upper castes. Some years back, the richest man in India belonged not to any upper caste but the Muslim community (i.e., the Nizam of Hyderabad). All branches of MNCs in India are controlled not by India's upper castes but foreign owners, mainly belonging to the Christian community.

The third point is as to what constitutes the main sources of India's national income. The caste hierarchy, based on the village self-sufficient economy, derived its entire income from primitive agriculture, while India of 1992 gets only 32% of its national income from agriculture, the rest coming from urban industrial and service activities.

The fourth point is as to who dominates the Indian labour process. In the old days, it was regulated by the upper castes. Today, it is overall organised by the state, with individual entrepreneurs and the landowners controlling their respective domains. The workers in the organised sector exercise their collective power through trade unions.

The fifth point is as to who is responsible for the prevalence of poverty and unemployment in India. While in the heydays of the caste hierarchy, everyone's share in a primitive agricultural economy (a bare hand to mouth living) was fixed according to one's hierarchical status, the present day unequal market exchange gives rise to the process of concentrating money in a few hands, on the one hand, and of turning the rest into poor and middle categories, on the other—thus bringing forth the questions of poverty and unemployment. The corruption-cum-inefficiency ridden government economic policy further complicates the matters.

(7) In the cultural sphere, the worth-studying point is as to what sets forth the norms of behaviour in India. Promoted by the vote bank based political process and the black money dominated economic process, the twin norms of money making

and power grabbing dominate our entire social life. Money, whether black or white, has come to command respectability in all walks of life. Now, the Brahmins regard money more important than Vedic knowledge and the Kshatriyas consider money more valuable than weaponry. Power, whether secured through fair means or foul, is another symbol of social status. The family relations—between father and son, brother and brother and brother and sister—are regulated by money considerations. The institution of marriage too has become a market deal under which the upper and middle class has to pay the contracted dowry to the male side, while the reverse is the case among the poorer classes where the bridegroom's family pays the settled amount to the other party. No one bothers about caste, if money and power are the available alternatives.

(8) In the political sphere, the worth-studying point is as to who expounds the rules of India's political process. The Indian polity functions on the basis of Indian Constitution and jurisprudence which highlight the rule of law. Though the Indian rule of law is characterised by certain serious weaknesses (e.g., corruption, inefficiency, criminalisation, etc.), yet its fundamental and common laws (i.e., universal suffrage, party based politics, independent judiciary, responsible administration, etc.) are irreconcilable with the caste rules which derive their authority from the God, are eternal irrespective of time and space, and, while bestowing privileges on the upper castes, deny even elementary human rights to the lower castes and the women. In fact, the rule of law and the caste hierarchy are mutually exclusive.

(9) Thus, it can be seen that the casteist school's perception of India—i.e., its fundamental thesis of the castes being the modern classes of India—is at variance with the Indian reality. Its derivative concept that the social and educational backwardness in India can be identified on the basis of caste is a misreading of the Indian facts of life. As the obvious facts indicate, the backwardness is not a uniform feature of any caste today. Parliamentary polity, market mechanism and money oriented norms have brought about big changes within each caste—leading to distinctions between its well-to-do and poor sections. For instance, many barbers have set up modern hair-cutting saloons, tailors up-to-date cutting and sewing units, *dhobis* new type laundries, etc. Similarly, some *Yadavs, Kurmis, Koeris, Ahirs, Gujjars, Lingayats, Vokkaligas, Kammas, Banias, Ramgarhias,* etc., have become ministers, MPs and MLAs. Many of them are big landowners and have invested in

urban housing, transport, industry, trade, etc. How can these well-to-do persons be called backward? Thus, backwardness in India today is an individual peculiarity and not confined to any particular caste—with each caste splitting itself into different sections of modern classes, i.e., rich, middle, lower middle, poor, etc. That is why the caste today cannot be considered a proper measure to judge the social and educational backwardness in India.

(10) Like all other Third World countries, the main factor responsible for social and educational backwardness in India is the all-pervading poverty, which chiefly arises from India's corrupt and inefficient social system. Hence poverty alone constitutes the main dividing line between the backwards and the forwards in India. And, thus, the elimination of poverty becomes the main task for the ending of social and educational backwardness in India.

(11) The removal of the gigantic poverty problem requires both long and short term measures As to the long-term measures, it is necessary that all official schemes concerning the upliftment of the poor include the provisions for free education, medical-care and housing facilities; effective implementation of the land reform laws; development of rural water supply, power, transport, telecommunications, marketing, credit, etc. In the short-term measures, it is necessary that, in addition to official steps, all poor, living below the poverty line, be ensured job reservations, both in the official and the non-official sectors equal to their total population in the country (which at present stands at about 40% of the total Indian population).

III

(12) Interpreting the Supreme Court's majority judgement as its moral and political victory, the casteist school has with renewed vigour raised its demand for putting into effect the 13th August, 1990 Order providing 27% job reservations for socially and educationally backward classes on the caste basis as recommended by the Mandal Commission. This casteist demand is being further reinforced by the public expositions of various hues of the upholders of vote bank politics, each of whom is trying to present the majority judgement as the vindication of its respective Mandalised stand. The situation, therefore, poses a new serious challenge to democratic politics and forces, opposed to the casteist approach.

(13) The new serious casteist challenge demands of all

democratic forces, upholding a rational viewpoint of social justice (contrary to the revengeful viewpoint of the casteist school), including the amelioration of the backward sections, to try to forge a broad united front for the mobilisation of the Indian people on anti-casteist lines. But this can only be possible if rationalism is firmly maintained in thought and democratic norms are strictly adhered to in action.

(14) To build a broad democratic united front and mobilise the masses, the following initiatives may, after due consideration and development be useful.

(a) Organising of the anti-caste based reservation movement on perfectly peaceful lines. No quarter to those engaging in violence.

(b) Demanding of job reservations for the weaker sections on the criterion of poverty line. Those going up the poverty line be removed from the reservation category. The present reservation quota for the SCs and the STs to continue with the modification that its members above the poverty line be excluded from the reservation classification. By removing poverty within a specified time, say in two decades, the lot of the weaker sections can be improved, thus making the methodology of reservation redundant.

(c) Filing of a review petition before the Supreme Court praying for the reconsideration of the majority judgement.

(d) Presenting of a petition to Parliament appealing for making necessary change in the Constitution and law to incorporate the norm of poverty as the basis for all types of reservation.

(e) Making of proper representations before the identification Commissions for identifying the socially and educationally backward classes if the government appoints them as required under the Supreme Court's majority judgement.

(f) Raising of the demand for transforming India into a full-fledged federal unit under which the reservation powers vest with the states.

(g) Putting forth of concrete proposals for the improvement of the Indian economy, enabling it to ensure a living allowance to every unemployed and destitute.

(15) Both casteism and communalism (which motivate the people to view things from the casteist and the communal angles respectively) are today posing a great threat to our country. At the moment, the national barometer is signalling a stormy weather further on. Only a rational humanist approach and the democratic unity of the fair-minded people can enable India to face the dangers lurking ahead. 21-11-1992

Ayodhya Mandir-Masjid Dispute A Totally Unproductive But Highly Emotive Agenda

I

(1) Unless something dramatic happens, the day to day developments concerning Ayodhva Mandir-Masjid dispute are fast moving towards a boiling point. The battle lines between the so-called secular forces (comprising of the Congress, NF-LF combine, SJD, etc.), on the one side, and the forces of *Hindutva* (which include the *Sangh Parivar*, BJP, VHP, Bajrang Dal and now joined by the Shiv Sena, etc.), on the other, have been drawn. The tone and tenor of the Prime Minister's speeches, the NIC deliberations,the Supreme Court directives as well as the NF-LF combine's belligerent pronouncements, on the one hand, and the defiant statements of the forces of *Hindutva* to go ahead with their *Kar Seva* Plan, the postponement of BJPs organisational elections, the direction to the BJP legislators to join *Kar Seva*, on the other, reflect the toughness of the posture and the hardening of the attitudes on the two sides. If the present level of tension on the Ayodhya dispute is not diffused, one more crisis may be added to the multi-crises, already shaking the country.

II

(2) Can the ensuing crisis be still averted? Almost the entire Indian people are interested in a peaceful resolution of the Ayodhya dispute. The biggest hurdle to a peaceful settlement is that everyone wants a solution on his own terms. But there also are saner elements on both sides who are not averse to making efforts to avoid a conflict.

(3) At the moment, two main courses to deal with the Ayodhya dispute exist in the so called secular camp. The hard line, advocated by the pro-Arjun Singh faction and the NF-LF combine, stands to stop *Kar Sewa* at all costs. The soft line,

represented by the P.V. Narsimha Rao group, wants to mike use of the NIC and the judiciary for pressurising the *Kar Seva* organisers to help maintain law and order and let the structure of the Masjid stay at its place while undertaking the construction of the Ram Mandir.

The *Hindutva* camp too consists of its hard and soft wings. The hardliners (like M.M. Joshi) maintain to pursue the construction plan at all costs, while the soft liners (A.B. Vajpayee variety) desire not to defy the Courts' directives.

(4) Still, there is a possibility of a meeting ground, provided the diehards on both sides are restrained from generating further tension. Given an attitude of mutual accommodation and respect for the rule of law, it is not difficult to sort out the contentious issues. But such an attitude is handicapped not only by the hardliners but also the respective strategies of the related forces.

III

(5) What are the respective game plans of the different forces involved in the dispute? Apparently, each side as well as its constituents talk of upholding the rule of law and resolving the matter in an amicable manner, but in practice follow a different course.

(6) The Rao government, indulging in verbal platitudes, dithered and dodged the issue for 16 months. And when it reached the flashpoint, the government tried to involve the NIC and the judiciary to help it find a way out.

The Prime Minister had assumed that his intimate relations with the BJP (which had earlier declared Rao as the best Prime Minister the country had since Lal Bahadur Shastri) would enable him to maintain the status quo in Ayodhya and that he would thus be able to smoothly get through his full term. But this estimation conflicted with the BJP's Ram Mandir priority which it could ill-afford to neglect in view of its newly acquired political status.

Earlier, it was the Nehru government which in 1949 had opened the Ayodhya pandora box by allowing the forcible occupation of the Babri Masjid by a group of Hindu priests who then placed some idols inside it. This illegal act was further reinforced when in 1950, the main gate of the Masjid was locked by the Deputy Commissioner, Faizabad, while, under an order of the Civil Judge, Faizabad, selected priests were allowed to daily perform the *puja* inside the Masjid. Both Nehru and Indira, with their two regimes lasting for a total period of 30 years, did not

make even a single attempt to deal with this issue at the political level. During the rule of Rajiv Gandhi, not only the main gate of the Masjid was opened under the 1986 order of the District Judge, Faizabad for the performance of *Puja*, but permission was also granted to the *Ram Janma Bhumi Mukti Yagya Samiti* for the *shilanayas* on the eve of 1989 General Election.

This is how the Congress rule has bequeathed the Ayodyha Mandir-Masjid legacy, in addition to so many other discordant bequests to the Indian nation.

(7) As regards the BJP, the political front of the *Sangh Parivar*, its fervent devotion for the construction of Ram Mandir at Ayodhya does not find a central place in its action agenda at any time before 1986, as is evident from its varying basic slogans advanced to rally the forces of *Hindutva* at different times. Thus, from 1950 (when BJP's earlier version, the Jan Sangh, was formed) to 1961, an anti-Pakistan platform constituted its main plank. This was followed by an anti-China stance. In 1966, it launched the agitation for a ban on cow slaughter but thereafter forgot the *Gou Mata* which still continues to be neglected in its list of priorities. In 1972, it characterised Indira Gandhi as the incarnate of Goddess Durga. But, three years later, it joined the anti-Indira campaign, headed by J.P. Narain, the propounder of Total Revolution. In 1977, it merged itself into the then formed Janata Party, headed by an old Congressite, Morarji Desai. During the Morarji ministry, two of its top leaders occupying the ministerial chairs did neither raise the question of the construction of Ram Mandir nor of the abrogation of Article 370 of the Indian Constitution—the two of its fundamental issues now being nationally focussed by it. In 1980, it came out of the Janata Party, renamed itself as the Bharatiya Janata Party (BJP) and adopted Gandhian Socialism as its objective instead of JP's Total Revolution.

In 1984, the BJP replaced Gandhian Socialism by Integral Humanism (as formulated by Deen Dayal Upadhaya). In the same year, it took up the issue of *Gangajal* which too was given up soon afterwards. In 1986, it became a vociferous campaigner for the construction of Ram Mandir that later formed the number one priority issue of its 1989 Election Manifesto. But again this topmost question remained suspended during the first ten months of its clandestine coalition with the NF-LF combine. Only before and after the 1991 poll, the Ram Mandir has become its principal strategic slogan. The story of *Ram Bhakti* remains incomplete if one does not take notice of the fact that, in the

entire post-1947 period, the BJP has hardly bothered about scores of Ram Mandirs, lying in bad condition in the country.

That is how the BJP, after traversing its zigzag political course, has finally discovered the path of Ram Mandir for India's salvation.

(8) With regard to the NF-LF combine, none of its components had ever raised even a little finger either in 1949, 1950 or 1986 when the process of changing the character of the Babri Masjid was underway. In fact, V.P. Singh, occupying the number two position in the Rajiv Cabinet at the time of 1986 unlocking of the Babri Masjid gate, has been as much responsible for escalating the Ayodhya dispute as any other top Congress leader. Again, it was his 1990 government that tried to strike a deal with the BJP for the handing over of the disputed land around the Babri Masjid to the VHP—a proposal rejected by the latter which insisted on the removal of the Babri Masjid structure to some other place.

Today, the NF-LF combine is very much worried over the violation of the rule of law and human rights in Ayodhya. But why does not its newly awakened sense for the rule of law and human rights react when human killings daily take place in Kashmir, Punjab and Assam either under official custody or in fake encounters? Where had its high sounding secularism gone when, in 1990, it formed an undeclared coalition with the BJP and when, in 1977-79, the CPM supported the Jan Sangh participated ministry headed by Morarji, or when, in 1967, the CPI and CPM were partners with the BJP in anti-Congress fronts?

(9) Obviously the claptrap of the mainstream parties on the Ayodhya dispute is nothing but the pursuit of their unscrupulous politics whose only aim has been to grab power by hook or by crook.

(10) In brief, the Congress game-plan of running with the hare and hunting with the hound aims at ensuring its vote bank among every section of the population by fluttering the flag of national unity. The BJP game-plan is to consolidate its constituency among the Hindus by waving the Ram Card, while the NF-LF game-plan strives to stabilise the backward and minority vote by raising the two banners of Mandalism and Minorityism.

IV

(11) Various proposals are being publicly discussed everyday for the Ayodhya dispute. But so far every option (such as referring the entire matter to the Supreme Court with the condition that its decision is to be acceptable to the concerned parties, turning the

Babri Masjid complex into a national monument, and so on) has been rejected either by one side or the other.

(12) An appropriate way to work out a proper solution of any issue, particularly a complex issue like the Ayodhya dispute, has been to take into account the entire facts concerning that issue. Thus, the Ayodhya dispute provides us the following facts.

Firstly, the Ayodhya dispute has been a highly emotional question, having a sentimental appeal to the two communities—the Hindu and the Muslim.

Secondly, the Babri Masjid complex, with the idols lying inside, is at present under the complete control of the fundamentalist forces.

Thirdly, the administrative response to this gigantic challenge is being directed by an inconsistent Congress government which itself is responsible for the Ayodhya mess.

Fourthly, the fundamentalist forces in India at present hold a strong position, both politically and electorally.

Fifthly, the communal question in India has been characterised by the 1947 communal partition and a distorted view of history emphasising only the Hindu-Muslim contention, while ignoring their harmony, as presented by the colonial and the communal historians.

Sixthly, the rise of the religious fundamentalism, particularly the Muslim one, in the world is being used by the fundamentalist forces in India according to their convenience.

Seventhly, no country in the world today follows a policy of changing the historical nature of the existing minority religious places on the basis of the majority character of its population (e.g., the existence of the Gurdwara Shahidganj in Lahore which had been a bone of contention between Sikhs and Muslims in the pre-1947 period, the preservation of the Muslim and the Christian religious places in Jerusalem now under Israeli control, and so on).

Lastly but importantly, the predominant public opinion in India, including the saner elements among the forces of *Hindutva*, desire that the Ram Mandir should be built at the scheduled place without affecting the Masjid and that there should be no confrontationist posture on either side.

(13) These facts demand the carrying out of the three things.

(a) To preserve and further develop the present level of public opinion in favour of Mandir-Masjid coexistence, while isolating the fundamentalist forces more and more, as required by fact No 8.

(b) To avoid confrontation to the maximum limit as required by

fact Nos. 1 to 6.

(c) To adopt the methodology of negotiated settlement as required by the above two demands.

(14) To mobilise and further develop the public opinion and isolate the fundamentalist forces means to firmly uphold the peoples objective—i.e., "constructing of the Mandir without affecting the Masjid"—and propagate it widely.

(15) To avoid confrontation signifies to refrain from provoking passions on either this or that side and shun the use of force. Hostile acts and the use of force by the government on this highly emotional issue can be unproductive. This can fan communal passions and benefit the fundamentalist forces—thus harming the national cause. The force may suppress the issue for the time being, but cannot shelve it for long.

The diehards pressing for a harsh line do not realise that their tough oratory and pose only help the fundamentalist forces which they simplistically claim to oppose. This can be seen from Mulayam Singh's 1990 factious demagogy that indirectly helped the BJP to win the 1991 poll in UP and caused great loss to the Muslim community by generating communal riots. It is also evident from the fact that the Congress' revivalist secularism—which always swears to defend the minorities' interests, but practically looks after the majoritarian concerns—has not only resulted in the strengthening of the fundamentalist forces but also in thousands of communal riots in the post-1947 India.

(16) To adopt the methodology of negotiated settlement implies to start from the actual situation and move towards the objective. Thus, the actual balance of forces coupled with the peoples objective demand a three sided initiative. That is:

(a) Taking over of the protection of the Babri Masjid and the immediate construction of a protective enclosure around its structure by the Central government.

(b) Making of intensive efforts to bring all types of democratic pressure—including NIC, Judicial and Media processes—on the BJP-VHP combine to induce it to give an undertaking either before a Court or at an out of Court settlement to the effect that the construction of the Mandir will not affect the Masjid.

(c) Allowing of the smooth performance of *Kar Seva* and the construction of Mandir as per schedule.

(17) It is just possible that the pursuit of a rational policy may help in averting the developing crisis on the Ayodhya dispute. Today, when the world is scaling new heights of civilisation and

when India is confronted with highly serious problems, the fighting over some old stone structures in Ayodhya is a totally unproductive agenda.

V

(18) A proper resolution of the Ayodhya dispute, though a great step forward towards easing communal tensions, does not, however, mean the end of the problem. Because the Ayodhya dispute represents only an opening scene and not the final act of the process—the process of transforming India into a *Hindutva* State, as upheld by the *Sangh Parivar* and the BJP.

(19) Briefly stated, the theory of *Hindutva* holds that the history of India is in essence the history of Aryan culture, as symbolised by *Hindutva* today. Hence "*Hindutva* constitutes the bedrock on which Indian nationalism must base itself. All other cultures existing in India, being the offshoots of *Hindutva* must adjust themselves accordingly. Only then can their followers become real Indian nationals. Obviously, this approach categorises India as a mono-cultural country instead of being a multi-cultural one.

Proceeding from this historical standpoint, it maintains that the main reason of India's weakness and lack of progress lies in its adoption of Western model, unrelated to native peculiarities. Hence, it puts forth the vision of restructuring India according to the tenets of *Hindutva*.

(20) This aggressive nationalism unrelated to India's multi-cultural and the world's interdependent realities, demands a proper response on all fronts—political, economic and cultural. But the Congress sponsored revivalist secularism and the NF-LF promoted casteist Mandalism, instead of combating the *Hindutva* challenge, indirectly strengthen it. That is why the BJP has been able to make big inroads into the citadels of the Congress, NF-LF combine, etc. In fact, none of these three options now suits an interdependent India.

(21) To meet the new demands of an interdependent world and the great challenges at home, what India needs today is an outlook of rational humanism, a vision of One World, a Confederation with Pakistan and then with South Asian countries, a federal and decentralised polity, a globally oriented economy and an internationalist democratic culture. And all these principles necessitate the building of a new-type party, capable of carrying out India's modernisation and democratisation in the new era of globalisation. 25-11-1992

Nation's Survival At Stake

I

(1) Every sane and right thinking person had felt sad at the tragic happenings in Ayodhya on December 6, 1992. Equally sorrowful had been the deplorable killings of about 400 persons (as on the night of December 8) and the injuring of hundreds across the country in its aftermath. All these grave events were manageable through timely and proper initiatives. But an avoidable tragedy had been foisted on the nation.

II

(2) The overwhelming number of our countrymen earnestly desired a peaceful settlement of the dispute either through negotiations between the concerned parties or a court verdict. They never wanted the demolition of the disputed structure. But this was not case with the mainstream parties.

(3) Misperceiving the national reality, the camp of *Hindutva* had expected an unprecedented national response to its heroic demolition deed. Instead, it now finds a shocked nation. It had expectecd a great resurgence of the forces of *Hindutva* following its defiance of the Supreme Court directive through monocracy. But, it now discovers its entire camp in disarray (the resignations of L.K. Advani and Kalyan Singh from their posts, A.B. Vajpayee's statement disapproving the Ayodhya incident, etc.). Its unscrupulous position on the Supreme Court directive—i.e., telling the Parliament and the press that it would obey the said directive, while mobilising the cadre and the masses for direct action—was the outcome of its exaggerated notion of the national mood and its own strength.

(4) Pursuing the Congress' traditional double-dealing policy—i.e., the policy of hobnobbing with the forces of *Hindutva*, on the one hand, and waving its secular card from the NIC platform and inside the Court rooms, on the other—the ruling party's P.V. Narsimha Rao group has lost much of its credibility and is now

sufficiently demoralised. Even Rao's Premiership is under threat. Its main saving feature now lies in the non-availability of a viable alternative inside the ruling party's parliamentary wing. The other Congress faction associated with Arjun Singh (who openly displays his casteist flag as is evident from his address to the two specially arranged meetings of the *Rajput* community in Jammu Region only a fortnight ago), though jubilant at the turn of events, commands little support at the time.

(5) Upholding a casteist historical approach, the NF-LF combine, competing with Hindu fundamentalism for the backward castes vote, has been, from the very beginning of the current round on Ayodhya, demanding a tough line against the forces of *Hindutva*. This aggressive posture might have in the given conditions looked attractive to the Muslim community. But keeping in view the negative results of Indira Gandhi's 1984 hard line, then supported by V.P. Singh, the Left as well as the BJP, to flush out the Khalistani militants from inside the Golden Temple and the present official gun-wielding line, as backed by the NF-LF combine and the BJP, in Jammu-Kashmir and Punjab, it can be safely inferred that in this specific emotional issue, a confrontationist stance will, and can, only strengthen the hands of the forces of *Hindutva*—thus causing the strategic harm to the national interests, including the minority ones.

(6) Hardly these mainstream parties have ever tried to fit their deeds to words.

III

(7) The main responsibility for landing the nation in a mess rests with the Rao government whose mishandling of the Ayodhya tangle has, on the one hand, violated the international conventions and thus hurt the world democratic opinion, and, on the other, damaged the national unity by inciting communal violence, stimulating further alienation of the minorities, especially the Muslim community, providing added justification to the minority militancy in Kashmir and Punjab, antagonising the world Muslim sentiment and shaking the peoples faith in the Constitution and the Law. Such a national tragedy would have been averted, had the government taken over in time the control of the disputed structure and constructed a high-walled protective enclosure around it.

(8) The secondary role in the generation of this trouble had been played by the camp of *Hindutva*, especially the BJP.

(9) The basic cause of this malady lies in the revivalist secularism that, under the signboard of *Sarva Dharma Samabhav*, projects the majoritarian culture and alienates the minorities. In fact, it constitutes the basis of the 1947 communal partition and the post-1947 communal and casteist turmoil. The difference between the revivalist secularism, as upheld by the Congress and the NF-LF combine, and the secularism of *Hindutva*, as sponsored by the BJP, is that between tweedledom and tweedledee.

IV

(10) An emotionally surcharged atmosphere demands sober and calculated initiatives. But, in the just announced set of measures, while some (like the building of Masjid and Mandir side by side) are positive, the utility of others, such as the arrests of Hindu fundamentalist leaders and the ban on communal organisations, is contentious. Here, three points need consideration.

Firstly, at a time, when the forces of *Hindutva* are in disarray, an attack will induce them to close their ranks and also provide them a martyr's image to cover up their battered and demoralised spirits. The creation of more tension will only strengthen the divisive forces.

Secondly, the national experience shows that a ban on the RSS and the Hindu Mahasabha in the wake of Gandhi's assassination and again the prohibition of the RSS and the Jamaat-e-Islami under the 1975 Emergency did not weaken them at all. The arrest of opposition leaders by Indira Gandhi only enhanced their prestige.

Thirdly, in the international sphere, the Stalinist impositions on literature, organisations and individuals made them more popular.

(11) The most effective way to counter the rabid doctrines, bodies and leaders lies in facing them with rational politics and democratic functioning.

V

(12) Major catastrophes have no easy solutions. They need to be tackled both at short and the long term levels.

(13) The immediate problem facing the Indian State is to restore normalcy, assuage the feelings of the Muslim community and to instil confidence among the people. This needs a series of steps, the first among which should be the defusing of the communal tension with the help of the peace-cum-relief

committees, formed on the basis of representation from all political, cultural and voluntary organisations.

Secondly, a meeting of the NIC be immediately convened to chalk out a programme for the building of Mandir and Masjid side by side in Ayodhya. In case, the BJP or other fundamentalists raise objections to this proposal in the name of the wishes of the majority, then the decision should be taken to hold a referendum asking the people whether they want a Mathura-type solution in which the Mandir and Masjid coexist together.

Thirdly, a high power Commission be appointed to investigate all violations of law concerning the Ayodhya tragedy and recommend measures against those who, directly or indirectly, are involved in these violations.

(14) The long-term problem, involving the question of dealing with different types of fundamentalism, chiefly the *Hindutva*, necessitates the taking of three initiatives.

(a) Separation of religion from the State in all matters.

(b) Supremacy of the Constitution and the Law in all spheres, including the matters of faith.

(c) Adoption of a new model, based on the vision of one world, federalism, decentralisation, sustainable development and democratic values.

(15) Beating the old track will put the nation's survival at stake.

08-12-1992

Trade Unionism Today

I

(1) The working people have always played a very important role in social development throughout history. But, they have been continuously subjected to domination by the ruling groups and the possessing strata everywhere. However, the degree of this domination has gone on decreasing with the advancement of Man's scientific, technological and social knowledge. This can be seen from the difference in the statuses and the working conditions of an ancient slave (or a bonded labourer) and a modern wage worker.

(2) The Trade Union (henceforth TU) Movement has been a very recent phenomenon in the long history of mankind. It arose in the first quarter of the 19th century when, following the rise of the industrial workers in the Western Europe, particularly in Great Britain, there emerged the workers' struggle for better living and working conditions, necessitating some sort of workers organisation.

(3) The formation of the TUs was a great step forward in securing and protecting the interests of the workers. In course of time, the TUs came of age, step by step developing their norms of functioning and forms of organisation. Gradually, TU-ism became a general form of organisation for the working people of all trades and occupations—involving factory and office-goers, peasants, middle strata, industrialists, etc.—thus further enhancing their role and place in society.

II

(4) The emergence of the post-1945 scientific-technological revolution in the world, particularly in its developed part, gave rise to a global division of labour which, on the one hand, brought about the interdependence of countries, and, on the other, led to a change in the working and the organisational methods. The interdependence of countries demanded a fast globalisation of various national processes, particularly the economic and the

security ones, by each country, while the change in the working and the organisational methods required a new type of training and motivation of the work force of each nation. This implied a transformation in the development strategy from the national to the global one.

(5) Those countries (e.g., South Korea, Hong Kong, Taiwan, Singapore, Malaysia, and so on)—which had earlier embarked on the path of liberalisation (a process of reforms linking any national market with the global one) through a strategy of export promotion and a policy of liberal inflow of foreign capital—have made rapid economic strides. Contrary to this, those (i.e., the majority of the developing countries)—which remained on the old track of self-reliance through a strategy of import substitution and a closed door policy towards foreign capital—have been lagging behind.

(6) However, the above mentioned two types of development strategies and policies, despite their basic difference, have remained mired in the framework of national economics which views economic processes in national terms and thus lacks to meet the requirements of the newly developed powerful global market. The application of national economic concepts in handling the global economic processes has brought forth fresh economic imbalances in almost all countries, resulting in a world economic recession, as manifested by capital shortage and instability in the global financial markets. This has resulted in the slowing down of the respective growth rates in the developed countries and pushing the developing countries into further debt syndrome while holding back economic reforms in the East European countries.

(7) The traditional economic remedies of inflation (Keynesianism) and deflation (monetarism), so typical of the IMF and the World Bank packages, have been unable to restore the health of the global economy. The globalisation of finance and goods has made them ineffective. The Keynesian economic stimuli (through the cutting of interest rates which ensures cheap capital and deficit financing which pushes up demand), generated by a country, now operates within the global market; and the monetarist economic regeneration (through the raising of interest rates, cutting of social expenditure, tax abolition and money squeeze—-all of which limit demand, thus restoring a balance between supply and demand), adopted by a country, now follows the rules of the global economy.

(8) In the present global recessionary conditions, the globalisation of the developing national economies has now become somewhat more burdensome than the case had been

earlier. The ruling groups in some countries, like India, are trying to shift relatively more economic burden of adjustment costs on the weaker sections by pursuing the traditional development strategy which one-sidedly stresses only the productivity factor, while leaving the worker to the mercy of economic leakage from above. Obviously, such a strategy cannot today meet the developmental needs which demand the development of the human resources on the same footing as the productivity factor.

(9) The present developmental needs require a new development strategy which, on the one hand, emphasises material productivity, and, on the other, stresses the development of human resources. The concept of human resources has now been officially accepted by the UN (which has now set up a Human Development Commission) and all other international agencies. Though this concept has yet to be applied in practice by most of the countries, yet its very recognition constitutes a step forward towards the admission of an old ignored fact of the social importance of the working people and the TU movement. Today, many of the MNCs and other big enterprises are launching new schemes for the total involvement of their respective work forces. Thus, the TU movement today is entering a new era of unique partnership where leadership in any enterprise will be provided by the worker-manager teams.

III

(10) Since its inception, the TU movement has played a positive role in the life of the working people. It has contributed in widening the human vision by uniting workers of different races, religious communities, cultural and regional groups, etc., into one union. It has greatly helped in achieving a number of rights for the working people, particularly the industrial and office workers. These rights are: workers right to unite in one union, right to strike and collective bargaining, increase in wages and salaries, reduction in the working hours, prohibition of child labour and employment of minors, maternity leave for working women, social security for working people, housing facilities, sickness benefits, child care centres, factory canteens, ventilation system, safety measures, insurance benefits, holiday homes, health centres, labour welfare schemes, etc.

Over 150 years ago, the TUs were not regarded as legal, but now they are not only recognised by law but also accepted as potent factors in the developmental process.

(11) Notwithstanding its many achievements, the TU movement is also marked by certain weaknesses, as given below.

Firstly, the TUs are mainly led and controlled by the non-worker organisers (coming generally from the political parties) who, while working in the interests of the given unions, get them affiliated to their respective party-run TU centres. The varying TU centres divide the workers into various political segments and treat them as their respective vote banks. This gives rise to intra-union rivalry that generates unhealthy norms of behaviour—physical fights, premature labour demands, disruption of rival union-led struggles, etc.

Secondly, the party-led TU-ism concentrates more on individual problems of its members, while neglecting the relatively more important task of raising workers' social, legal and TU consciousness and emphasising their mass problems. The result is that the majority of workers still remain under the influence of communalism, casteism, ultra-nationalism, etc.

Thirdly, the party led TU-ism tries to keep the labour and management at loggerheads—thus maintaining continuous tension in the production process.

Fourthly, the left party-led TU-ism has disoriented the TU movement by propagating certain one-sided concepts, such as the working class is the only liberator of society (instead of being the varying categories of people and their respective leaders); labour and capital are antagonistic (instead of having common as well as contradictory interests); management is always anti-labour (instead of being somewhere friendly and somewhere hostile); workers are concerned only with their demands and not with the productivity of their units (instead of being related to both); demagogues are brave leaders (instead of being irrational); etc. Contrary to this, the rightist party-led TU-ism orientates the workers towards racialism, communalism, casteism, regionalism, etc., and makes them docile to the management.

Thus, the party-led TU-ism has outgrown its utility and become counter-productive, both for the growth of the TU movement and the development of the economic process.

IV

(12) In the new historical conditions, the TU movement needs to be updated by restructuring its traditional concepts and methods of functioning and organisation.

(13) As regards the conceptual changes, two main points, the

aim and the task of the TU movement require redefinition.

(a) With regard to its aim, the new era demands a two-sided TU aim, i.e., to develop the human resources, on the one hand, and promote the material resources, on the other. By the development of human resources is meant to better the lot of the people, especially the weaker sections, through the step by step elimination of poverty, social inequality and unemployment, on the one side, and the providing of educational, medical and other social facilities, on the other. By the promotion of the material resources is meant to raise labour productivity and improve quality product and efficiency. Thus, the TU aim stresses the equal importance of the human and the material resources and provides a rational definition of the capital which has been one-sidedly defined as the surplus labour or the surplus value by the Marxist Economics and as means of production by the Liberal Economics. The development process too shows that the human and the material aspects of the capital, now accepted by the UN and many renowned economists the world over, have existed since the beginning of the human society.

This two-sided aim can be more effectively served today by the globalisation of every national economy and the evolving of a regional security system by the concerned states in a given region. The globalisation of a national economy means its step by step liberalisation and the adoption of the strategy of export-orientation and the policy of open door towards the foreign capital. The regional security system means the establishment of a joint defence of the concerned states—thus resulting in a huge saving in the financial resources of each country by a reduction in its defence spending.

(b) With regard to its task, the TU aim necessitates the carrying out of a three-sided integrated activity, i.e., (i) to enhance the workers social consciousness by raising their economic, political and cultural levels, including the labour legislation, (ii) to strive for the democratic functioning of the TUs, and (iii) to unite the workers on the basis of their demands and organise them in conformity with the norm of one unit-one union.

(14) As regards the functional norms, it is necessary that, in order to carry out the above three-sided task, a new work culture, based on the following norms, be adopted.

(a) For enhancing the workers social consciousness, it is necessary to create an adequate understanding of the global changes, TU aim and task, important labour laws, etc., among

the working people and to counter all such approaches that are hostile to globalisation, namely, racialism, communalism, casteism, regionalism, ultra-nationalism, etc. In this regard, a brief and simple course, containing important talking points, be prepared and communicated through both oral and written ways.

(b) For ensuring democratic functioning of the TUs, it is necessary to follow the working principle of democratism at all times. This implies the holding of regular elections, allowing of full expression of views, maintaining of continuous contact with the workers, making of efforts to involve every worker in the shaping of policies and decisions and their implementation and always upholding the norm of accountability to the union and the masses.

This also implies the adoption of legal means to achieve every labour objective, i.e., the deciding of the method of struggle (which includes negotiation, conciliation, arbitration and lastly strike, adopted only when all other options are closed) by the workers general body either by show of hands or by ballot on every issue agitating the minds of the workers. In the coming period of participatory management, the method of strike is liable to become irrelevant.

This further implies the resisting of all impositions on civil liberties, linking the TU movement (having been a part of the peoples movement) with the problems of the other sections of the people and maintaining close contact with other mass and class organisations.

This furthermore implies the linking of national TUs to the respective global TUs (all to be affiliated to the ILO), for keeping constant cooperation and solidarity among the workers of different countries (having common interests).

(c) For uniting and organising the workers, it is necessary to prepare a reasonable charter of workers' demands with their consultation and participation, implement the one unit-one union norm and, wherever this is not possible, strive to unite all the existing unions into a united front on the basis of a minimum common programme; and try to convince the TUs and its members for the adoption of the principle, emphasising the management of a TU by the concerned workers instead of by the outside party organisers.

V

(15) Sharing the above-said general features of global TU-ism today, the Indian TU movement is also confronted with its

specific problems, related to different segments of the people, i.e., organised and unorganised workers, employees, peasants, farmers and so on. Of these, the main problems which are of general nature and common to different TUs are stated hereunder in order to be emphasised among the workers as well as the general public.

(a) To demand the implementation of Article 43-A of the Indian Constitution, directing the Indian State to take suitable steps to secure the participation of the workers in the management of undertakings, establishments or other organisations engaged in industry on the twin principles of the 1/3 labour representation in the management board and the attainment of at least over 50% of total vote by an elected labour member to such a board.

(b) To demand the formulation of a proper labour policy which, on the one hand, takes care of labour productivity, and, on the other, ensures a fair deal to the workers.

As regards labour productivity, the position is highly deplorable. For example, while China's productivity per industrial worker per year (at 1980 prices) was $10,058, the comparable figure for India was only $865.[1] Pakistan's equivalent figure was $1,436.[2] It is necessary that the Indian government, industry and labour concentrate on evolving a consensual approach on raising productivitv through proper means.

As regards the organised workers' lot, the main problem confronting them is the exit policy and the over-manning (involving a force of 3 to 4 lakhs) of the public sector.

Everyone says that there should be a fair solution to this problem. Obviously, a fair solution can only be the one that protects the workers' interests, on the one hand, and meets the needs of the industry, on the other. But, so far, the government has not come out with a clear policy on this issue. That is, it has not clarified how the retrenchment is to be made and what is to be done with the retrenched workers. If they are to be relieved, then what will be the criteria of compensation? If they are to be readjusted, then where will that readjustment be possible when the economy as a whole is not growing? If they are to be reemployed in new industries, then the government has not even yet identified such industries. If they are to start their own self-employment schemes, then what help the government is going to provide to them. There have been no satisfactory answers to

[1 & 2] *Economic Times*, 10-09-1992, P-8

these questions as yet. Liberalisation should not become a painful process for the workers by adding, as estimated by some, one crore golden hand-shakes to a backlog of 10 crore unemployed.

Taking into account the problem of unemployment and surplus labour in the country, India cannot adopt the US methodology of hiring and firing the workers with impunity. Neither, it is proper to follow the communist methodology which pampers the over-manning of industry to meet the political needs of the ruling party and exempts labour from all accountability. While taking help from the Japanese and other Asian Pacific models, India must evolve its own mechanism which should ensure job security but demand high labour productivity and a commitment to the enterprise.

In the light of the foregoing facts, a proper course for the government is to base its exit policy on the following two principles. One is that, whatever PSUs it wants to dispose off, the government should come out with the terms on which it can hand them over to the retrenched Workers Cooperatives. And the other is that, in case of retrenchment, the rate of compensation should be 100 times of the basic salary of a retrenched hand. In no case, the total compensation should be less than rupees one lakh and more than rupees two lakh.

The new Industrial Relations Bill, scheduled to be adopted as the new law, allows closures and layoffs of units and retrenchment of workers employing less than 300 workers, without government permission. Under the existing labour laws, all industrial units are required to take the government permission for closure by giving a 90 days notice. Already, in India, 37 million man-days are lost every year on an average as compared to merely 12 days a year in Singapore.[3] This staggering figure too demands that every new legislation must aim at establishing cordial relations between the labour and the management.

(c) To demand adequate safety measures and their proper implementation for industrial hazard control in India. The poor safety conditions, compounded by the lack of awareness among workers, are having devastating consequences with an industrial fatality rate in India at 14 per one lakh workers[4]—five or seven times more than in Japan, UK or US. The dimension of Indian fatality rate is still higher because the fatalities in thousands of

[3] *Indian Express*, 19-11-1992, P-9
[4] *Economic Times*, 08-12-1992

unregistered industrial units remain unreported.[5] On the world scale, a worker is killed in job related accident every 3 minutes, while, each year, ten million workers are victims of accidents and a similar number succumb to occupational diseases.[6]

(d) To demand the introduction of one unit-one union norm in every enterprise as well as in every industry or trade in order to eliminate the multiplicity of unions.

(e) To demand the salary (including all perks) difference between the top and the bottom to be not more than 7 times, alongwith the wearing of same uniform and the using of same canteen and lavatory.

(f) To demand the solution of the problems of the unorganised labour by enacting comprehensive central legislation.

(g) To demand an effective implementation of the laws concerning agricultural workers who number about 80 million and constitute 25% of India's total labour force.

The immediate problem of the agricultural labour is the difficulty in getting statutory minimum wages, while the long-term one is the unemployment and the under-employment (due to an employment rate of 150 days per year per agricultural worker).

The first problem should be handled by making a proper arrangement for the effective implementation of the Minimum Wages Act. The other laws—such as the Contract Labour (Regulation and Abolition) Act, the Bonded Labour System (Abolition) Act, the Inter-State Migrant Workers (Regulation and Condition of Service) Act, etc.—also require active implementation.

The second problem needs the adoption of three steps: (i) the agriculture, being mono-cropping and thus unable to sustain such a large labour force, be made double-cropping and triple-cropping, (ii) the available surplus productive land be allotted to the agricultural workers, and (iii) a part of the agricultural workers be absorbed in industry.

(h) To organise the rural poor, who constitute about 3/4th of the India's population below the poverty line, for securing their just economic, political and cultural rights. The impediments in the way are: the political, economic and cultural dependence of the poor on the rich; the corruption and repression based role of the majority of the bureaucracy; and the non-implementation of the pro-poor existing laws. In order to overcome these obstacles and create proper conditions for the building of the organisation

[5 & 6] *Economic Times*, 08-12-1992

of the poor, certain remedial measures are called for.

* Raising of the social consciousness of the rural poor, including the rights available to them under the Constitution, law and official schemes for the rural poor.

* Provision of free education, medical facilities, mother and childcare, drinking water, etc., to them.

* Convincing them of the necessity to adopt family planning and avoid drinking and other social vices.

* Carrying out of effective land reforms.

* Restoration of their rights to common property, such as pasture, forest and government lands.

* Ensuring of the developmental benefits to them.

* Providing of needed finance to them at cheap interest rates.

* Starting of employment guarantee schemes with a prescribed minimum wage, particularly by creating a land army for forest conservation.

* Provision of free legal aid, rural housing facilities, social security through old age pension or group insurance schemes, etc.

* Setting up of judicial machinery to exclusively deal with the agricultural disputes.

* Establishment of Rural Labour Welfare Boards for the upliftment of rural workers.

* Creation of proper machinery to ensure the implementation of laws concerning the rural poor.

(16) This draft on "Trade Unionism Today" is being released for the kind consideration and the valuable remarks of all those friends who are interested in TU movement. 15-12-1992

India's Survival Calls For Two Types Of Democratic Unity

I

(1) Though the post-Ayodhya process is still in its elementary phase, it seems that the forces of *Hindutva* have won the first round after facing an initial setback and losing much credibility on December 6, 1992. This estimation comes from three facts—i.e., further communalisation of politics and public opinion; continued split in the 'secular' front; and a change in the BJP and its allies' posture from the defensive to the offensive.

(2) The main reason behind this development lies in the Congress' politics of manipulation and the NF-LF combine's politics of duplicity, both of which have, for the time being, over-shadowed the BJP's politics of opportunism.

(3) The Congress' manipulative politics is evident from its post-Ayodhya behaviour pattern. That is, it, firstly, produced alibis (namely, constitutional hurdles, lacunae in Article 356 of the Constitution, betrayal by the BJP and the Kalyan Singh Government) to conceal its own bungling in discharging its constitutional duties on December 6. Secondly, it has, with the direct connivance of the CPM (a constituent of the NF-LF combine), launched an offensive against the BJP and its allies (with which it was hand-in-glove before December 6) through administrative measures, such as, arrests of certain 'Hindu' leaders, banning of BJP's sister organisations, dismissal of three BJP state governments, etc. Thirdly, it has been, on the one hand, emphasising the need for the formation of an all-inclusive 'secular' front to counter the fundamentalist forces, and, on the other, trying to take crucial decisions concerning Ayodhya dispute all alone when the national need is to create the maximum national consensus on controversial questions.

(4) The NF-LF combine's politics of duplicity can be seen from its dual behaviour pattern which, on the one hand, has been since publicly demanding the abrogation of Article 356 of the

Constitution, and, on the other, has recently taken recourse to this provision to get the dismissal of the three BJP state governments on the flimsy ground that their continuance in office would be in conflict with the national interests. The Left Front's aversion to the BJP and closeness to the Congress is purely opportunistic, because only 2.5 years ago it, along with the NF, was colluding with the BJP against the Congress. The CPM's newly-forged clandestine understanding with the Congress, on the one hand, and the continuation of the old alliance with the NF, on the other, shows its devalued political norms.

(5) The BJP's politics of opportunism, though somewhat dimmed by the latest political antics of the Congress and the NF-LF combine, is obvious from its deplorable behaviour pattern which violates its own undertaking given to the Supreme Court, breaks up its own promises made in the Parliament, refuses to accept the authority of the law on the pretext of matters of faith and uses muscle power to deal with questions of national importance, like the issue of Ayodhya Mandir-Masjid dispute.

(6) All these post-Ayodhya facts show that the three mainstream parties have no regard for any principle except the single point programme of the politics of power. And this poses a formidable challenge to the country.

II

(7) In the post-Ayodhya realignment of forces, while the BJP and its allies stand on the one end, all other mainstream parties remain on the other.

(8) The non-BJP camp is marked by complete confusion. Nobody knows where he stands. Sometimes, there is talk of uniting all the non-BJP forces and sometimes there are doubts about the secular credentials of one another. In such a situation, everybody goes on pursuing his own course.

(9) The ruling party itself is in the throes of an internal power struggle and divided between the soft and the hard liners. In the wake of the Ayodhya developments, the hard liners were able to assert for a few days during which they not only undermined the authority of the Prime Minister but also succeeded in getting their confrontationist line endorsed as party's official line. The latter stands to build a single united front of all the non-BJP parties against the camp of *Hindutva* by using the CPM as its main tool to rope in other non-BJP parties. Failing this, it wants to split the NF-LF combine by seducing the Left Front. On the retention and

consolidation of the party's mass base, both the factions agree to continue pursuing its triplicate manipulative policy, i.e., a combination of soft *Hindutva*, soft Minorityism and soft Mandalism, under its traditional 'secular' flag.

(10) The NF-LF combine wants a tough line against the camp of *Hindutva*, but is divided on its strategy. While the dominant leadership of the NF desires a 'secular' front, minus the Congress, the Left Front, particularly the CPM, feels the need to have an all inclusive anti-BJP front. As to its mass base, the NF-LF combine agrees to go on waving its twin banners of Mandalism and Minorityism in order to unite the backward castes and the minorities, particularly the Muslim, against the 'rule of the high caste Hindus'.

(11) The *Hindutva* camp, displaying some depression due to adverse public reaction to the 6 December developments and the tactical differences between the soft and the hard liners in the wake of the Ayodhya tragedy, has not only recovered but acquired more confidence after the official attack which has led not only to the patch-up of the inner party differences but also the invocation of sympathy for the BJP among a section of the people. The happenings during the past 20 days—i.e., the administrative impositions, the Congress infighting, the continuous division in the non-BJP camp, the AIBMAC's appeal to the UN for intervention, the attacks on minorities in Pakistan and Bangladesh, the reports about the rise of Islamic fundamentalism in certain countries, etc.—have provided further ammunition to this camp for highlighting its politics of historical revenge.

The BJP and its allies game plan is to project its proposition, i.e., "BJP versus the rest", among the masses and consolidate the Hindu vote bank by popularising its thesis of setting historical wrongs right, undertaking the task of temple reconstruction at the site of the demolished mosque in Ayodhya and raising the three slogans, i.e., a mid-term poll, release of 'Hindu' leaders and lifting of the ban on the religious organisations.

(12) The hardened attitudes of the above-mentioned three forces in the two camps have brought about communal and casteist polarisation which can accelerate sectarian tensions at any time.

III

(13) The communal and the casteist polarisation implies that the social consensus on the present social basis of Indian nationalism which permitted India's multi-religious, multi-ethnic, multi-cultural,

multi-lingual and multi-regional identities to get represented in India's political process—is now under threat by the BJP led forces of *Hindutva*. This national basis—as conceptualised in the Indian Constitution and represented by the Nehruvian secularism upholding the theory of *Sarva Dharma Sama Bhava*, now being rocked by the separatist, fundamentalist, sectarian, primordial and retrogressive challenges, has already proved ineffective to unite the Indian people into a nation. The need to change it has since become a social call, but the Nehruvian adherents go on beating about the bush. The Congress lacks the capacity to restructure it in accordance with the new reality. No new enlightened force has yet emerged to carry out its proper transformation. So, the challenge has come from the fundamentalist forces of *Hindutva* which stand to change the ongoing national basis by the 3,000 year old Aryan basis.

(14) A society (i.e., a five-sided social process of politics, economy, culture, diplomacy and defence) is formed through a broad social agreement on its (i.e., the given society's) basic social principles, social institutions and social functional norms. These socially agreed fundamentals may be codified in a Constitution, as happens in the modern nation-states, or may exist in the form of traditions and conventions, as used to be the case in ancient times. The process of a society, may it be national, religious, tribal or clannish, runs as long as the broad social agreement lasts. Once this agreement breaks down, then that society, corresponding to its given balance of forces, restructures itself, either peacefully or violently, and either by remaining in one piece (e.g., Switzerland, Canada, etc.) or splitting into various parts (e.g., Pakistan, Malayasia, Soviet Union, Yugoslavia, etc.). India's overdue restructuring process is also knocking at its door.

IV

(15) Where will the communal and casteist polarisation lead to? If the communal and the casteist forces continue their ideological and political advance, then the political process will logically go on to be marked by communal and casteist tensions, giving rise to frequent communal and casteist conflicts. This will keep up a state of instability and uncertainty in the country. Such an environment of insecurity will inevitably impede not only the inflow of foreign investment but also throttle internal economic growth—thus increasing the intensity at the already existing economic hardships, like inflation, unemployment, poverty, etc.

(16) The moment India gets into the business of BJP's politics of historical revenge (i.e., the politics of correcting historical wrongs), this will involve our countrymen into serious communal troubles, with firings and curfews as their attendants. As soon as the camp of *Hindutva* undertakes the next projects—those of Mathura and Varanasi—on its agenda, further communalisation and insecurity may become the last straw on the Muslim community's endurance—pushing its militants into the embrace of the gun culture. Pockets of armed resistance in certain areas, combined with the separatist armed struggles already going on in Kashmir, Punjab and Assam, can result in a civil war type of situation all over the country. It may also encourage Pakistan to make any adventurist move—developing into a full-scale Indo-Pak war, with its nuclear dimension. Where will all this end up—we must sit up and think.

V

(17) Communalisation of politics and the rise of communal forces as the main feature of the ongoing national process, naturally, raises the question as to why, 45 years after its establishment, communalism has arisen as the principal danger to national unity? The underlying reason is that the social basis (i.e., secularism) of Indian nationalism is misconceived, i.e., equal respect to all religions, that makes the Indian State a multi-religious institution.

(18) Proceeding from its multi-religious premise, coupled with the vote bank politics of the ruling party, the Indian state, while conciliating with all sorts of fundamentalism, has continuously patronised the majority community in various ways.

(a) Constitutionally, the Article 25 (2) (b) empowers the Indian state to provide social welfare and reform only in the case of the Hindu community, while the other communities can indulge in traditional practices, however reprehensible they may be. This implies that the Hindu interests are identical with those of the Indian state. The same Article indentifies Buddhism, Jainism and Sikhism as branches of Hinduism. Further, Article denies all special rights enjoyed by the SCs and STs to those of its members who change their religion from Hinduism to some other religious faith not covered by the Article 25 (2) (b).

(b) Culturally, the Indian state has constitutionalised a number of age-old Hindu ethos. For example: Constitutionalisation of Sanskrit (a language not spoken by any group of people in India but considered to be a godly language by the Hindus) as one of

the national languages; *Bharat* (a derivative from the Hindu concept of *Bharat Mata* or *Maha Bharat*) as the name of India; the phrase *Satyamev Jayate* (copied from a Hindu scripture, the *Mundaka Upanishada*) below the national emblem; *Vande Matram* (a song having a Hindu tinge) as a National Song; ban on Cow (as venerable as the mother) slaughter as a directive principle; and so on. Besides, on almost every official ceremony, the performance of *Arti* and *Puja*, bleating of conches and reciting from Hindu scriptures has been a routine affair.

(c) Administratively, the policy of appeasement towards the majority community has logically resulted in the discrimination against minorities—with their share in the services hardly nearing 3%, while the Muslims having next to nothing representation in the crucial departments, like the army, police, TV and AIR, etc. However, the creamy layer of the minorities has been continuously accommodated to top jobs (e.g., Zakir Hussain, Fakhruddin Ali Ahmad, Zail Singh, etc.).

(d) Economically, hardly any member from the Muslim community counts in the organised industrial sector.

(19) The second reason for the rise of communalism as the principal danger lies in the failure of the Nehruvian national model which has resulted in the criminalisation of politics, distortion of economy (intensifying the problems of poverty, unemployment, price rise, etc.), perversion of norms of behaviour, etc.

(20) The third reason for the rise of communalism as the principal danger rests with the vote bank politics which breeds opportunism all around.

(21) The fourth reason for the rise of communalism is that the 1947 communal partition of India, representing the first failure of the Congress theory of nationalism, has since continued to orientate communal mindsets.

(22) Thus, India's multi-religious secularism, instead of secularising the national process, has further communalised the latter. Unless communalism is effectively countered, India's national process cannot be properly secularised and the Indian people oriented towards a common identity, with their respective different sub-identities.

VI

(23) Is there any exit to get out of the communal trauma? India's ongoing communal crisis, like every other crisis, is an intermingling of threat and opportunity. While mainly posing a

national challenge, it also provides a possibility for charting a new national course. This requires a two-sided programme—i.e., a short-term action plan and the systemic changes.

(24) The short-term action plan should define the immediate parameters of struggle against communalism.

Firstly, to remove the underlying reason of the communalisation of politics and the rise of communal forces, the multi-cultural Indian reality demands that, contrary to India's multi-religious secularism, we should adopt a secularism that separates religion from the state. This, therefore, should constitute India's immediate task.

Secondly, communalism, denoting a politics based on a religious ideology, should be mainly countered by ideological and political means. Any administrative action against communalists only invokes public sympathy for them. However, communal violence should be suppressed by the state with full vigour.

Thirdly, the argument against communalism should be linked with the mass problems.

Fourthly, the case against communalism should include all communal varieties, but the focus should continuously be maintained on the majority communalism. Compromise with the minority communalism lends support to the majority one. Congress and NF-LF combine sometimes compromise with the majority communalism (e.g., NF-LF combine's1990 coalition with BJP, CPI & CPM's 1967 coalitions and united fronts with the Jan Sangh; Congress' secret understanding with the BJP before December 6; etc.) and sometimes with the minority ones (CPI and CPM's continuous alliance with one or the other Akali groups in Punjab and Muslim League factions in Kerala and Tamilnadu; Congress' repeated alliances with Akali Dal and Muslim League; V.P. Singh's compromises with Imam Bukhari and other fundamentalist leaders off and on; etc).

Fifthly, in order to create confidence among the minorities, all democratic people should take up their just demands, instead of catering to the communal feelings of the fundamentalist leaders among the minorities, as indulged in by the Congress and NF-LF combine.

Sixthly, the one-sided theory of *Hindutva*, projecting Indian culture (and its ethos) as an exclusively Aryan contribution, should be refuted by highlighting the Indian reality which shows that the Indian culture (and its ethos), having developed over thousands of years out of many cultural streams (i.e., Dravidian, Aryan, Buddhist, Jain, Muslim, Sikh, Christian, etc.), is a multi-

dimensional, composite social phenomenon.

Seventhly, the idea of correcting historical wrongs by putting one social group against the other (whether *Hindutva* or *Mandalwad*) is only a concept of historical revenge which splits the Indian people on primordial line—thus impeding India's process of social development and social justice. To punish one for the wrongs of one's ancestors is even against the law of natural justice.

Practically, can one today undo the 'historical injustice' done to the American natives by the Englishmens' occupation of the US and Canada or can one today reverse the process of the British colonisation of Australia or the Roman conquest of Britain? Should Hindus today pay compensation for the destruction of the Buddhist Nalanda University by the medieval Hindu rulers? How should Hindus today atone for the construction of the Puri Jagan Nath Temple which the Adivasis of Orissa claim to have been built after the destruction of their place of worship? Thus, the theory of undoing historical wrongs is not only theoretically untenable but also practically unviable. The proper thing we can do about historical wrongs is to learn appropriate lessons, both negative and positive, from them and then use that social knowledge in the interests of mankind.

(25) The systemic changes should outline the basic change needed to eradicate the social roots of communalism. In the light of the two new fundamental realities—i.e., the newly emerged globalisation (or the interdependence of countries) and the historical experience of the failure of India's Nehruvian nation-building model—India's national and the world peoples global interests may be well-served by our country's upholding of the following principles.

(i) Vision of One World.

(ii) Regional Security And Development: based, in the first instance, on the resolving of all Indo-Pak disputes, including Kashmir, and, then, the transforming of the SAARC into a free trade common market area, with a regional security system, and, later, changing the SAARC into a political union, with an equal status of all the member-states.

(iii) India's One-piece Unity & Democratic Order: based, in the first instance, on the sorting out of fair and just solutions of the Jammu-Kashmir and Punjab problems, i.e., by making the Valley a fully autonomous unit under the joint Indo-Pak defence and currency, and by giving special status to Punjab within the Indian Union, coupled with the establishment of a decentralised federal

structure, with autonomy to all the states, in the country.

(iv) India's Sustainable Development Model: based on the improvement in the quality of the environment (i.e., natural resources), on the one hand, and the human resources, on the other, by globalising the economy, operating through a judicious mix-up of market mechanism and state planning.

(v) India's Value System: based on scientific realism which cultivates rational thinking and democratic behaviour.

(vi) India's Foreign Affairs: based on intra-national cooperation and friendship.

(vii) India's Defence Matters: based on the regional security system linked with the global security system.

VII

(26) The given Indian situation is highly alarming. All the national indicators are sounding alarm bells. In this grave national state of affairs, two types of national responses are required: (a) united action by all types of anti-fundamentalist forces (i.e., those who want to uphold the rule of law, even in matters of faith), irrespective of party affiliations; and (b) a broad united front by all categories of democrats while maintaining their present party positions.

(27) All anti fundamentalist forces can at least unitedly act on two points: (a) the separation of religion from politics, and (b) a peaceful solution of the Ayodhya Mandir-Masjid dispute through one of the following 5 democratic means: i.e., the dialogue between the two concerned parties, a decision of the Parliament, the Supreme Court Judgement, the NIC verdict and a referendum.

At the moment the predominant view seems to be the reference of this dispute to the Supreme Court under Article 143 of the Constitution seeking its opinion whether the Mosque had been built by demolishing the Temple. The Supreme Court should give its verdict within 6 months. And that decision should be fully implemented by the central government at all costs.

(28) The broad democratic united front can be based on two fundamental points: (a) a short-term action plan to counter communalism, and (b) a discussion platform to thrash out the basics of a globally oriented democratic model for India.

(29) India's survival calls for the above-mentioned two types of democratic unity. 26-12-1992

A Moment Of Truth For Our Nation

I

What type of future awaits our nation? Never before in our post-1947 history had this question been raised with such force as it does today. And never before in this period was our response so ambiguous to this question as it obtains today. Gone is the national confidence that, whatever happens, India's 'timeless' cultural values can survive all odds, thus ensuring our one-piece unity for ever. Also gone is the national hope that though inadequate, our development model would one day lift us out of misery and squalor. There is an end to the minorities' trust in the rationality of the Indian system and the fairness of its administration. With a feeling of an uncertain future, an atmosphere of instability and insecurity prevails all around, especially among the weaker sections.

Optimism generally changes into pessimism when one's past assumptions and expectations prove unrealistic and when one is confused about the future.

II

What had our nation assumed and expected? Beginning its ongoing process of 'Tryst with destiny' some 4-1/2 decades ago, the post-independent India, with a backdrop of centuries old rich civilisation, adopted the vision of building a modern democratic state at home and achieving world peace and a just order abroad, thus guaranteeing a dynamic future of our nation and each of its members.

Politically, we chose the British parliamentary model to transfer power to our people and selected the Canadian state norm—a centralised union of states with certain federal features to balance our regional and ethnic disparities. Our Constitution borrowed heavily from the Government of India Act of 1935, framed by the British colonial regime. In administration, we generally retained

the colonial laws and institutions, with certain changes here or there. Above all, we adopted our traditional norm of *Sarva Dharma Sama Bhava* (equal respect to all religions) as the fundamental principle of our nationalism. By constructing our post-1947 polity in this manner, we aimed at establishing a stable, secular and just political order, promising an equality of opportunity to all its members with safeguards to the weaker sections.

Economically, we opted for the Soviet economic model in the main, supplemented by many free market norms. By forging such an economic mechanism, we pledged to build a self-reliant economy, stressing a proper distribution of economic resources among all our regions and establishing a fair economic equality among all our people, irrespective of religion, caste, sex, etc.

Culturally, we accepted a moral code to build a clean public life for all with honesty, modesty and simplicity as its keynotes. This code rejected an ostentatious lifestyle in general and prescribed a virtuous way of living for those who sought to work at the helm of our national affairs in particular.

In foreign matters, we declared to follow a policy of peaceful coexistence and non-alignment, free from involvement in any power bloc.

In military affairs, we sought to build a powerful but peace loving India.

The above mentioned basics, by and large, constituted the distinguishing principles of our post-1947 nation-building model.

III

For forty-five years, we operated our national model. And where do we find ourselves today?

Our 45 year old political process, despite having been characterised by many positive traits—like ten general elections, hundreds of well-deserved enactments and worthy judicial verdicts, an alert press, etc.—has finally become violence prone and chaotic, posing a serious threat to our model's rule of law. The main challenges include the concept preaching faith above the Constitution, mono-cultural nationalism, subversion of democratic institutions, criminalisation and communalisation of politics, separatist movements in various states, increasing communal and casteist riots, continuous use of the army for maintaining worsening law and order, high political corruption, decreasing judicial legitimacy, loss of political parties' credibility, etc.

Our positive economic points—i.e., increase in our life-span,

poverty alleviation schemes, trebling of agricultural production, etc.—appear to be mere dots in our 45 year old tardy and inefficient economic process. For example, in the sphere of production and trade, while the total world output and commerce had increased by 5 and 13 times respectively in the post-second world war period, our national output had merely doubled and the external trade slided from 2.5% to 0.5% share in the world trade in the same period. In the matter of productivity, while China's per worker per year rate of productivity stood at $10,000 around 1990, India's comparable figure had been only $865. Even Pakistan was ahead of us with a productivity rate of $1,468 per worker per year. The three countries were more or less at the same productivity level around 1947. In the case of growth rate, the Asian Tigers and the ASEAN countries, having been in the position similar to ours around 1960, have today left us far behind. In per capita income, Hong Kong and Singapore enjoy 30 and 13 times more earnings than us respectively. There had been no significant change in the sectoral composition of our labour force—with 70% still depending on agriculture. Our total foreign debt is now nearing to $100 billion, with its service charges constituting about 32% of our exports and 35% of the entire central non-planned expenditure. About 30% of our population, according to official figures, today lives below the poverty line, while the unofficial estimates vary from 40% to 50%. The number of registered unemployed now stands at nearly 50 million, while that of under-employed embraces about one-third of Indian people.

Sprinkled by a slow growth rate in literacy, art, literature and science, our 4-1/2 decade old cultural process, on the one hand, has generated vote bank-cum-power based (or populist-cum-unscrupulous) norms of behaviour in different walks of life and, on the other, patronised all varieties of fundamentalism and obscurantism. The opportunist behavioural norms, operating through money and muscle power, have created a corrupt and yesman type social environment, as reflected by dozens of high political scandals and frauds like Bofors, Bombay Scam, etc.; efforts to shield the culprits by high-ups; unity of law makers and law breakers; etc. Encouragement of fundamentalism, especially majoritarian one, has resulted in the rise of Hindu fundamentalism, on the one hand, and helped in the maintenance of minority fundamentalists' hold on their respective communities, on the other. The post-1947 communal riots numbering about 15,000, the intra-caste conflicts,

estimated to be between 3 to 4 lakhs and the countless atrocities against women are an expression of the strength of fundamentalism of various hues, especially the majoritarian one.

Our post-1947 foreign policy process, while initially balancing between the two power blocs of the cold war period, finally became tied to the Soviet camp. With the disintegration of this camp and the collapse of the Soviet Union itself in the post-cold war period, it has been groping in the dark, failing to grasp the changed nature of the world and thus to react properly to various international developments—i.e., the gulf war, Soviet collapse, dealing with EC, Dunkel Draft Text, SAARC problems, ASEAN demands and above all Indo-Pak relations.

Our post-1947 defence policy, characterised by a continuously rising military expenditure, has remained a constant drain on the Indian economy. But, even in the post-cold war period, there is no official rethinking on this point. India still continues to dither on the issue of nuclear non-proliferation treaty, which is now at the top of the global agenda, already signed by 153 countries, including the two earlier dissenters—France and China.

Our high-profile foreign-cum-defence posture has projected India's image as that of a 'Big Brother', monitoring its South Asian smaller fry. This posture, in fact, is no less responsible for dragging us into four wars with the two neighbours—Pakistan and China—causing heavy human and material losses. The possibility of a fourth Indo-Pak war, with its new nuclear dimension, now poses a serious threat to the Indo-Pak as well as the world people.

IV

Looking at both the brighter and the darker sides of our national reality, it can be seen that the theory and practice of our national model has not proved viable to evenly develop our national process. On the one hand, it has proved ineffective to deal with the 1947 problems, and, on the other, given rise to many new ones—resulting in all-round distortions, i.e., chaos in polity, mess in economy, communalisation, criminalisation and double standards in our conduct, tension in relations with neighbouring countries, over-spending and scandals in defence matters, etc. Thus, it has failed to build a modern democratic India, with a common psyche and a shared material life.

To cut our long story short, the non-performance of India's

nation-building model, culminating in the traditional Hindu-Muslim divide on the demolition of the disputed Babri mosque structure at Ayodhya on December 6, 1992, has accentuated all the existing conflicts, the old and the new, in our country—i.e., the intra-communal, intra-ethnic, intra-caste, intra-class, intra-regional, intra and inter-party, etc. Of these, the five main tensions—the Kashmiri ethnicity versus India (whose external dimension is the Indo-Pak conflict on Kashmir), the Ayodhya Mandir-Masjid dispute, the BJP and its *Hindutva* forces versus the so-called secular forces, the Congress versus the non-Congress parties and the power struggle within the Congress—are likely to play the crucial role in the coming period. Anyone of these contradictions, in given conditions, can attain the primary role. The unscrupulous style of our mainstream parties—each seeking to pass the buck to its adversaries by twisting the facts and each projecting its vote bank-cum-power oriented solution—has made matters more complicated. Obviously, this is a profoundly disturbing state of affairs where one wrong turning may endanger the very survival of our nation-state. Never before in its post-independence career, had our nation confronted a crisis of this magnitude.

V

Why things have come to such a sorry pass in our nation-building process and how this process can take a right course—these two basic questions occupy the top position in our national agenda today. Unless they are satisfactorily answered by our nation, a sense of social melancholy and disarray are likely to prevail. A realistic response to these questions means understanding today's Indian reality. This, naturally, makes the present occasion a moment of truth for our nation—a moment to pause and ponder before the final plunge. 22-02-1993

Need To Get To The Root Of Our National Malady

I

Why has our nation-building process reached a dead end? How has it come to nurture forces which threaten to tear our country apart? Who is responsible for this state of our national affairs? Unless we get to the root of our national malady, the exit out of the present depressing situation cannot be worked out.

Varying perceptions are unavoidable on any vexatious, multi-dimensional problem, especially when viewed from different ideological angles. But, while looking at all such perceptions, it is necessary to first pick up those pertaining to the problem's basic dimension and then, on the basis of facts, select one out of the latter.

The different arguments concerning India's troubles are well-known. And yet there is need to restate them since most of them do not start at the right end.

II

One School of Thought considers that minorityism or 'pseudo secularism', implying the appeasement of minorities, is the main cause of our national debacle. But three counter-arguments show its untenablility. One is as to why, under a pampering regime, the militant wings of different Indian minorities—i.e., Christian in Nagaland and Mizoram, Khalistani in Punjab, Kashmiri Muslim in Kashmir, etc.—have taken up arms in all the minority dominated areas. The other is as to why minorityism has led to relative deterioration in the political, economic and cultural life of the minorities (excluding their respective creamy layers), especially the Muslim, as compared with even the distressing majority community. The third one is as to why such national ailments as political criminalisation, economic bungling, moral degeneration, etc., which have nothing to do with minorityism, have flourished in the post-1947 period.

Another perception is that Muslims, being 'fundamentalists' and 'quarrelsome', are the main hurdle in the integration of our nationhood. But, this contention too is unable to provide answers to certain questions. One is as to how have certain Muslim majority countries, like Malaysia and Indonesia, which had been highly unstable social units during 1950s and 1960s, brought political-economic stability to their respective social formations. The other is as to why, in the break-up of the former Soviet Union, the principal role had been played by the three Christian Slav Republics, i.e., Russia, Ukraine and Byelorussia (having three-fourth of the total population of the former Soviet Union) and not by any of the six Muslim majority Republics (five of which are still linked to Russia through the CIS). The third one is as to how did more than half of the Arab states supported the anti-Iraq coalition in the Gulf War.

Still another view maintains that the denial of social justice to the backward castes is the main reason behind our fragile national health. But this is only one side of reality. The other is that, without a proper political-economic management, social justice, however egalitarian, cannot alone hold water. The ultra-social justice plank (denying all political-economic rights to the owners of capital and land) of the former Soviet Union, marked by an authoritarian polity and bureaucratic economy, could not prevent the former's disintegration.

Further, another comprehension regards that our national malaise stems in the main from India's modernisation process. But this viewpoint, perceiving modernisation as merely technological change, misses its other half. That is, without the psychic and the material development of the human resources, the technological progress alone is one-sided modernisation. The domination of communalism, casteism, parochialism, etc., coupled with economic deprivation, in our country shows the distorted position of our modernisation process.

Further again, another percept holds that foreign instigation is the foundation of our national affliction. But it fails to explain as to how a foreign power can generate the criminalisation of Indian politics, black-marketisation of its economy, degradation of its value norms, etc.

Further more, another concept emphasises that the widening gap between the rich and the poor, one of our important national problems, constitutes the root of our national distress. But, if this had been the case, the Indian people would have been polarised

on the basis of rich and poor and not on any other consideration—communal, casteist, political, etc.

III

The five-sided nation-building process (namely, politics, economy, culture, diplomacy and defence) is organised by a given nation-state through its conceptual, functional and institutional means as embodied in its Constitution which is operated by an elected government formed out of a given party mechanism. Hence, in order to know the actual position about our national process, it is necessary to closely look at the main direction and the basic structure of our Constitution and the practice of our party mechanism.

IV

Taking up our Constitution, its general orientation is based on three main factors. That is, (a) the Congress' understanding of Indian history which, with its view of India's past disunity and weakness due to the absence of a powerful ruler, favours a strong centre, (b) India's situation around 1947 which, then marked by the communal partition and reinforced by the past memories of communal discord, demanded a forceful central authority, and (c) Nehru's historical outlook which, having been a genius oriented approach, and augmented by his ego centric psyche always inclined towards personalised power. Thus, all these factors together shaped India's vision of a unitary order.

The unitary vision brought forth a unitary national model having a centralised polity, bureaucratic economy, debased cultural values, hegemonic diplomatic-cum-military mechanism and above all a multi-religious secularism. All these features were not compatible with India's religious, ethnic, lingual and regional diversity and the world's integrating economic and cultural processes.

The principle of multi-religious secularism tied the Indian state with different religions in one form or another. The vote bank-cum-power politicians made use of this characteristic either through majoritarian or minoritarian techniques for personal ends—thus communalising politics and pushing our nationalism into a crisis at one time or the other.

The centralisation of polity concentrated the entire power in the executive which pursued it for partisan ends or the leader's personal or family interests. It engendered over 3-1/2 decades long one family rule whose authoritarianism turned the Indian

state into a personal estate and the ruling party into a servile body, made politics highly personalised and pushed the programmes and policies to the background.

The bureaucratisation of economy put politics into economic command, made economic decisions subservient to political needs, eroded the base of our economic resources and produced high cost-cum-low quality goods—thus perpetuating poverty, unemployment, inflation, black money, corruption, etc.

The unscrupulous style gave a push to opportunism and self-seeking.

The hegemonic diplomacy-cum-defence created perpetual tensions with all our neighbours.

V

Guided by the general direction and logic of the unitary national model and free from the constraints of an informed public opinion, the Indian party mechanism had evolved a typical style of expression and action, called the vote bank-cum-power politics or the populist-cum-unscrupulous style. It is a tricky, misleading or deceptive way of performance and speech. That is, saying one thing here, another there; speaking one day of upholding the rule of law, another day of keeping one's faith above that of law. This style has since 1947 remained the principal ideology, methodology and way of organisation of every mainstream party.

A look at the chain of events in our national process shows that, under the regimen of vote bank-cum-power politics, things began to take a turn for the worse from the very beginning. Money and muscle power, communalism and casteism began to dominate the political process. Inefficiency, tardiness, low productivity, high cost and low quality became the chief features in the economic process. Sycophancy towards superiors and arrogance towards subordinates entered the behavioural pattern. Hegemonic approach made its appearance in diplomatic-cum-military matters.

Starting under Nehru's rule, the vote bank-cum-power politics went on flourishing during every succeeding regime. A few specific instances of vote bank-cum-power politics are: Suppressing the opposition either through inducement or suppression, while daily reciting to uphold democracy at all costs; Considering of money, muscle power, religion and caste as more important in selecting a candidate for any election than candidate's convictions and character; Hobnobbing with fundamentalist leaders for votes, while publically declaring to

combat fundamentalism; Shielding the corrupt, while loudly declaring to fight corruption; Asking the people to make sacrifices, while amassing the wealth through improper methods and enjoying a luxurious living style.

As things now stand, the vote bank-cum-power mechanism itself is in crisis. The politicians of all hues have lost much of their credibility because of the gap between their performance and profession and for creating the present mess.

The ruling party is giving a distinct impression of its inability to deal with the present national problems. It is in the throes of an intense internal power struggle. Its infighting may end in a new power alignment within and without

The BJP too is not in a very happy position. Ideologically, it faces the problem of *Sadhus*, who want full Hinduisation of non-Hindus without any compromise, on the one hand, and its members of the minority communities who subscribe to the BJP type of Hindu secularism which permits minorities to pursue their respective religions after accepting certain Hindu ethos. Politically, it is confronted with the dissent between its modest and diehard sections—with the latter attacking the rule of law by calling the Indian Constitution as *Lok-Drohi* (anti-people) and the former taking a sober and non-confrontationist approach.

The NF-LF has been since facing the problem of splittism.

All the mainstream parties have set the agenda for confrontation. This may lead to sharp political polarisation which, alongwith the ongoing communal divide, is highly detrimental to our national interests.

Our Nation today needs neither the old formula of national confrontation nor the recent memorandum of unprincipled national consensus, but a new agenda of National Consensus, based on the new basic principles of Nation-Building. The need of the hour is for all sane and reasonable people to come together.

VI

Summarising all that has been stated above, the present deplorable state of our national affairs has been an outcome of the conjuncture of our accumulated long-term systemic weaknesses and the short-term populist-cum-unscrupulous methods of their solution. The systemic weaknesses provided the haystack and the populist-cum-unscrupulous methods the matchstick for igniting our ongoing unprecedented national crisis in the post-1947 history. 25-02-1993

What Realism Demands Of Our Nation

I

What is our answer to the now or never situation existing in our nation-building process? And how do we cope with vote bank-cum-power mechanism's damaging effects and systemic defects? On the answers to these two key questions of our national agenda today depends the future of our national process. This makes it imperative that all available options be given serious consideration, especially those emphasising both the long and the short-term measures.

II

The most vociferously discussed recipe for our national regeneration at the moment is the perspective of Hinduisation of our nationalism. This new theory, claiming to denote cultural nationalism, asserts its exact relevance to the Indian genius. But, it is unable to clarify five historical queries.

One is that, in the world today, we hardly find any nation formed exclusively on the basis of culture. The 21 Arab states, with a common language, same religion and similar culture, could not establish even a Confederal unity, what to say of a one unit integration. The Sunni fundamentalist Saudi Arabia does not permit any Syrian Arab Sunni to adopt Saudi citizenship, nor does the Iranian Shia fundamentalism allow any Pakistani Shia Muslim to become Iranian national. Similar is the case with the Hindu state of Nepal or the Christian states of Britain and Italy. The whole of Europe, characterised by the Christian faith and a similar type of liberal culture, remains divided into different nation-states. Now, the 12 West European states are combining not on the basis of a common culture but primarily a common market and Parliament. The overwhelmingly Buddhist populated states in the Far East and the South-East Asia remain separate entities. India, despite having many similar cultural traits for

centuries together, could not unite into a single formation.

Next, there have been recent occurrences where a common culture has proved unviable to keep a country together. For example, the break-up of the former Soviet Union was mainly caused by its Slav-cum-Christian cultured three Republics, i.e., Russia, Ukraine and Byelorussia at their historic Minsk meeting in December, 1991. Yugoslavia too split mainly due to the conflict among its three predominantly Christian populated Republics—Serbia, Croatia and Slovenia. Pakistan could not maintain its one unit on the basis of religious culturalism. Sweden and Denmark split into two states, despite having the same religion and the identical culture. A similar thing has happened between Czech and Slovak Republics only a few weeks earlier.

Again, the mono-cultural version of Indian culture, as represented by the Hinduisation theory, is incompatible with the multi-ethnic and the multi-religious Indian reality.

More, the proposition of avenging the wrongs of history, as upheld by the Hinduisation theory, is illogical and untenable. Firstly, it is contrary to the present international law and custom for any state to permit the seizure or demolition of one community's religious place by another (e.g., the existence of pre-1947 disputed Gurdwara Shahidganj in Lahore and Al Aqsa mosque in Jerusalem). Secondly, it challenges the Indian Constitution and law by giving an open call to anarchy and instability.

Further, the Hinduisation theory, by forcing the minorities to follow the majoritarian ethos, alienates them from the mainstream.

Thus, the perspective of Hinduisation of our nationalism lacks a logical justification. It is an agenda of Medieval Theocracy which upholds the politics of hate and revenge. To characterise *Hindutva* as the unique culture in the world makes it a theory of ultra-nationalism which has everywhere led to national disintegration (e.g., Hitlerite theory of German racial superiority). The first taste of the *Hindutva* model has been provided by the Ayodhya tragedy. Everyone knows and its protagonists too admit that it is a political theory to capture the throne of Delhi. So far, its Hindu card and the vote bank theory of history has not worked.

III

Another prescription, much advertised by its adherents, is the Mandalisation of our nationalism by legalising the unit of caste as the criteria for providing social justice to the backward castes. But, it distorts the Indian reality, both past and present.

Its fundamental thesis that castes are modern classes is a misreading of the Indian reality. Caste hierarchy believed in its divine origin, was hereditary and based on village economy. But modern classes locate their origin in the social division of labour, are related to the international commodity division of labour and constitute a changeable social category.

Its second thesis that caste hierarchy is the main reason for India's social backwardness turns reality upside down by exonerating the Nehruvian model for its poor performance and shielding the vote bank-cum-power mechanism for misdirecting the masses.

Deriving its inspiration from the traditional vengeful view of history, it puts one caste against another. By arrogating to itself the role of a Messiah, it neither helps the poor to become capable of enforcing a social change or of properly utilising the fruits of change and nor takes advantage of the available talents among the advanced section—resulting in social trouble. The vengeful theories have generally failed in history. Because they had violated the natural process of human development by stressing only equalitarianism, while ignoring the expansion of social wealth through efficiency and innovation. Like the medieval solution of *Hindutva*, Mandalism too is a primordial prescription. Under cover of social justice, Mandalism is primarily the casteist theory of the vote bank-cum-power politics.

IV

Still there continues an old belief in certain quarters that the post-1947 Nehruvian model can serve our national purpose. But if this had been a viable model, India would not have faced such a grave calamity.

Further, a good chunk of Indian public opinion regards that the Gandhian vision can be the way out. But if it is relevant today, then why its viability could not succeed in integrating the different religious communities into the national fold and thus prevent the 1947 communal partition. Had our theory of nationalism conformed with the pre-1947 Indian reality, the British policy of 'divide and rule' and the Muslim League's two-nation theory would not have cut much ice.

The fact is that the multi-religious foundation (i.e., *Sarva Dharma Sama Bhava*) of our nationalism has been the greatest stumbling block in our nation-building process. This is because the religion has nowhere been the basic principle in the formation

of any nation. And in the post-colonial phase, it has become incompatible with nation-building. Hence, the multi-religious nationalism failed to work not only in the pre-1947 period but also in the post-1947 phase.

Besides, the Gandhian theory of the trusteeship of capital negates the present social need of making the labour a partner in management. Also, his theory of village self-sufficiency and total dependence on the traditional technologies do not meet the development demand and the environmental needs of an interdependent world.

V

Some short and medium-term solutions are also in circulation. The proposal of a moratorium on all controversial issues for three years is neither feasible nor rational. The demand of a mid-term poll can only help in deciding the new party equations in the power structure but not in mending systemic defects and vote bank technology's damaging effects. The slogan of forming an anti-BJP front is likely to deepen political polarisation—an undesirable thing for the nation at this moment. The administrative measures against the BJP and other forces of *Hindutva* only reinforce the latter's strength. The clamour for independence and self-reliance does not fit in the present interdependent world.

Two successful national brands—the Western Liberal and the Asian Pacific—are also in the competing line. And both contain useful lessons for the working out of our national model.

VI

A review of our nation-building process shows that our national problems are primarily modern. So, we cannot react to them in ancient terms. They can neither be solved in the medieval way (i.e., Hinduisation of nationalism) nor in the primordial manner (i.e., Mandalisation of nationalism). Also, the cold war national model (i.e., the post-1947 Nehruvian model) has lost its relevance today. There is a need for a sweeping review of our old assumptions. The new situation calls for a new national approach.

The working out of a new realistic model requires the taking into account of three basic realities—i.e., the grave communal crisis facing our country, the experience gained during the 45 year old national process and the newly emerged global nature

of human society.

These three realities demand three types of response: first, the immediate response to counter communalism, second, the short-term response to politics of opportunism, and third, the long-term systemic response.

VII

To counter communalism means to change the peoples mindsets. This requires the carrying out of two tasks. One is to build the broadest possible national front (in order to establish the maximum national consensus) of all those who, irrespective of their present party affiliations, subscribe to the new basic principles of our nation-building process, or, in other words, the norms of civilised behaviour of the new epoch (i.e., the epoch of an interdependent world), as contained in various documents of the UN. Nations operate on certain consensus principles and not by a confrontationist approach or uncompromising posture.

These principles are: (a) to uphold the rule of law in all matters (including the question of faith like Ayodhya Mandir-Masjid dispute), (b) to separate religion and politics, (c) to ensure equal rights to minorities, (d) to provide human rights and social justice, as approved by the UN and (e) To adopt rational humanism as the basic principle of our nationalism.

The second task is that the struggle against communalism be conducted on the basis of democratic principles and not by forming unprincipled, vote bank united fronts. The parameters of struggle against communalism may consist of: (a) using of ideological and political means (because communalism itself is politics based on a given religious ideology), (b) Linking of argument against communalism with mass problems, (c) waging of struggle against all communal varieties, while continuously focussing on the majority one, (d) raising of just demands of the minorities and struggling on them and not catering to the communal beliefs of the fundamentalist leaders, (e) refutation of the fundamentalist theory of *Hindutva*, (f) rejecting of the vengeful theory of correcting historical wrongs by vindictive methods, and (g) suppression of communal violence according to law.

VIII

The short-term response to politics of opportunism means to free our political process from political criminalisation-cum-

communalisation (or to clear it of unfair and unjust methods), on the one hand, and to ensure the maximum possible mass involvement in this process, on the other.

The reforming measures may include: (a) State funding of all types of elections, (b) Barring of all parties and candidates from incurring any election expenditure, (c) Granting of the right to recall, (d) Making necessary the securing of more than 50% of polled votes by a successful candidate, (e) Making of the parties accountable to the people by their public acceptance to delink their respective politics from religion, caste, race, etc., holding of free elections of their office-bearers every two years and getting of their accounts audited under CEC's supervision.

IX

The long-term systemic response means to update our national model in the light of new realities, national and global. The essential elements of this model may be as under:

(a) Aim: To establish a just and fair order in India and the world.

(b) Bedrock of our Nationalism: Rational Humanism—a vision which alone can be the appropriate basis of our new Nationalism in an interdependent world and which can unite the minds and hearts of our people.

(c) Regional security and Development: Based, in the first instance, on the resolving of all Indo-Pak disputes, including Kashmir, by making the Valley a fully autonomous unit under the joint Indo-Pak defence and currency and then, the step by step transforming of the SAARC into a free trade common market area, with a regional security system and, later, into a political union.

(d) India's One-piece Unity and Democratic Order: Based, in the first instance, on resolving of all internal conflicts through fair and just solutions, and, then, the establishment of a fully federal and thoroughly decentralised structure, with autonomy to all the states and a special status to Punjab.

(e) India's Sustainable Development: Based on the improvement in the quality of environment (i.e., natural resources), on the one hand, and the human resources, on the other, by globalising the economy, operating through a judicious mix-up of market mechanism and state planning.

(f) India's Value System: Based on scientific realism which cultivates rational thinking and democratic behaviour.

(g) Foreign and Defence Matters: Based on intra-national

cooperation and friendship, regional security system linked with the global security system and, along with Pakistan, the immediate signing of the NPT.

To say in one sentence, our nation today needs a model that is devoid of communalism, opportunism and centralism—the three social villains endangering our national survival.

27-02-1993

Union Budget 1993-94
Dual Perspective, Correct Priorities And Dubious Style

I. Parameters

Overall, the Budget is quite positive. Because it more or less conforms to India's needs and capabilities. That is, on the one hand, it continues moving towards the globalisation of the Indian economy (i.e., India's need) and, on the other, strives to put to use India's experienced entrepreneurship, cheap labour, vast market, NRIs deposits, foreign capital invested in India, etc. (i.e., Indian capacities). Its negative side is that it often adopts questionable methods to achieve its aim.

How does Manmohan's third budget address to the basic economic and fiscal issues bedevilling the economy—this can be seen by appraising it on the basis of a five-fold criteria—i.e., its perspective, priorities, policy framework, resource mobilisation and its future expectations.

II. Perspective

Is the Budget clear and firm in upholding its perspective? The facts show that it vacillates between two perspectives. On the one hand, it stresses and works for the globalisation of the Indian economy and, on the other, continues to repeat its old shibboleths of economic sovereignty and self-reliance. Here, it ignores the simple fact that the process of globalisation itself implies the gradual dilution and the final elimination of the concepts of national sovereignty and self-reliance. Its tragedy is that it visualises the phenomenon of globalisation only as a recently invented device for strengthening national economies, instead of understanding it as a newly emerging global social

order expressing the internationalisation of fundamental human problems, such as environment, security, population, trade, investment, technology, etc., brought forth by the post-second world war scientific-technological revolution.

In a globalised human community, no one can be fully sovereign in the absolute meaning of the term. The G-7, representing the most developed countries in the world, have to share their respective national problems among them. The most powerful country of our times, the US, has to accept the real value of its dollar as determined by the world market. It is in this sense that many of the old reference points have become outmoded today and need restructuring.

Confusion on the perspective can lead one astray at any time.

III. Priorities

Are the budget's economic and fiscal priorities—an important component of the budgetary process—realistic? Having proper priorities means taking an accurate course. And here the budgetary strategy takes by and large an objective position.

Internally, it stresses to: (a) continue the policy of fiscal correction both at the centre and in the states, (b) give a fillip to development expenditure in 1993, especially for schemes of poverty alleviation, rural development and social services, (c) attain industrial revival, (d) move to a simpler tax reform, (e) give full support to agriculture and also agro-processing industries, and (f) make exports the area of central concern.

Externally, it is primarily aimed at luring foreign direct investment to promote more exportable goods and services.

But, while projecting these reasonable priorities, it tries to show as if similar concerns had been the themes of its two preceding budgets which, while one-sidedly pursuing the fiscal correction and structural reform, had, in fact, neglected the questions of poverty alleviation and social services, on the one hand, and the needs of rural development, agriculture and industrial production, on the other. The budget, instead of being self-critical, glorifies the preceding policy initiatives for minimising "the burden of adjustment on the poor and working classes".

Further, it goes on singing hymns to the 20 month old economic strategy for bringing a 'decisive upturn' in our economy. Not only upturn, but also decisive. But the position of the two lingering critical economic areas—the (balance of payments (BoPs) and inflation—does not bear this out.

In the sphere of BoPs, most of our foreign exchange reserves consist of borrowed funds—with as much as $2.87 billion having come from the IMF alone between July 1991 and February 1993. Loans from the World Bank, Asian Development Bank and bilateral donors also constitute a large sum. The worrisome fact is that interest payments today form 42% of our total central expenditure which had eaten up the entire 1992 external assistance, amounting to $2 billion, and reduced the net capital inflow to zero this year. These massive borrowings have somewhat decreased the intensity of the BoPs problem, but it is still in mid stream, with nearly rupees 7 billion current account foreign trade deficit in 1992-93.

The question of inflation continues to be a troublesome area even today, though to a lesser extent than last year. Its fall to a single digit, as several economists hold, has become really possible by the bountiful Monsoon. Can one talk of 'decisive upturn' in inflation when out of 447 commodities in the WPI, only 67 (mostly agricultural) saw prices declining in 1992 and as many as 306 commodities saw prices rising?

The budgetary assessment of a 'decisive upturn' in our economy is only an exaggerated picture of reality which is neither in the interests of our country nor the ruling circle.

IV. Policy Framework

Does the budget offer an appropriate policy framework—another important component of the budgetaty process—to ensure an efficient conduct of the priority sectors? It carries out the reform process further—a 20 month old process which had already worked out fiscal, trade and industrial policies whose basic thrust has been to make Indian industry outward looking, promote competition and create conditions for the coming in and normal operation of the foreign investment.

It contains many desirable policy prescriptions like making the rupee fully convertible on trade account, reducing and rationalising import duties and excise tariffs, announcing a phased programme of scaling down the SLR from 36% to 25%, reducing the rate of interest by 1% (from 18% to 17%), applying new bank norms, offering concessions and incentives for power generation projects, increasing the status of small scale enterprises, allocating adequate resources for agriculture, etc.

However, despite these right actions, there still remains the need for tying down the loose ends and the adoption of

fresh measures.

The deferment of most of the Narasimham Committee's recommendations concerning financial reforms, including the bank restructuring is harming not only the trade and industry but also the bank depositors. Similarly, the non-implementation of the Chelliah Committee's remaining tax reform proposals is unnecessarily hindering the rationalisation of the tax structure and the effective mobilisation of the internal resources of the corporate sector. The task of the stock market reform, despite scandalous scams, too remains unattended. It is desirable and possible to bring down the interest rates by at least 3%.

The questions of nursing the sick, loss making public sector units and the exit policy still hang fire. There is an immediate need of a more liberal exit policy with adequate social safety nets for the workers.

More is needed to be done on the exports front and also to give a definite message to the world capital. Initiative should be taken to increase India's trade with the SAARC countries.

It is necessary that the government should focus on developing infrastructure, including power and telecommunications.

In agriculture, the thrust should be on increasing productivity and production. The main agricultural problems—such as diversification of agriculture and development of its various sectors, correction of terms between agriculture and industry, provision of capital, technique, marketing, seeds and fertilisers, promotion of agri-based industries, etc.—should be immediately attended to. Vacant and fallow lands be leased to corporate sector for cultivation and forestation. All restrictions on the movement of agricultural commodities should be withdrawn and permission should be given for the export of all types of agricultural commodities and the import of its inputs. Market, especially the rural, should be swiftly developed all over India for a rapid growth.

At the state level, the continuously worsening position of the fiscal deficits, forming about 1.5% of the GDP, needs instant improvement. State electricity and transport boards—persistently running on loss—demand immediate correction.

Corruption driven political process and the inefficiency-cum-black money hitched economic process must be reversed by all means.

Any procrastination in deepening the reforms may harm the

entire economic restructuring process.

V. Resource Mobilisation

Does the budget mobilise the available social resources and the state revenues—another component of the budgetary process? In this regard, it has not gone as far as it could and should.

As to its social resources mobilisation, it has taken a number of essential steps, removing the hurdles in the way of capital mobilisation. Still more is needed on the foreign investment and the domestic corporate fronts. The private sector, which has been assigned a bigger role in the 8th plan, has not so far been able to raise the necessary resources.

As regards the state revenues, the position of our finances, despite fiscal correction, continues to be unsatisfactory. Resource mobilisation for the 8th plan, which is in its second year, by the public sector remains unattended.

To better the state of our finances, it is necessary to generate new resources and cut down the wasteful expenditure.

For generating new resources, it is necessary that (a) Value Added Tax (VAT) system be introduced in order to eliminate the cascading effect of the central excises, states' sales taxes and local bodies' octrois, (b) direct tax net be extended to those better off sections who are still outside of that net, and (c) methods of tax realisation be improved.

For slashing the wasteful expenditure, it is, firstly, necessary to find out if there is any possibility of reducing some of the burdens imposed by India's three main revenue consuming heads—interest payments, defence and subsidies.

In the case of interest payments, it is possible to reduce a portion of this burden by liquidating a part of the domestic debt by taking three steps: (a) to sell 50% of public sector shares to the public in a phased manner, (b) to sell the confiscated gold, and (c) to sell part of government's vacant lands, estimated to be lakhs of hectares and use the rest for forestation.

In the case of defence spending, a fair and just solution of the Kashmir problem—with full autonomy to the valley under a joint Indo-Pak defence and currency—can enable the two countries to cut their respective military expenditures by 50%.

In the case of subsidies, a lot could be saved by targeting them at the poor and the weaker sections.

Secondly, it is necessary to rationalise the size of Indian administration and stop all official wastage or misuse regarding

telephone, transport, electricity, housing, furniture, etc.

Without a proper mobilisation of the available social resources and state revenues and curtailing the inessential expenditure, the Indian economy cannot be properly managed.

VI. Future Expectations

What are the budget's future expectations? That its various initiatives will lead to a higher growth rate (i.e., 5 or 5-1/2%), generate new employment opportunities, promote exports in dollar terms (by 15 to 16%), decrease inflation rate (to 5 or 6%), encourage competition, strengthen infrastructure, and so on.

All these forecasts are realisable, provided the other things remain the same. But the things are bound to change, particularly in a turmoil ridden situation, as now exists in our country.

The biggest factor which will be of central importance in shaping and determining the economic situation during 1993 would be the behaviour of our political process which continues to be confrontationist both internally (i.e., intra-communal and intra-party tensions) and externally (the possibility of an Indo-Pak war), with an uncertain future.

Next to politics, much would depend on the performance of our exports and the world capital's confidence in our political-economic stability.

The third challenge to our economic reforms process comes from the dubious methods of our ruling circles who always use the economy to serve their vote bank-cum-power politics, e.g., the budget's championing of the unprincipled norm of rewarding those states in which the ruling party had been voted to power; of reducing the fiscal and budget deficits by cutting the development expenditure; of wasting the public sector disinvestment for manipulating the budget deficit instead of retiring the national debts; of raising the administrative prices of some essential commodities by an executive order before the budget session; of hiding the facts about scams, like the Bofors and Bombay securities case; of not fulfilling the promises made in the earlier budgets (like small farmers' agri-business consortium); of carrying the budgetary exercise under a veil of secrecy, without consulting the opposition; and so on. It is necessary to have not only correct priorities but also proper methods.

The answer to these challenges lies in our striving for creating

a national consensus not only on economic reforms but also political ones. Without a national consensus, no programme for economic readjustment or political restructuring can be implemented with success. For creating a national consensus, it is necessary to thrash out certain fundamental principles and evolve an institutional framework acceptable to all mainstream parties, on the one hand, and launch a movement for changing the old mindsets of our people and motivating them in favour of the fundamental principles of our national consensus, on the other. 10-03-1993

Dunkel Draft— An Attempt At Recolonisation Or Globalisation?

I

(1) Like many other countries of the world, a great debate is on in our country over the nature of the Dunkel Draft. A cross-section of Indians feel that the Dunkel Draft is an attempt by the Western countries to control the resources of the developing ones, that the acceptance of this draft by India would harm the interests of our agriculture and the agricultural community and the pharmaceutical industry and those connected with this sector, including the consumers, and that it would ultimately lead to the eroding of sovereignty of the third world countries. Contrary to this, a significant number of people believe that the rejection of the Dunkel Draft by India would go against the interests of not only the Indian but the world people and that any disputable point in that draft can be settled through proper negotiations. Where does the reality stand—an answer to this query requires a brief return to the beginning.

II

(2) Dunkel Draft denotes the proposals submitted by the Secretary General of the GATT, Arthur Dunkel, for the regulation of the world trade to its 108 'contracting parties' at the end of 1991. It took almost 5 years for Dunkel to complete this drafting work entrusted to him by the GATT contracting parties at their meeting in Punta Del Este, Uruguay, in 1986. GATT, the General Agreement on Tariffs and Trade, representing a sort of contractual rules to regulate the world trade, was made by its 40 odd contracting parties in 1948. During the 45 years of its existence, the Agreement had worked well-making the world a better place to do business in by allowing a more free and fruitful flow of goods and services across the seven seas. The result is that the number of its

contracting parties has swelled to 108 countries, carrying over 90% of the world trade, while the rest of the countries, including Russia, China, Vietnam, Cuba, etc., some of which had bitterly opposed this agreement as a counter productive move in the past, are now standing in the queue for signing this agreement.

This background helps us to see different dimensions of Dunkel Draft more clearly.

III

(3) Turning to the first point of the anti-Dunkel theme, i.e., the Dunkel Draft is an attempt by the developed countries to control the resources of the developing ones and thus to recolonise them, the question worth consideration is that, if the latter characterise the former as an anti-third world grouping and find themselves helpless to get the North's bid to dominate the South rejected in the different rounds of GATT talks, then why a number of developing countries have continued as the contracting parties of that agreement and why the rest are begging for attaining that status. If the North is really a recolonialist front, then why the South does not form an anti-North plank and why the countries of the South continue to fight among themselves.

(4) The fact is that the Dunkel Draft is far more a point of dispute among the developed countries than that between the developed and the developing ones. It is mainly due to the difference on the farm subsidies between the US and other surplus foodgrains producing countries, on the one hand, and the European Community, on the other, and again between the US and Japan that the Dunkel Draft is hanging fire and not because of any resistance from any developing country. The draft represents a sort of an Agreement whose promises and practices, under the GATT Rules, will be decided on the basis of consensus. So far, all trade disputes among the GATT contracting parties had been settled through a negotiated agreement. And this means that there is no question of the North dictating the South or of the former recolonising the latter. China, Mexico, Brazil, South Korea, Taiwan, Thailand, etc., and many other developing countries have broadly accepted the Dunkel Draft. For what reason the anti-Dunkelists want India to plough a lonely furrow.

IV

(5) The next anti-Dunkel argument that the Dunkel Draft would harm the interests of our agriculture and the agricultural

community and the pharmaceutical industry and those connected with this sector, including the consumers, has marshalled 10 main reasons in its favour.

(a) It holds that the impact of plant variety protection on agriculture (or the passing on the control of seeds to the MNCs) will be disastrous. But the developing countries have a near waiver of commitments in this matter. Here the Dunkel Draft refers to three alternatives. That is, in addition to patenting, it offers the choices of an effective sui generis protection methods or a combination of the two. It is for the country concerned to determine the elements of its sui generis method. Thus, India has the option to safeguard the interests of its farmers and researchers.

Today, India exports about 1,900 varieties of seeds to 12 countries. But it does not earn any royalty or enjoy genetic rights. Whereas the US makes an estimated $66 billion as royalty by exporting germ plasm. Such a thing is happening because the Indian Patents Act of 1970 guarantees only the patenting of processes and not products. As one of the 8 centres in the world researching genetic diversity, India can hope to gain a lot.

(b) It regards that the acceptance of the Dunkel Draft would adversely affect the Indian agriculture by the compulsory reductions in subsidies and procurement prices. But this presumption ignores the fact that the Indian aggregate subsidisation to agriculture is less than the 10% limit set by the Dunkel Draft for domestic agricultural support of the total value of production.

(c) It considers that the patenting of genetic material will have adverse effect on the Indian economy. But this provision of the draft is net specific, because it does not define the micro-organisms that are to be included under this regime. Many countries are apprehensive about this proposal of its being violative of the Rio Bio-diversity Treaty. India can suggest proper amendments to this provision, requiring the patentee to disclose the impact of his genetic patent on soil, crop, environment and health.

(d) It maintains that the products for which patent applications have been filed after the coming into force of a multilateral agreement cannot be marketed in India by the Indian companies as such patents are protected. But there is also a counter proposal in the draft for grant of pipeline protection in respect of patents granted in the home country during the 10 year transitional period. The 10 year time, according to experts, is sufficient to become internationally competitive.

(e) It says that extending the term of patents to 20 years is arbitrary; it will limit the access to new technology and delay the introduction of new drugs. But the term of the patent has been approved by the international consensus. In the case of drugs, the period of 20 years is not too long, because, as the experience shows, it takes 8-10 years to get marketing approval after the grant of patent.

(f) It states that, if importing is interpreted as working the patent, imports would flood the domestic market, hurting the local manufacturers. But India can propose that, if not possible in all countries, a patent should be locally worked in all those markets catering 10 million of people.

(g) It argues that as a result of extension of product patents to pharmaceuticals, drug prices will shoot up. But the behaviour of prices will depend on multi factors, like the availability of cheaper substitutes, level of technology involved, the nature of diseases, etc. For example, the sunflower seed cost Rs. 800 a kilogram in Punjab some four years ago. Now, after the coming up of 15 companies in this field, it is selling at a rate of Rs. 100 a kilogram.

Further, the price effect of drug patenting in India is not going to be very high. Because the proportion of patented medicines will be only 10% in contrast to 90% of the non-patented ones (i.e., the common medicines and the WHO listed essential drugs).

(h) It contends that the automatic licences of right, as provided in the Indian Patents Act of 1970, will become impermissible, thus hurting the pharmaceutical industry. But, this sort of unfair trade practice in which a patent is plagiarised by an unscrupulous inventor or company is not acceptable to the great majority of countries, including the developing ones.

(i) It suggests that the acceptance of the Dunkel Draft will inhibit research and development. Instead, the experience shows that the incentive to innovation encourages inventive effort and the global competition spurs research and development.

(j) It proposes that the reversal of the burden of proof will change the basis of the Indian legal system. But the international consensus considers the rule of placing the onus of proof regarding infringement on the defendant as rational. And further its implications are not inconsistent with the Indian legal system.

V

(6) The third anti-Dunkel argument—i.e., the acceptance of the Dunkel Draft would ultimately lead to the eroding of national

sovereignty of the third world countries—is highly unrealistic in the current era of the interdependence of nations. Whenever any social discipline is globally institutionalised, every national segment is liable to surrender a part of its sovereignty. This has been the case in the establishment of the UN, World Bank or IMF. This is, and can be, the only right course in the setting up of an International Trade Organisation. It is not a question of being sovereign or dependent, but a matter of either accepting or rejecting the reality of an interdependent world. The argument about the erosion of national sovereignty of India ignores the reality of globalisation.

Today, the national trade, like all other major human problems, having become nationally interdependent, is demanding the globalisation of new economic areas, previously considered autonomous by the classical nation-state. This does not amount to a sell-off of national sovereignty, as the anti-Dunkelists claim, even though some of their concerns may be genuine.

VI

(7) Coming to the pro-Dunkel standpoint, any claim that the Dunkel Draft is a perfect document, without any shortcoming, is an unrealistic proposition. In fact, no ideal agreement is possible on a complex issue, especially the one still in its developing phases. The historical experience shows that all complicated problems, like the globalisation of trade, involving divergent interests, need to be solved on the time-tested give and take basis.

VII

(8) The above discussion neither considers the outright rejection nor the passive acceptance of the Dunkel Draft as the logical answers to the said document. It suggests a meaningful response that broadly accepts the Dunkel Draft, while, at the same time, demanding the implementation of the GATT provision for giving special and differential treatment to the developing countries, especially in their concerns in the areas of Agriculture, Trade Related Intellectual Property Rights (TRIPs), Trade Related Investment Measures (TRIMs) and General Agreement on Trade in Services (GATS) in the different Rounds of GATT talks. This two-sided option implies the need for a rational humanist approach that seeks to combine the national interests with the global needs. From this standpoint, we can influence the outcome to some extent.

(9) In the present-day world, go-it-alone approach will generally end in a fiasco. An outlook out of step with rest of the world will marginalise us further.

(10) There has yet been very little debate on the nature and the specifics of the Dunkel Draft, still confined to the New Delhi's officialdom. It needs to be debated by all sections of our people whether the Dunkel Draft represents a subtle device for the recolonisation of the developing countries or a positive attempt at globalisation of trade by eliminating its distortions.

31-03-1993

Indian Economy's Modernisation Demands Agricultural Restructuring

I

(1) Agriculture is the largest sector of the Indian economy. It provides 1/3 of country's national income and supports over 2/3 of its population. Therefore, its proper development is vital for the modernisation of the national economy. In fact, no economic reform in India can succeed if it is not accompanied by the proper agricultural changes. An inefficient agriculture is harmful not only for the economy but also the polity, especially when the social conflicts are at the boiling point.

(2) It is a well-known fact that, not withstanding its varying agrarian strategies (i.e., those of cooperative farming, green revolution, experiments with high yielding variety seeds, extensive use of fertilisers, dry land farming, etc.), the pace of Indian agricultural development has not proceeded according to its planned targets during the past 45 years. Nationally, despite a 3-1/2 fold increase in its volume, India's total food production (i.e., 175 million tonne) falls short of its total requirements (i.e., 210 million tonne). Globally, with an average annual growth rate of 2.6% (almost equal to the annual population growth rate of 2.1%), it lags behind the 6% annual growth rate attained by China and over 4% by many third world countries (including Sri Lanka and Pakistan). This explains why the needed impact on the chronic problems of rural poverty and unemployment has not been made even after four decades of planned development.

(3) The situation has come to such a pass where there is an urgent need for the formulation and implementation of a well thought out agricultural policy. The respective agricultural policy drafts of the V.P. Singh and the Chandra Shekhar governments were only mired in classical ruralism rather than in modernism. The new official agricultural policy (November 1992) contains many new features, yet there is need to restate its objective,

priorities and instruments because they do not stand out clearly in that document.

II

(4) As regards its objective, the Indian agricultural policy, proceeding from the two fundamental realities, i.e., the environmental crises and the interdependence of the national economies should aim at a sustainable development which, on the one hand, maintains the life supporting natural systems at their optimum level of reproduction and, on the other, starts the process of globalising agriculture—thus making it competitive, profitable and at par with industry.

III

(5) As regards its priorities, India's sustainable agricultural policy should give top priority to a two-sided initiative which, on the one hand, undertakes vigorous forestation and the active correction of all natural elements hindering agriculture and disturbing environmental balance—namely, salinity, water logging, soil erosion, over grazing and over browsing of forest and pasture lands, misuse of water, plant and animal resources, etc. (all of which have turned about 175 million hectares into waste land out of a total of 266 million hectares biotic productive area in India) and, on the other, fastly develops rural infrastructure, such as education, rural sociology, vocational training-cum-production centres, health-care, family planning, road building, transport, irrigation, power generation, telecommunication, market, storage, processing, credit, technology, etc.

(6) Next, it should put its main thrust on increasing productivity and production (the top most priority of the new official agricultural policy which lacks a clear-cut direction like the earlier ones) by formulating an integrated agricultural plan covering all sub-sectors that add value to agriculture—i.e., horticulture, floriculture, pisciculture, poultry, dairy, livestock, bee-keeping, sericulture, forestry, agro-based industry, etc.

(7) Both the above initiatives, on the one hand, will create suitable conditions for the development of the Indian agriculture, make it a profitable profession and bridge the rural-urban gap, and, on the other, create rural assets, sort out the problems of rural illiteracy, malnutrition, unemployment, under-employment, poverty and regional disparities and thus improve the quality of rural life and raise the national demand.

(8) Further, it should chalk out a concrete policy of population control in the rural sector. Unless something tangible is done in this matter, no amount of development will be of much help.

(9) Furthermore, it should plan a phased programme for the globalisation of Indian agriculture. To begin with, it can enhance the share of agricultural exports from 15% to 30%. Under a well prepared scheme, it should enable the farmers to maximise their foreign exchange earnings by importing appropriate technology and inputs required for the further development of their exports. The agricultural exports could help India to bridge the external trade gap and also offer remunerative prices to our farmers.

IV

(10) As regards its instruments, the sustainable Indian agricultural policy should, besides some other measures, consist of seven main factors, viz., adequate investment, remunerative prices, new technology, irrigation, land organisation, implementation of laws and motivation.

(11) As regards investment, it should ensure an effective rate of capital formation in the agricultural sector (which fell by 18% in the 1980s) by increasing the flow of public and private capital. It should also arrange the supply of credit needed in this sector. The commercial banks and cooperative institutions should be entrusted to meet the credit needs of the big and medium farmers, while the financial requirements of small and marginal farmers and agricultural labourers be met through the government resources. To give a powerful push to capital formation, the corporate sector should be allowed to move into poultry and livestock development, food processing, agricultural operations on fallow and drylands, etc.

(12) As regards remunerative prices, it should remove the shackles of price restraints, the zonal restrictions on the food-grains trade and the impediments (such as licensing) in the starting of agro-based industries. It should help the farmers in getting reasonable prices by preventing their distress sales at low prices to the middleman through the cooperative institutions' market intervention.

It should end the system of agricultural and food subsidies, except those benefitting the small farmers and the urban poor in a phased manner. As the experience has proved, these subsidies have an overall adverse impact on efficiency and are unsustainable. In an agricultural incentive structure (which makes

agriculture dependent), a farmer stands to lose in the long run if he does not pay for the facility he uses. It will not be possible to achieve this objective overnight. Because a completely subsidy free agriculture is desirable when the resultant higher food prices can be afforded by all sections of our population, as a result of the working out of the entire set of economic reforms.

(13) As regards new technology, it should further enrich its research system and develop appropriate technologies (particularly concerning dryland farming constituting about 70% of the total cultivable area) which can enable Indian agriculture to raise its production more by yield expansion than by area expansion. On such a method depends to a great extent the success of Indian agriculture.

The new technology of greenhouse and cold storage—which shortens the use of land for raising multiple crops and which can ensure the supply of vegetables all the year round—should be adopted. Also, the technology of plastic agriculture—which has paid rich dividends in the developed countries—should be made use of. The wasteland can be utilised by introducing different agro-forestry cropping models, depending on the needs of the area.

(14) As regards irrigation, it should forge a coherent water plan. Going by the poor per acre yield under the surface irrigation (now serving about 30% of the cultivable area) and its side effects, it will be better for the Indian agriculture to shift to the drip (or trickle) irrigation which, though costly in the beginning, is profitable in the end.

It should also lay stress on the development of rain-fed and irrigated horticulture, aromatic and medicinal plants and plantation crops with full facilities of processing and marketing, both for exports and domestic market. At present, India's per acre production was only one-fifteenth of the world standards and only 0.5% of it was processed.

(15) As regards land organisation, it should prepare a scheme to make the vast number of small farms viable units by helping them to grow more vegetables, fruits and flowers through new technologies.

It should ensure the completion of the pending work of the land reforms, distribution of the surplus land to the landless and the updating of land records (i.e., the consolidation of holdings, recording of tenancy, etc.) within a specified time.

It should arrange the dispersal of growth in a way as to remove regional disparities and try to remove imbalance in the cropping

pattern (continuously tilting in favour of foodgrains).

(16) As regards the implementation of laws, it should settle the forceful application of the laws concerning the agricultural labour, particularly the Minimum Wages Act, and the Bonded Labour (Abolition) Act, and also enact new legislation for their welfare (including the general insuring of crops of all farmers).

(17) Lastly, but more importantly, the success of the new agricultural policy depends on how well the government, political parties, social and voluntary organisation, etc., motivate the 93 million cultivators through ideological and material means, to work their own lands harder and invest more into maximising the potential of their lands. Populism or vote bank politics, as shown by practice, can be highly damaging.

V

(18) The Indian agriculture is being restructured in the newly emerged era of globalisation in which a national economy can be modernised by getting the resources chiefly from the exports sector and not by squeezing the agricultural resources, as had been the case with the industrial development of the Western Liberal and the Soviet-type models. Hence, the modernisation process of an under-developed national economy today involves the development of its agricultural sector as a partner of its industrial sector, with both playing the complementary role on the internal as well as the external fronts

(19) However, forecasts have been made that the liberalisation of the agricultural sector and the consequent play of market mechanism would lead to the diversion of land to more profitable crops—thus reducing the supply of food grains and pulses to the poor and the middle classes and pushing their prices up. These contingencies, though remote, are not insurmountable mysteries. They can be effectively countered if the administration acts in time by keeping a close watch on the course of the reforms process through the setting up of agricultural information centres in all Panchayats across the country. These centres should conduct farmers meetings apprising them of the new changes in the agricultural policy and the concerned technologies and regularly report to the higher levels about the conduct of agrarian reforms and the behaviour of the foodgrains prices. To be durable, the reforms should be accompanied by far reaching social changes which, if jettisoned, can lead to the wrecking of the whole economic reforms process. 25-03-1993

The Eighth Congress Of The IDP

I

(1) This Congress was held in Jammu City from the 4th to the 7th of April, 1993. It was attended by delegates and observers, representing party units in seven states (viz., Jammu-Kashmir, Punjab, Haryana, Delhi, Rajasthan, Uttar Pradesh and Bihar).

II

(2) The Congress adopted its agenda in the following order:

(a) Discussion on the assessment of the present situation as contained in the three articles namely, 'A Moment of Truth for Our Nation,' 'Need to Get to the Root of Our National Malady, and 'What Realism Demands of Our Nation', already published in the Party Journal, No. 64-B.

(b) Discussion on the approach towards trade unionism as contained in the Article titled 'Trade Unionism Today,' already published in the party Journal, No. 64-A.

(c) Discussion on the approach towards Dunkel Draft as contained in the document titled 'Dunkel Draft—An Attempt at Recolonisation or Globalisation?', circulated among the participants in the Congress.

(d) Discussion on the approach towards agricultural restructuring as contained in the document titled 'Indian Economy's Modernisation Demands Agricultural Restructuring,' circulated among the Congress participants.

(e) Discussion on and adoption of the 'Draft Party Constitution,' already circulated in the Party as well as outside.

(f) Discussion on the problem whether weakening of the Party motivation is the cause of our slow growth rate.

(g) Discussion on the problems facing the IDVP.

(h) Discussion on the Party's mass work problems.

(i) Discussion on the 1993-94 budget and the related official economic policy as contained in the article titled 'Union Budget

1993-94—Dull Perspective, Correct Priorities and Dubious Style', already published in the Party Journal, No. 64-B.

(j) General Party line on elections, with particular reference to the coming assembly and Lok Sabha elections in Jammu-Kasmir and Rajasthan.

(k) Election of the CC.

III

(3) After a proper discussion of each item on the Agenda the below noted decisions were taken.

(a) There was general consensus on the first item, i.e., the 3 articles on the assessment of the present situation.

(b) & (c) The second and the third items, i.e., the article on trade unionism and the document on Dunkel Draft, were accepted without any change.

(d) The fourth item, i.e., the document on Agricultural Restructuring, was approved with one amendment, requiring the inclusion of general insurance of crops at some suitable place in the document.

(e) The fifth item, i.e., the 'Draft Party Constitution', was adopted with the following amendments.

(i) To classify the Party Membership into 2 categories, i.e., Member and Primary Member.

To continue the definition of the party Member as given in the draft.

To define the Primary Member as the one who accepts the Party Programme and helps the Party in one form or the other.

To enrol the Primary Member through the concerned Unit.

(ii) To issue the Membership cards to the members in each state by the State Secretary.

(iii) To build seven tier organisational structure instead of six as at present by adding a new Unit, i.e., the Panchayat, in between the Primary and the Block Units.

(iv) To specify the concept of extended family in the Constitution.

(f) With regard to the sixth item, i.e., the problem concerning organisation's slow growth rate due to the weakening of Party motivation, there was broad agreement that instability and inconsistency in the thinking and practice of most of our cadres and the existence of less informed public opinion in the country are the two subjective and objective causes respectively of our low growth rate and not any weakening of Party spirit.

(g) As to the seventh item, i.e., the problems facing the Party Journal, it was decided that the Party Journal be transformed from a quarterly into a monthly, with its English edition to be published from Bathinda and the translated Hindi version from Bikaner and that 15% discount be given on the total sales.

(h) Concerning the eighth item, i.e., the Party's mass work problems, it was emphasised that the Party's fundamental line of linking the people's long-term objective with their immediate problems be adhered to under all circumstances.

(i) The discussion on the ninth item, i.e., the article on the 1993-94 Union Budget, after its postponement to the fag end of the Agenda, could not take place due to the paucity of time.

(j) On the tenth item, i.e., the Party's electoral line, the Congress endorsed the existing electoral line of Party's continuous participation but practicable contesting while upholding the methodology of value based politics, which rejects the politics of election boycott at all times and shuns the vote bank politics under all circumstances.

In Rajasthan the level and degree of participation and contest be decided by the concerned committee.

In regard to elections in Jammu-Kashmir, a demand be made to conduct them under the observation of an independent International Agency (like the NAM, Amnesty International, Asia Watch, etc.), acceptable to all sides related to this problem.

(k) As for the eleventh item, i.e., the CC election, the Congress elected a CC consisting of members, i.e., Sajjan Kumar, Ghanshyam, Master Kheta Singh, Sukhdev Singh Bhupal, I.D. Khajuria, Babu Singh and Jai Narain Vats, while the CC, in turn, elected Sajjan Kumar as its General Secretary and I.D. Khajuria as its Treasurer.

(l) Next Party Congress to be held from the 4th to the 7th June 1994 somewhere in Rajasthan. Exact place to be later decided by Rajasthan SC.