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Not Division but Unity in Struggle with Accommodation within – Only Panacea to Muslim Sub-communities

In his tract "Sar ke Bal Khari Muslim Siyasat", Ali Anwar, a Muslim Bihari journalist, based in Patna has presented his thesis that not only the so-called Muslim leadership but all secular parties have ignored the interest of the Backward and Dalit Muslims and extended continuing political support to the elite Muslims and that the latter have continued to exploit the former to gain access to power and position in the name of the Muslim community.

Mr. Ali Anwar, in counting the trees, has not presented any view of the forest: the bigger truth – the deprivation of the Muslim community as a whole by the Congress and, subsequently, by all secular parties, not only in Bihar but all over the country and the willing acquiescence and collaboration of the Muslim Indians to their political exploitation for 50 long years, initially in the aftermath of the Partition, because of their guilt complex and the consequent 'protection' sought by the community and later in the shadow of the emergence of the Hinduvadi forces. What is important is to realise that no one had the courage to question the disproportionately low and unjust quantum of what was thrown at the community; to assert their rights, to ventilate their legitimate aspirations. Since there was no spokesman for the community as a whole, those who were better placed politically or socially or economically, grabbed whatever they could and left the Muslim masses unfed and unprotected. The question is not whether the 'leaders' who grabbed were 'Ashraf' or 'Arzal' or 'Ajlaf'; the sad truth is that the mass of the 'Ashraf' remained as uncared for as the mass of the 'Arzal' or the 'Ajlaf'.

The question of maldistribution of resources and assets, goods and services, benefits and subsidies is not only a Muslim issue, because the mass of the Hindus were also short-changed; it is thus a general question because the 'Savarnas' took the cake and abandoned the Shudras, the Achhuts and the Adivasis to their fate. No doubt this means that the non-Ashraf Muslims faced a double disadvantage, of being Muslims and of being at the lower end of the social ladder with inbuilt social, educational and economic disabilities.

Mr. Anwar has not come forward with any data to illustrate the pattern of economic distribution between the Muslims and the non-Muslims and between the 'high' Muslims and the 'low' Muslims. My opinion is that in Bihar, after the abolition of the Zamindari and the virtual closure of doors of public and private employment to the Muslims, in the communally surcharged environment, the per capita share of the 'Ashraf', the 'Ajlaf' and the 'Arzal' were not much different from each other and from those of the Hindu MBC's/SC's/ST's.

It is also a total misunderstanding of the social and economic reality for Mr. Ali Anwar to read into the

cooption of a few individual Muslims into the high echelons of the polity or the society that such placements meant a great deal for their own sub-community. We know that such individual politicians or public servants were of no help to their own sub-community or to the community as a whole. In some cases, they might have pushed their own family members. Beyond a point they were basically too timid even to give the Muslims their due.

Yet, the questions posed by Mr. Ali Anwar need to be addressed frankly. But an honest discourse presumes a careful consideration of the historical context and accurate statistical data. Basically, the Freedom Movement, itself, was dominated by the Hindu and Muslim elite – the educated class, the aristocracy, the professional class who all belonged to high castes among the Hindus and the 'Ashraf' among the Muslims, purely for historical reasons. This was more true of the Muslim community because hereditary descent meant more in Muslim community than educational achievement or professional expertise which were rare. This explains why most MLA's in Bihar not only the Muslims, whatever the party, belonged to high castes.

But who are the high caste Muslims? Syeds and Pathans may be easily recognizable because of their prefix and suffix. Perhaps Maliks also fall in the category. But the term 'Sheikh' is absolutely vague. Some Sheikhs were descendants of foreign Muslims, including Ulema and Sufi savants, who traced their lineage from Abu Bakar, Umar, Usman or other Companions of the Holy Prophet. Some of them were descendants of Brahmin converts who took the prefix Sheikh. But many Shudra converts on conversion also took up the same prefix. Today, nearly all Backward Muslims call themselves Sheikhs e.g. the Kalals are Sheikh Iraqi, the Darzis are Sheikh Idrisi, the Qasabs are Sheikh Qureshi, the Dhuniyas are Mansoori; the Bhishties are Abbasi; the Hajams are Salmani, the Rangrez are Sabbagh, the Bunkars are Ansaris etc.

Mr. Ali Anwar's analysis is basically unscientific. For one thing, he does not give any caste-wise break-up of the Muslim population of Bihar at least of those Muslim Sub-communities which have been included in the lists of Backward Classes.

Analysis of Mr. Anwar's 'Data'

Let us have a critical look at the 'data' assembled by Mr. Anwar. I would suggest to Mr. Ali Anwar that he should go into his list of 'Sheikh' MPs, MLAs (Charts No. 1 and 2) and reclassify them on the basis of the baradaris to which they belong. The results may reopen his eyes. He will find that many of those he has categorised as Sheikh and, therefore, as high caste actually belong to the category of Backward Classes. This may completely upset his calculations but hopefully bring out that the high castes

have not been as predominantly represented as he had indicated.

Broadly speaking one can summarise that Muslim Biharis may belong to a) high caste, Syeds, Sheikhs (only those who are descendants of foreign Sheikhs or of Brahmin converts), Pathans and Maliks b) the descendants of Shudra converts c) the descendants of Achhut converts d) the descendants of Adivasis converts. One can also assume that number of (c) and (d) is very low. Broadly, the Muslim Biharis who belong to (a) may form 20-25% of the total Muslim population and those who belong to (b) may form 65-70% while others may come to 5 to 10%. The so-called Dalit Muslims (whom Ali Anwar never ceases to project are all included in the List of Backward Classes. Altogether they do not constitute more than 1% of the Muslim Biharis.

Since, no acceptable estimates of the population of the above-mentioned sub-communities or of their share in Muslim population of Bihar are available, it is impossible to work out notional representation levels for each of them either in legislature or public employment or to come to any conclusion about their over-representation or under-representation, within the overall under-representation of the Muslim Biharis as a whole.

In Charts No. 4 and 5 Mr. Anwar has mentioned the IAS and IPS officers. These officers whether in the Bihar Cadre (including those from other States) or those from Bihar serving in other States cadres have entered the Service through the open competition examination. No question of collusion between Muslim elite and the power structure arises in such cases.

In Chart 6 he focusses on Muslim Ministers in various governments in Bihar. Ministers belong to the ruling party/coalition. Hence the choice is limited to MLA's/MLC's of the party/coalition in power. So this Chart does not provide any additional information without examining in depth the 'caste' of Muslim MLA's and MLC's belonging to the ruling party/coalition and the reasons for their selection by the CM which is his prerogative.

Chart 7 includes the discretionary appointments. Excluding the MP's, MLA's, MLCs, the list is reduced to 31 appointments. Once again there is doubt about the exact significance of the term Sheikhs. In fact, quite a few 'Sheikhs' are known to me as belonging to backward castes.

In his article, Mr. Ali Anwar has also sought to support his thesis by reference to Muslim Minority Educational Institutions. Theoretically this is a right available to all Muslims. Once again due to relative educational and economic backwardness few such institutions have been established by Backward Muslims. The Oriental College, Patna City, which Mr. Ali Anwar has taken as an example, is an old institution which attained college status after independence. Reservation does not apply to appointments in MEI's but the authorities may indulge in a bit of nepotism. Generally they have to choose from among available Muslims. And I

personally know that several qualified Muslim candidates from the Ashraf have been shown the door. However, if any discrimination has been practised in admission against the Muslim candidates, who belong to Backward Classes, it is highly objectionable.

The question remains why even in the regimes of parties committed to social justice the so-called 'Ashraf' had a better inning. In particular focus is the Laloo regime from 1990-1999 – which has been based on the MY combination, real power was never shared and the Muslims were only sought to be co-opted in the Yadav Raj. But the 'Yadav Raja' did not enjoy much choice, when it came to selecting candidates for legislatures or for discretionary appointments. I doubt if Laloo has any soft corner for the Ashraf.

In fact I know that at every juncture Laloo Yadav made every endeavour to find a viable, suitable Muslim from the non-Ashraf. Sometimes the results were ludicrous like the nomination of Aas Mohammad for the Rajya Sabha. But he was handicapped, for example, in the selection of Vice-Chancellors that, because of required educational qualification or seniority or political record many available Muslim possibilities belonged to the Ashraf. Other factors such as personal equation with Laloo may have played a role but the historical and educational factors were the main determinants.

Another important factor may be noted. The Muslim sub-communities with the exception of a few like Ansaris or Kulahiyas are so dispersed territorially that no political party can make the choice of candidate solely on the basis of 'caste'. This is the same factor which has led to virtual elimination of Kayasthas from the political face of Bihar which they once dominated. The success of MY factor depends on the consolidation of the Muslim votes **as a whole**, which is only possible if the party fields a known candidate from a Muslim constituency who is generally acceptable to all Muslims. Few individuals from small sub-communities at local level have yet attained such acceptance.

Conspiracy Theory

Is there a conspiracy between the Muslim Ashraf and the Hindu elite (Savarna or Shudra) to shortchange the Muslim non-Ashraf? On available evidence one cannot subscribe to such a theory. There is no Muslim politics and no Muslim leadership, apart from the Muslim politicians in major political parties. The political managers normally count Muslims as an additional caste group when they work out the political equation. This is primarily a game of numbers. You can divide 90 into 9 viable groups but you cannot divide 10 into 20 non-viable groups! Secondly, political experience tells them that Muslims, being a minority group, have an inbuilt sense of solidarity. Thirdly, as Muslims, they have also a common religious consciousness.

But things are changing. As the deprived sub-communities of the Muslim Biharis march forward in education, they are likely to benefit more and more from

FROM THE EDITOR'S DESK

admission to professional courses, to public employment, to public credit, to development and welfare benefits and political representation within parties and legislatures. They will assert their right if the Ashraf try to keep them back. This would be a natural and logical process.

It is interesting to note that the preface to Mr. Ali Anwar's tract is by a CPI(ML)L leader. This has to be seen in the context of the CPI(ML)L's political line of organising a coalition of the deprived. Thus while they were trying to gain the favour of the MBCs among the Hindus, they are also seeking to detach the 'Muslim Backwards' – and particularly Muslim Dalits – from the rest of the Muslims, erase their Muslim consciousness and destroy their traditional leadership. One sees a political motive in this move to divide the Muslims. This tendency has given rise to opposition to reservation for Muslims, as a community and the demand to restrict it to Muslim Backwards. This is a shortsighted view.

The National Convention on Reservation for Muslims in 1994 proposed that there should be a Muslim quota but the quota should be preferentially available only to those Muslim candidates, even with minimum qualification required, who belong to the sub-communities notified as Backward.

Secondly, the application of the creamy layer bar will hold back many Muslim candidates from the Muslim elite. But I see no objection if the Muslim Backwards, as a whole, having a separate quota in proportion to their 'population'. I see no objection either if any Muslim (or non-Muslim) group which constitute more than 1% on the total population, get a separate quota of its own.

While, pressure for their legitimate share from the non-Ashraf cannot and should not be ignored and while Muslim society should sincerely make adjustments and accommodate them.

The real issue is not how secular parties behave but how the Muslim community unitedly struggles for a **separate quota either for the Muslims as a whole, or for the Muslim Backwards as a whole or for each sizeable Muslim Backward Group.**

But can they succeed, if they are divided into High Castes, Backwards and Dalits? The game of dividing the Muslims is not new. It has been played since before independence. **The real conspiracy, therefore, is to defeat the Muslims by dividing them.**

Within the framework of social solidarity their demands must be negotiated they cannot be ignored.

No minority – religious, racial, linguistic, anywhere, unless it sticks together and struggles unitedly against injustice and oppression, shoulder to shoulder with other deprived groups can achieve its goal. If it divides itself, it cannot build or add to the pressure for changing the system and increasing its share of the cake.

New Delhi,
1st March, 2000

(SYED SHAHABUDDIN)



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Constitution Review Commission,

13 February, 2000

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Terms of Reference: To examine the existing provisions of the Constitution in the light of the last 50 years for an efficient, smooth and effective governance and socio-economic development of modern Indian and to recommend changes, if any, that are required to be made in the Constitution within the framework of parliamentary democracy and without interfering with the basic structure and feature of the Constitution.

Shahabuddin's Letter to Soli Sorabjee,

15 February, 2000

Your reaction highlighted in the press today that rights not expressly mentioned in the Constitution but declared to be fundamental rights by the Supreme Court may be considered by the Constitution Review Commission for addition. The rights you have mentioned are unexceptionable.

However, as you must be aware the Review has awakened apprehensions in the religious minorities that in the process of review, certain existing minority rights may be curtailed or eroded, such as those relating to educational and cultural rights (Article 29 and 30) and religious freedom (Article 25 and 26). Muslims are also apprehensive that review may be used to transfer introduction of Uniform Civil Code from the Chapter on Directive Principles to Fundamental Rights.

I wonder whether the Commission shall be inviting suggestions from the public or holding public hearings. It would be a good idea, if it worked on the line of a Select Committee of the Parliament.

Fifty and Fine

Editorial, The India Today

November 26 marks the 50th Anniversary of the adoption of the Constitution. Two months after this event, on January 26, 1950, the (Constitution) came into effect... The Constituent Assembly's exertions were the triumph of hope over experience. After all, in a land with an ancient history of politics but a non-existent tradition of political science, there were simply no precedents. The Constitution borrowed heavily from (other countries)... Underpinning all this was the gentleman's agreement that politics was all about fairplay – and any grey areas would be clarified amicably.

It didn't quite turn out that way... Today, a

Neera Chandhoke

On Majoritarian Machinations

... Whereas the Constitution is being treated merely as a legal document, the fact is that it is not simply a document that was conceived out of thin air by lawyers. It is the product of history, and by history ... because it was hammered out during and in the process of the freedom struggle, a struggle that historians tell us moved as many men and women to action... The philosophy of the Constitution embodies the spirit of the freedom movement. Even as the freedom struggle invited people into an activity called politics, the main themes of the Constitution were forged in the process of political negotiation between groups that held diverse views on the desired polity. And that is why it is considered legitimate and binding...

... Though the Constitution was framed amidst the horrors of the Partition, and the emergence of Pakistan on ostensibly religious grounds, it is worthwhile to recollect that the leadership honoured every commitment it had made to the religious minorities. The principle of *sarva dharma samabhava*, which had been forged in the 1920s, became the underlying thread of the Constitution, simply because the leadership recognised that historical pacts are sacrosanct and have to be respected...

What is the history that the BJP-led coalition is going to embody in the proposed review? ... Do we want to review it in the light of the way in which the situation where people belonging to different persuasions have managed to live and work together has been demolished by Hindutva? ... history reveals no vision, no dream, no passions, except that of building a majoritarian and managerial India.

... (The BJP) has been associated with the attempt to demolish the gains of the freedom struggle - freedom of expression, secularism, and the idea of a social revolution. That is why thinking sections of the body politic are understandably disturbed... Let it prove its own credentials to be a democratic party interested in the fate of the ordinary Indian, let it show us that it is not part of the project to build a majoritarian India, before it can be entrusted with the task of reviewing the Constitution...

(Source: The Hindu, 9 February, 2000)

combination of legislation, court judgements and the political process has addressed the angularities... The Constitution is as contemporary as it was at its birth. This is why suggestions that it be changed to ensure a fixed five-year term for the Lok Sabha or that a presidential system be introduced miss the wood for the trees. For a start, they seek to "protect" democracy by introducing measures that are, in essence, anti-democratic. Second, they ignore that the Constitution has not failed the people – even if the people have sometimes failed...

Ban on Government Servants Joining or Participating in RSS Activities Lifted Gujarat Shows the Way: UP and HP Follow Despite Nationwide Furore

CPI: Central Secretariat's Statement

5 January, 2000

The decision of the Gujarat government to ... is a clear indication that the BJP state government is out to saffronise the administrative apparatus in the state. The revelation by the Gujarat Home Minister that this has been done with the sanction of the Centre only underlines the culpability of the Centre in this move.

To glorify the RSS as a 'patriotic' service oriented, nation-building organization ... is to gloss over (its) fanatically communal character ... with a fascist ideology...

Mass infiltration by RSS volunteers in the Police Force, or permitting policemen to become its members will further communalise the police force and make it totally partisan in tackling any communal outbreak... Allowing teachers to openly flaunt their RSS ideology and membership while teaching, is to condition the young generation and indoctrinate them with a communal outlook... This will spell disaster to the secular fabric of the country.

All this is to invite open intervention of the RSS in administration... We condemn this partisan move... All secular forces must unitedly launch a movement against it.

(Source: The People's Democracy)

The Gujarat Government's January 3 decision to lift the ban on participation of government employees in RSS activities served as a balm. The RSS had been on the banned list since 1986 along with 30 other fundamentalist organisations.

Some fear that open participation of the government employees – policemen and teachers in particular – in RSS activities would mean blatant saffronisation of Gujarat and lead to further victimisation of the minorities. But Minister of State for Home Haren Pandya maintained that the RSS was a cultural organisation of patriots.

Bureaucratic circles were agog with rumours that the Keshubhai Patel government had succumbed to pressure from the hard-liners after initial resistance. The RSS was reportedly unhappy with the chief minister who had come into his own after the party's resounding victory in the Lok Sabha and municipal elections...

The lifting of the ban was a mere formality, according to a top bureaucrat. Thousands of state government employees were known to be associated with RSS activities for years.

(Source: Anosh Malekar in *The Week*, 23 January, 2000)

Ominous Signals

Editorial, *The Hindustan Times*, 8 Feb., 2000

... For the last two years, the BJP has been telling us that it is not the communal, Hindu fundamentalist party of caricature. Instead, it says, it is as moderate as any other national party. It has no fundamentalist agenda, has placed contentious issues on the backburner and follows the NDA agenda. This image of cautious moderation has been accepted by the country largely because of the force of Vajpayee's own personality. Most Indians see him as an essentially decent man and believe that as long as he is in charge, the government will not be swayed by fundamentalist pressures.

But while Vajpayee may have ensured moderation in Delhi, members of his party have not been as restrained elsewhere in the country... Now, his government is embarrassed when members of the Parivar either speak out of turn — as the UP Chief Minister did on Ayodhya — or follow their own agendas — such as the campaign against Deepa Mehta's *Water*. But there has been no greater blot on the BJP's new-found reputation for moderation than the performance of its government in Gujarat. Minorities have been terrorised because the Parivar treats the State as a laboratory for perfecting a new kind of Hindutva. It is in keeping with this fundamentalist approach that the state government recently announced that government servants were free to join the RSS.

This move has been widely attacked and some of Vajpayee's admirers hoped that he would have the courage to ask the state government to retrace its steps. Sadly, not only has the Prime Minister done no such thing, he has even given the government a clean chit... Even Vajpayee doesn't really think that the RSS is "a social and cultural organisation". He has been battered so comprehensively by the RSS since the early 1980s that he knows exactly what the truth is. Why then is he taking the path of least resistance? Why is he refusing to stand up for his brand of moderation? And is this new unwillingness to fight for the things he believes in a portent for the future? These are worrying questions...

Today when there is so much talk about revising the Constitution or even writing a new Constitution, we have to consider whether it is the Constitution that has failed us or whether it is we who have failed the Constitution.

- K.R. Narayanan, President of India

Even in the mightiest fort, one has to repair the parapet from time to time, one has to clean the moat and check the banisters.

- A.B. Vajpayee, Prime Minister of India

Kuldip Nayar on the Saffronisation of the Indian State

Whatever L. K. Advani did or said as a leader of the Bharatiya Janata Party might not have been to the liking of many. His role during the agitation against the Babari Masjid was also reprehensible. But the objection against all this mattered little because he was not part of the government. His views or actions reflected his or his party's point of view. Now it is a different case. He is India's Home Minister, not a BJP functionary. **His presence at the *sankalp shibir*, organised by the RSS at Ahmedabad, has put a question mark against him.**

The RSS has never deviated from its goal of establishing a Hindu Rashtra in India. Not only that, the Hindutva is its philosophy and it misses no opportunity to underline this...

What RSS Sarsangchalak Rajendra Singh (Rajju Bhaiyya) and his lieutenant, H. V. Seshadri, tell their followers is their way of thinking, an ideological stand, which most Hindus do not share... They have a convoluted logic and they even indulge in 'abuses' against their own community. Still they consider themselves the custodians of the community. Be that as it may, some of the remarks at the Ahmedabad *shibir* were so objectionable that Advani, as the country's home minister, should have distanced himself from them...

There has never been any doubt that Advani is closer to the RSS than Vajpayee. And if one were to recall the break-up of the Janata Party, it was Advani's insistence that was responsible for the split in 1979. He did not want members of the Jana Sangh to disown the RSS. He even refused to accept a settlement that the office-holders of the Janata Party would have no truck with the RSS. As India's Home Minister, he has to be seen to be distant from the RSS, which adheres to a policy that runs counter to the principle of secularism as enshrined in the Constitution.

This is what India's first Prime Minister Jawaharlal Nehru wrote to the state chief ministers: "Every provincial government has had plenty of experience of their (RSS) activities. One does not mind, or at any rate accepts an opponent. But it is distressing that any organisation consisting of large numbers of young men, should be so utterly little-minded and lacking in not only vision but in commonsense or common understanding. The RSS is typical in this respect of the type of organisation that grew up in various parts of Europe in support of fascism. It attracts people, essentially from the lower middle class, many of them frustrated, many of them with vague ideas and little thought behind them."

There is no doubt that the RSS is poisoning the minds of Hindus. Education Minister Murli Manohar Joshi is trying to change textbooks and rewrite history according

to the saffron philosophy. In fact, it is in school that students learn the difference between communities. It is in school that a Muslim boy first feels the disadvantage of being in a minority community. He begins to feel that he is a "second-rate" citizen.

History books emphasise "proselytizing activities" of Muslim kings and the "defiant" attitude of their Hindu subjects, the "atrocities" by Aurangzeb, and the "sacrifices" of the Sikhs...

The RSS has begun another unedifying debate. This was highlighted at Ahmedabad. The RSS leaders want the government to lift the ban on government servants joining the RSS, a move which the BJP-led government in Gujarat has made. (Chief Minister Keshubhai Patel was sporting the traditional RSS uniform of khaki shorts and white shirt at the *shibir*)...

When the conduct rules were framed, the purpose behind them was that the government servants should stay away from political parties or such organisations so that their behaviour and decisions would be objective, not sectarian. In fact, today's need is to free public servants from the pulls and pressures of religious and other considerations because the bureaucracy has already got contaminated. ... (Source: The Indian Express, 18 January, 2000)

MUSLIM INDIA

Behind 29, Ferozeshah Road, New Delhi-110001

WHO'S WHO OF EMINENT MUSLIM INDIANS

A project for compilation of Who's Who of Eminent Muslim Indians has been undertaken by the Muslim India Educational and Cultural Trust. It is planned to bring out a comprehensive Directory of Eminent Muslim Indians who have achieved national eminence in various fields of human endeavour. The compilation, which is designed to cover at least 2000 names, would be a mine of information as well as a morale booster for the Community that even in the adverse circumstances it has produced so many persons of knowledge, experience and skill in every field - Theology, Literature and Journalism, Politics, Administration, Law, Education and Culture, Trade and Commerce etc.

Eminent personalities are requested to send their bio-data covering Name, Address, Date of Birth, Education, Profession and Present Occupation, Positions Held, Publications, Membership of Public Bodies/Commissions, Societies and Professional Bodies, Association with National Organisation, Institutions, Societies etc., Achievements and Awards, Foreign Travel, other Relevant Information.

Please send by name to Syed Shahabuddin, ex-MP, Editor, Muslim India, Behind 29, Ferozeshah Road, New Delhi-110 001. [Email: muslim@del3vsnl.net.in]

Neena Vyas on the Saffron Onslaught on the Polity

The saffron onslaught on the polity is nothing new - it began in the Eighties with the Ayodhya agitation, and now in Gujarat, the only State where the ruling Bharatiya Janata Party is not saddled with allies, the process of saffronisation is beginning to bloom.

The party's not-so-hidden agenda has begun unfolding, if not at the Centre ... at least in the States where the party holds political sway, particularly Gujarat and Uttar Pradesh.

It was the dream of the Union Home Minister, Mr. L. K. Advani, to make Gujarat "a model State". ... The Keshubhai Government is beginning to show its colours. The systematic politicisation of the entire State apparatus and saffronisation of the education system has begun.

If in Uttar Pradesh the Sanskar Bharati, yet another RSS front, has become the self-appointed guardian of Indian culture even as the Government looks on approvingly, the Gujarat Government has made it lawful for its employees to become members of and to participate in the activities of the RSS. Soon, this new "liberal" regime is to be extended to RSS offspring such as the Vishwa Hindu Parishad, the Sanskar Bharati and the Bajrang Dal...

The real issue is that the RSS is no dance and drama club. It is political to the core. It set up its political arm, Jana Sangh, in the Fifties and handpicked half a dozen RSS "pracharaks" for the job. After the Jana Sangh was born again as the BJP, the links remained intimate. Almost the entire top brass of the BJP belongs to the RSS and were handpicked to lead the political arm.

The BJP cannot decide who its party president should be without the concurrence of the RSS - the decision is taken by a few senior party leaders in consultation with the top office-bearers of the RSS, and the election becomes a mere formality - and the leadership of all its fronts, including the VHP, the Bajrang Dal and the Sanskar Bharati is held by RSS pracharaks.

The RSS continues to have a major say on important policies and programmes of its political wing, the BJP. In 1998, it was the RSS which vetoed the Prime Minister and decided that Jaswant Singh could not be the Finance Minister. And during every election, RSS members come out in large numbers to canvass actively for the BJP. In 1995, well before the central election committee meeting of the BJP, the Sarsanghchalak of the RSS, Rajendra Singh, predicted that around 20 to 25 sitting BJP MLAs would not be given the ticket, and that is exactly what happened.

With these admitted facts, how can the RSS be considered a non-political cultural organisation when top BJP leaders confess that the RSS chief is their "friend, philosopher and guide"? As for the controversy on Water

... no organisation can be allowed to set itself up as the arbiter of cultural values or as the guardian of Hindu ethics. The Babari Masjid demolition was justified on the ground that many temples were destroyed by the Mughals... But the question remains, does India want to become a Pakistan, or do we want to bring back the *jizya* tax in reverse and penalise the minorities? Does India want to imitate the Islamic countries?

What the Keshubhai Patel regime did quietly through a Government Order - withdrawing the ban on Government servants participating in RSS activities - was a blatant attempt at politicising the bureaucracy and the police in Gujarat. The "logical" next step would be for the Centre to say that Central Government servants, including police and armed forces personnel, will be allowed to participate in the activities of the RSS, which is a "cultural organisation". After all, what is good for Gujarat must necessarily be good for India. Perhaps only the fear of opposition from allies prevents the Vajpayee Government from taking this step. The Government could fall, and even the RSS does not want that to happen at the moment...

The RSS has always used its several front organisations to test the political efficacy of some of its saffron ideas before letting the BJP take the plunge at the formal political level. The Ayodhya issue was taken up and the ground prepared by the VHP before the BJP put it on its formal agenda. The method employed is always the same. Start an agitation, create a controversy, and then claim to speak on behalf of the "people" and the "Hindu sentiment"...

... Having demanded pre-censorship of Water, would the day be far away when these organisations attack newspapers demanding a reading of news stories or articles that are to appear the next day? Or demand to see the video recordings of programmes to be telecast? All in the name of "people's sentiments" which were used to whip up the Ayodhya agitation and religious conversions, M. F. Husain's paintings or Ms. Mehta's films.

With Ram Prakash Gupta, an old RSS hand as Chief Minister in UP, the scene has been set for full-scale saffronisation... Besides, Mr. Gupta has on and off made statements saying that Ayodhya was very much on his Government's agenda or that he would not come in the way of the VHP or the Bajrang Dal trying to build a temple on the disputed site. All this on video tape. His later denials only support the belief that the provocations were deliberate, that there is method to the madness, that the BJP has been signalling to its cadre through him that it has not abandoned its pet plank.

The recent legislation - the Uttar Pradesh Regulation

(Contd. on Page 107)

Kanti Bajpai on Upsurge of Rightwing Extremism in India

... Right-wing extremism and the rise of the BJP in India can be traced to (several) factors. Thus, clearly, the right has used the fear of "outsiders within" to build a support base. Immigration has been one way of doing this (Bangladeshi migrants, for instance), but more important in India has been the portrayal of religious and ethnic minorities as aliens whose loyalty to the nation is questionable.

Secondly, economic deprivation has played a role... The lack of employment opportunities for young men in particular has been a factor. Unemployment and economic fears (post-Mandal) have made available a pool of recruits for the shock troops of the right.

Thirdly, a popular philosophy of history that is built around India's golden past and its subsequent defeats, conquests, and shames has gained ground in the elite and even popular imagination. The theme of national weakness, even 'cowardice' (to quote the RSS) has been all too evident in the breast-beating over separatism, Kargil, and the recent hijacking.

Politically ... the decay of the left and centrist parties in India is so palpable that it hardly needs comment. The game of shifting coalitional politics since 1977 has been played brilliantly by the Indian right...

Thus, the RSS deliberately cultivates an image of aloofness from the mundane affairs of state in Delhi... This ensures that the Sangh cannot be blamed for political mismanagement, and its weaknesses cannot be exposed. The right ... advocates extreme and flagrant positions and then retreats and recants as a way of disarming critics and opponents — and succeeds only too well.

Finally, international politics has encouraged right-wing extremism in India... The United States' victory, the collapse of the Soviet Union, and the rise of China have contributed to a feeling of geopolitical vulnerability that has been exploited by the right. Globalisation too has made Indians feel vulnerable. Economic globalisation has implied economic exploitation and political penetration. The globalisation of human rights has been seen as a form of external intervention. The extension of the non-proliferation regime appears like a dagger drawn against China. Islamic fundamentalism and terrorism and Pakistan's unremitting involvement in Punjab, Kashmir, and other parts of India have fostered a sense of siege.

... The record of intimidation, destabilisation and violence by the right (in India) has no match (elsewhere).

Consider the record: the Rath Yatra in 1991, the demolition of the Babari Masjid in 1992, the attacks on Muslims in Mumbai after the Babari demolition, the globalisation of cricket pitches, the attacks on Christians, the enumeration of Christians in Delhi by the local police,

the threats to cultural personalities (Hussain over the paintings, Dilip Kumar during Kargil, Deepa Mehta for her films), the rewriting of textbooks and curricula, the calls to outlaw western-style clothing for Indian girls in Delhi schools and universities, the threat to overturn well accepted norms (on religious conversion, on places and practices of worship in UP, on RSS membership for civil servants, on the sanctity of Article 370 and the basic structure of the Constitution), the maintenance of intimidatory organisations such as the RSS, VHP, and the Bajrang Dal — the list can go on.

Indians ... cannot afford to be (philosophical) about right-wing extremism at home. The hope that right-wing politics is being moderated by elections, coalitions, and day-to-day governance is misplaced. The opposite is true. Right-wing politics has used the electoral system to gain power with 25 per cent of the vote; the BJP is gradually absorbing its coalition partners; and the levers of governance are being deployed to accustom Indians to the domination of the right.

(Source: The Hindustan Times, 13 February, 2000)

[Kanti Bajpai is Associate Professor of International Politics at the Jawaharlal Nehru University]

BJP Implementing RSS Agenda with your Support Saifuddin Soz's Letter to Leaders of NDA Partners, 20 Jan., 2000

In spite of your close association with the BJP through the NDA agenda, many of us never doubted your secular credentials. We thought your association signified a strategy to share power for certain goals set for the foreseeable future. But, now, the BJP's hidden agenda is unravelling itself and your continued silence is interpreted as your agreement to what is happening around in pursuit of RSS agenda.

... The Ministries whose charge is held by RSS/BJP are engaged in vigorous pursuits of ... a 'hidden' agenda. Like an iceberg, the entire agenda is not visible, but whatever has been revealed ... cannot be allowed if India has to be a democratic and secular country. I will cite only a few examples. I ... urge you kindly to ponder over the agenda the RSS is pursuing through the BJP (and) the public perception that they enjoy your support!

RSS is not a political outfit. It is a cultural, social organisation. Why should there be objections to anyone joining it?

- P.M. Atal Behari Vajpayee

Sidharth Bhatia On BJP's Cultural Agenda

Liberal opinion about the BJP today is divided into two streams of thought: There are those who are viscerally opposed to the party and its shadowy cousins and claim it has a hidden agenda that will become apparent in due course, and the other camp which contends that the compulsions of coalition politics will make the party give up some of its more contentious planks...

How simplistic both points of view are became amply clear within the first week of the new Government being sworn in. The VHP which chose to keep a low profile for the past few months, emerged out of its purdah to declare that the Pope must apologise during his forthcoming visit for the "forced conversions" carried out by Christian missionaries...

Which brings us to the other criticism of BJP-baiters – that there is a secret plan of the party... It is not as if there is no such plan: but it is hardly hidden. Even its worst-critics cannot claim that the BJP has made any bones about what it wants to do as a Government. Its speeches and writings have always given a clear idea of its Weltanschauung and its theories have been known for decades... The BJP's gameplan is crystal clear: It means to impose its own imprint on the country by all means at its disposal. Critical to its strategy are the Big Five ministries that it will never give to any of its allies, no matter what: Home, Finance, HRD (which, inter alia, incorporates education), I&B, and Youth Affairs and Culture, all these portfolios are non-negotiable...

The central pillar of this agenda is culture. Culture has long been the battlefield, the main theatre of operation... It has taken upon itself not only to transform the culture of India, but also transform India through culture. And what better way to do it than through the machinery of the Government?...

The BJP, for all its pretentious Brahminism and harking back to India's glorious civilisation, is uncomfortable with ... cultural elitism. It is rooted in the idiom of the middle-classes and thus can speak to them on their own terms... It has its adherents in the millions...

Thus, Saturday Prime Time on National Television consists of Jai Hanuman and a ballet on Ram Charita Manas; no amount of inducting "liberal" faces in the Ministry or on Doordarshan will change that reality...

Every political party in power is entitled to mould the country in its own vision. Some of their erstwhile opponents may not mind joining hands with the BJP to give shape to that cultural vision. Others may continue being against it for ideological, social and above all aesthetic reasons. It is their dharma to fight the BJP's agenda, especially if it is imposed through coercion or lately, co-option, which is a far more potent tactic. For

Freedom Watered Down Editorial, The Indian Express, 1 Feb, 2000

... The issue (is) whether a group of people, however politically well-connected they may be, can be allowed to function as the unofficial culture police of the country. It was for this very reason that the Shiv Sainiks' action in disrupting the show of her earlier film *Fire* in Delhi and elsewhere evoked widespread condemnation.

At the root of the problem is the artist's right to expression... The incident (has) also brought to the fore a new trend whereby the threat that such attacks on the artist's freedom of expression is overlooked by harping on other secondary issues. Thus when playwright Antony's *Kristuvinte Aram Thirumurivu* (The Sixth Sacred Wound of Christ) was under attack from the orthodox Christians in Kerala, like Tasleema Nasreen's *Lajja* in Bangladesh and M.F. Husain's nude drawing of Goddess Saraswati in Mumbai and Baroda, there was quibbling over the artistic and literary merits of these works, when the issue was the violence against the people concerned.

The argument that filming destitute widows in Varanasi would cause disrepute to the country or Hinduism is as ancient as the charge that Satyajit Ray's *Pather Panchali* affected the prestige of the country as it depicted poverty. At a time when TV channels, Indian and foreign, beam incidents ... from the heart of the country into drawing rooms all over the world, why should anyone be concerned about a ... Film producer choosing a subject as hackneyed as the widows of Varanasi? Let no one deny Deepa Mehta her right to produce a film, India is not a fundamentalist nation... The right place for the self-appointed culture police is behind bars.

(Contd. from Page 105)

of Public Religious Places and Buildings Bill - giving enormous powers to district magistrates to prevent construction of temples, mosques and churches in rural areas has been justified citing growing ISI activities on the UP- Nepal border. It was a virtual admission that the law will mostly be used to stop construction of mosques. National security has become the Government's alibi... No one trusts the BJP on this count, not even its allies believe the BJP is secular. In Gujarat the "Hindu card" of the BJP is not its hidden agenda, it is very much out in the open. Repeated electoral victories have only emboldened the party to flaunt its communal card unabashedly.

(Source: The Hindu, 6 February, 2000)

this, it will be important to understand what the agenda is and evolve a cohesive strategy to counter it. Mere strident opposition will not have much of an impact.

But this will demand some serious thinking on the part of liberal forces. It will mean shedding the naivete that has characterised the Left-liberal discourse so far.

(Source: The Pioneer, 19 October, 1999)

Amulya Ganguli on the BJP's Unfolding Agenda

... Some of the Sangh Parivar's ploys are likely to prove harmful for the nation: review of the Constitution, the nuclear tests and the Gujarat order on the RSS.

Evidently, the best Constitution so far as the Parivar is concerned is one which will disenfranchise the minorities and lay down that only a Hindu Brahmin can be the President who will rule the country in the manner of the all powerful kings of the Vedic age. But since this is not possible in Kalyug, the BJP is opting for the next best alternative — that of hinting ... that the present Constitution has proved fallible and needs to be changed.

This is typical of all fascist ... outfits which pretend that the past policies were all wrong since they were formulated by anti-national or anti-people groups. Now that the "patriots" are in charge, all the mistakes will be set right. Even if they are not, at least the process of re-examination will create a sense of uneasiness which will be helpful to the ultra-right cause.

... An obvious absence of a mandate has not stopped the party from initiating changes with unforeseeable consequences. Neither the party, nor the opportunistic political carpet-baggers who are its allies, are bothered if their partisan pursuits undermine the national interest. Nothing is more evident about their recklessness than the nuclear tests which have now proved to be more beneficial to Pakistan than to India....

... Even the mad mullahs of Pakistan now know that India's huge conventional superiority has been nullified by the Chagtai Hills explosions. They have made it much easier for Pakistan to step up its proxy war in Kashmir for it knows that India will never be able to repeat the threat it posed to Lahore in 1965. While Pakistan ... is now clearly more secure and more belligerent ... Pokhran II has not made India any more secure against its potential enemy No. 1 ... China...

Obviously, the BJP did not consider the nuclear scene in its totality while deciding on Pokhran II. All that it was interested in was to boost its sagging image by holding the tests, thereby recklessly undermining India's carefully crafted nuclear policy of ambiguity which... The BJP was pursuing its own interest instead of the nation's.

... The RSS is not quite the innocent social outfit which it pretends to be. Its central role has been to create an atmosphere of hate against minorities...

Commenting on its methods, the Justice Venugopal Commission, which inquired into the Kanyakumari riots of 1982, said: "The RSS adopts a militant and aggressive attitude and sets itself up as the champion of what it considers to be the rights of the Hindus against minorities. It has taken upon itself the task to teach the minority their place and if they are not willing to learn their place, to teach them a lesson.... The RSS methodology for

provoking communal violence is: (a) rousing communal feelings in the majority community by the propaganda that Christians are not loyal citizens of this country; (b) deepening the fear in the majority community by a clever propaganda that the population of the minorities is increasing and that of the Hindus decreasing; (c) infiltrating into the administration and inducing the members of the civil and police services to adopt and develop communal attitudes.

None of this has ever been a secret. As Rajeshwar Dayal noted in his autobiography, *A Life of Our Times*, when he was home secretary in UP in the years immediately after Independence, he came across "incontrovertible evidence of a dastardly conspiracy to create a communal holocaust throughout western districts of the province. The trunks were crammed with blueprints of great accuracy and professionalism of every town and village in that vast area, prominently marking out the Muslim localities and habitations.... Timely raids conducted on the premises of the RSS had brought the massive conspiracy to light."

In addition to fiddling with the Constitution and the nuclear policy, besides giving a helping hand to the RSS, the BJP is known to be tampering with the school textbooks, introducing biases against the minorities in accordance with its attitudes... This effort at the school level may have an even more poisonous impact than the other tamperings...

Strangely enough, there is not much concern about this slow sabotage from within. While the Congress seems to have woken up belatedly about the (Gujarat) government's machinations, the others, including the Left, have made no more than routine protests. One reason for this reluctance to recognise any danger is perhaps that nothing of this kind has ever been seriously attempted before by any political party... The fascists, however, mean business. It will be a serious mistake, therefore, not to take their attempts to undermine the system seriously and take preventive measures.

(Source: The Hindustan Times, 7 February, 2000)

Saffronisation of Administration

Editorial, The Greater Kashmir, 7 Feb., 2000

... Indian politics has already been saffronised and the Prime Minister's stand may result in saffronisation of the administration as well...

...Gujarat Government and even the Prime Minister cannot afford to annoy the Sangh Parivar brigade. The Gujarat employees will join RSS to 'strengthen' secularism, and above all, it is in the best interests of the nation if staunch Hindus, or in plain words, the members of the RSS run the administration.

Garimella Subramaniam On Lessons from the BJP's Success

... It must be emphasised that it is the BJP's predisposition to go out and seek allies, maintaining a deliberate ambivalence towards the Hindutva ideology, that made Vajpayee emerge with a back-to-back victory nearly three decades after Indira Gandhi's in 1971. Thanks to this rather convenient marriage between national jingoism and regionalism, even though there is no substantial improvement in the BJP's own individual tally, ... it will be able, as it did in its previous term, to pursue its agenda without hiccups from the allies... Therein lies the danger for the future of democracy in the country, and unless the Left and the Congress cast themselves in a new mould, it is most unlikely that the regional allies by themselves will be able to or even want to contain the BJP.

... Practically every single recognised political party in the country was pitted against the BJP just three years ago. The very same BJP has since acquired allies across ideological divisions. The fact that it dared to go into this election without a separate manifesto is enough indication of its readiness to shed the traditional umbrella image of the dominant partner in the coalition and instead want to be seen as an equal in the joint venture that was the NDA...

... The very basic tenet of democratic and of coalition politics in particular is that of negotiating among conflicting interests in the framework of pluralistic competitive party politics. ... The BJP has been able to demonstrate this spirit in abundance in dealing with parties which have very little in common with it... The party has adopted a no-holds-barred approach in acquiring allies and thus has been able to create a facade of openness in dealing with them, whereas the Congress and the communists could not agree upon a minimum programme to counter the BJP. At another level, the BJP has been successful over the years in alluring the majority religious community to think as a majority vis-a-vis the religious minorities. The Congress and the left have failed to tell the majority why there are always good democratic (not altruistic) reasons not to allow the BJP to exploit their majority identity; that majoritarianism is essentially an instrument of authoritarian rule.

(Source: The Hindu, 22 October, 1999)

Harsh Sethi On BJP & Religio-Cultural Intolerance

... Co-terminus with the growth of the BJP as a political force, we have witnessed a steady and dangerous tide of intolerance, more so when the issue in question can be given a religio-cultural twist.. the controversies over Husain; Mehta's earlier film, *Fire* ... or the slapping of criminal charges against the editor and publisher of the India Magazine for reproducing on its cover a miniature of Radha and Krishna making love – all these incidents and many others, have resulted in a fierce battle over not just "limits to representation" but who enjoys the right (not just

B.G. Deshmukh On Coalition Strategies

... In 1999, Maharashtra has bluntly brought to the notice of the Congress high command that if the party is to survive at all, it has to give up its ... position that it alone can form a stable government at the Centre... It is hoped that the Congress high command would now seriously reconsider its views on coalition government at the Centre also. The Congress high command should be realistic. There is no way that the Congress can get more than 250 seats in the Lok Sabha. If, therefore, it has to form a government, it has to have a coalition strategy to get the remaining at least 130 seats...

... As things stand at present, their coalition partners can be only the Leftists, AIADMK and one section of the Janata Dal (JD). The Leftists are hard bargainers and have a penchant for exercising power without responsibility. They would, therefore, opt not to join the government and instead support it from the outside in order to extract the maximum price from the Congress. We have all seen the AIADMK in action during the last BJP-led government and to imagine that it will have changed drastically would be foolish. The JD or the third force just does not exist. The prospects before the Cong. are thus not very bright.

Maharashtra is going to be a test case for the Congress. Everybody is going to watch as to whether the Congress has really changed its mindset and is now willing to accept that the only viable proposition is that of coalition politics... The coalition government in Maharashtra is, therefore, going to be uncomfortable unless the Congress comes out and clearly states that it would not admit any NCP MLA into the Congress. The NCP would always be on its guard in this regard because of the previous reputation of the Congress. The NCP should, therefore, make it very clear that it would come out of the government if even one of its MLAs is admitted by the Congress into its party... There is no alternative before it at the Centre and in many states if it is to survive at all as a major political party.

(Source: The Times of India, 10 November, 1999)

the power) to play cultural and moral censor.

(At no) stage of our history as a people, culture and civilisation, there has ever been a unanimity over cultural representation... Equally we (have never) accorded legitimacy to a dispensation where only designated persons/institutions were permitted to define what is true... Tragically, the situation is a little more complex than one of Hindu nationalists/saffronites seeking to acquire and exercise hegemony over cultural representation... Interpretations of religious, social, cultural, even political events and personalities will always be contested. This is as it should be. Arguments about ostensible hurt should not be permitted to become impediments in the way of evolving procedures and conventions to resolve differences. It is here that we, both as a state and a society, seem to be failing.

(Source: The Hindu)

A.G. Noorani on RSS as a Political Organisation

... The RSS position on the Constitution of India was revealed by its chief, Rajendra Singh in an article published on 14 January 1993: "Certain specialties of this country should be reflected in the Constitution. In place of 'India that is Bharat', we should have said 'Bharat that is Hindustan'. Official documents refer to the 'composite culture', but ours is certainly not a composite culture. Culture is not wearing of clothes or speaking languages. In a very fundamental sense, this country has a unique cultural oneness. No country, if it has to survive, can have compartments. All this shows that changes are needed in the Constitution. A Constitution more suited to the ethos and genius of this country should be adopted in the future". The plea for "changes" is swiftly altered to one for a new Constitution altogether suited for the ethos and genius" of the RSS. This was written soon after publication, on 1 January, of a pamphlet by Swami Muktananda Saraswati on the Constitution. He denounced it as "anti-Hindu".

The RSS claims to be a "cultural" body but its definition of "culture" includes politics and its activities are nothing but political. In a letter to Nehru (12 November 1948) Golwalkar claimed that the RSS was "aloof from politics". Nehru had no illusions about its "declared objectives" having "little to do with the real ones" and its "anti-national and often subversive and violent" behaviour (10 November). The duality came to the fore when, to escape tax, it claimed to be a charitable body. **But to escape registration as a public charity, it claimed a political complexion, as Dr. M.D. Kamdar of Nagpur brought out in the proceedings he had instituted.**

In miscellaneous application No. 17 of 1978, Rajendra Singh and Deoras's brother, Bhaurao, asserted in para 14 that it does not indulge in politics, i.e. day-to-day politics though the Sangh has a political philosophy within its wide sweep of political work. It is possible to change this policy and even participate in politics" – a far cry from the 1948 claim of "being aloof from politics"...

... He argued: "The work of the RSS is neither religious nor charitable but its objects are cultural and patriotic as contra-distinguished from religious or charitable. It is akin to political purposes though RSS is not at present a political party inasmuch as the RSS constitution, quoted above, bars active political participation by RSS as such, as a policy... Tomorrow the policy could be changed and RSS could participate in even day-to-day political activity as a political party because policy is not a permanent or irrevocable thing". Nothing could be more explicit.

On 15 and 16 November 1987, Deoras said that the RSS planned to enter politics. Three years later, Advani said in his famous speech at the RSS meeting in Coimbatore on 17 March 1990: **"We have to intensify our efforts to project the viewpoint of the RSS"**. He amplified: "There has been a conscious effort on the

part of Swayamsevakas who are working in the BJP to make each one understand the ideological base to which we belong, and our connections with sister organisations like the VHP, the ABVP, the BMS, the Sena Bharati and the Kalyan Ashram which are all based on the inspiration from the RSS".

A decade later, comes the edict to Gujarat – let the RSS enter the services. This, from a government which disavows a "hidden agenda" and speaks of the NDA's programme. But if it can go so far when it is hopelessly dependent on the allies what will the BJP not do if it acquires a majority in its own right?...

(Source: The Indian Express, 15 January, 2000)

Rajender Sachar On 'Hindu' Cowardice

I did not know that "cowardice" had religious connotations. I thought it was a human trait. But then the RSS chief, Rajendra Singh, informs us that the recent release of three terrorists shows the cowardice of Hindu society... no one, not even the RSS chief, is suggesting that we should have allowed 150 lives to be sacrificed. India's strength and courage is not enhanced or lowered by acting strategically in peculiar conditions or dispensation.

The RSS is entitled to feel that Indian prestige would have been enhanced had we not released the terrorists and allowed the hostages to be killed. I take it that the RSS would have at least 150 such courageous cadres old or young. I wish the RSS had offered to send such "courageous RSS cadres" to substitute for the hostages, to save their lives and then dare the hijackers to do their worst. That would have enhanced the prestige of the country. But may be even the RSS, the self-appointed champions of Hindus, is no different from the rest: Lacking in ... courage.

It is pointless to continue to take the position that refusal to accept the hijackers' demands would have spelt the end of all hijacking... (Source: The Pioneer, 12 January, 2000)

Not a Happy Model

Editorial, The Hindustan Times, 6 Jan., 2000

... Since the chief minister himself is rooted in the RSS *shakhas* of Gandhi's home state, he was already in a position to frame policies that would help his friends in the Sangh Parivar to paint the province saffron. There was no need, therefore, for an even closer link between the government and the RSS. So, his decision may be regarded as no more than a flourish of sorts, an act of wearing his colours on his sleeves, as it were... The organisation claims to be interested only in social service but its detractors are not entirely convinced. Hence, they feel that it will now be used in Gujarat to advance the BJP's so-called hidden agenda... The reputation of the RSS, and the circumstances in which it was earlier banned, tend to raise questions about those who are its members...

Kancha Ilaiah on the Role of the RSS in Hindu Society

Politicisation without Democratisation; Militancy without Reform

... In Hindu civil society, the options before its youth in choosing their direction of life - spiritual, secular or political - is closed to all except Brahmin youth. For all others, the right to choose a spiritual profession is closed. For Dalit-Bahujans, Hindu religion does not even give an initiation. In the universally known non-Hindu religious civil societies such as Christianity, Islam or Buddhism ... are given religious initiation. They can choose to become a Jesuit, a Mullah or a Monk or they can choose a secular profession such as medicine or engineering. Or they can choose to become political leaders. But for all Shudra (OBC), SC and ST youth, the option to pursue the spiritual line of life is closed. Thus, a major section of the Indian youth in the present religious relationship cannot enter into a religious profession at all. (This) impinges upon the formation of the personality of the individual and this has implications for democracy. Who is responsible for this situation? What solution does the RSS have for this problem? ...

The 70-80 years work of the RSS did not do anything to resolve this contradiction. It did not address the basic question of untouchability, leave alone the right to religion. **It worked very hard to politicise Hinduism but never to democratise it.** After the BJP came to power, it is sending a large number of RSS cadre to tribal areas to spread Hinduism. Do all those tribals who are taken into Hinduism get dwaijahood or equal rights within that religion? What is the mode of initiation they undergo to call themselves Hindus? Can they call themselves Hindus by retaining their historical food culture, which includes beef as well? Within Hinduism in which caste will they be located? If the tribals embrace Christianity or Islam these religions offer that scope because they made all food and linguistic cultures inclusive?...

The attempts of the RSS to communalise the Shudras, and SCs by constructing the enemy image of Muslims and Christians did not make them Hindus with all the religious rights that other universal religions offered. With the present understanding of religion, the RSS is not going to make the STs, SCs and OBCs Hindus with mere declarations. It has failed to construct Hinduism as a religion of love and brother/sisterhood. The RSS did not expand the civil societal space to Shudras, SCs and there is no indication that it would expand that for the tribals either. Expansion of such space is based on opening up of the spiritual line of promotion to people who are said to be part of such religious society. Neither Golwalker's writings nor those of Vivekananda show any way out for this contradiction in Hinduism. But this question remains central for its survival - leave alone expansion.

The right to choose a spiritual line of life and to reach the top ... is part of the larger civil societal democratic rights of every individual. This issue acquires a political democratic significance when some individuals or communities are said (or claimed) to be part of that

religion but denied that right... The State and the judicial institutions have the right to intervene.

This is where the Indian State and judiciary have failed all these years... Surprisingly, the Hindu priests, politicians and judges seem to think even now that religious inequality and political equality can exist side by side. Such inequalities do not co-exist. Any amount of suppression of Dalit-Bahujans within the Sangh Parivar or outside, while winking at the real problem is not going to stop the structural fragmentation of civil society... This is where the crisis of Hinduism lies and this is going to haunt it in the 21st century... Hindu religion ... right from its inception negated that elemental spiritual democracy. In the Bhakti movement some Shudras fought for the right to worship Hindu deities. With great reluctance, that too in the face of major threat from Islam, the right to worship was granted to only Shudras. But this was not a great change... The situation of the SCs is worse.

In the modern period two people tried to reform the Hinduism from two different ends - from above Gandhi and from below Ambedkar. Gandhi ... failed to democratise it... Having realised that it was impossible to reform it (Ambedkar) embraced Buddhism just before his death. Nehru must have thought that modernisation of India would automatically reform Hinduism too. But his agenda too failed... What is the solution of the RSS to this fundamental problem? ... (Source: The Hindu, 18 January, 2000)

Saffron Bullies

Editorial, The Hindustan Times, 20 Jan., 2000

All bullies ... pick on those who are too weak or — too few in number — to strike back. And they goad mobs into supporting them by taunting them about their lack of bravery or by questioning their manhood. Seen in this perspective the behaviour of the Sangh Parivar over the hijacking of IC 814 has followed a predictable pattern. Upset perhaps that ... there was no upsurge of anger within the Hindu community against Muslims, the Parivar has ... chosen the method (of) inflammatory taunt...

It is a tribute to the essential fairness and secularism of the people of India that nobody has been goaded into action by this bully-boy taunt. Not one passenger has turned the hijack into a communal issue. Rather, they have recognised it for what it really was: one mere episode in the proxy war waged by Pakistan against India...

... The Parivar's idea of bravery is to demolish a mosque while a friendly police force looks the other way; to pick on a community when it is sufficiently outnumbered; or to terrorise artists who dare to represent an alternative world view. What is worrying is not that the likes of Singhal and his bully boys are calling decent people names... The real worry is that the Parivar is an important constituent of the government at the Centre. And to date, not once has the BJP spokesmen condemned these bullies and their hate-filled utterances. □

Eminent Journalist Chanchal Sarkar On Nationalism

... India is in conflict again with her neighbour, a conflict inching towards a possible war. Instantly one thinks of friends across the border, warm and affectionate, with whom one has shared many golden moments. What must they be thinking? There is no conflict with them and it is decidedly sad that the quarrel is the manufacture of politicians and the military.

Both countries have been served badly by arrogant fighting services and visionless politicians. At the risk of being dubbed unpatriotic I would say that peace is too serious a business to be left to soldiers with waxed moustaches and to netas in jawahar coats...

And who are the countries solemnly counselling restraint? The United States, the world's biggest arms exporter supplying 40 per cent of the arms of the developing world. And Britain, the second largest arms exporter with 25 per cent of the share of the legal market.

In this kind of a world we are ready to blow billions on mortars, submarines, aircraft carriers and gunships. But do we serve the essential needs of the Indian (or Pakistani) people? Do we even recognise those needs? Sir James Fitzjames Stephen, law adviser to the Viceroy, said "An Indian Parliament would produce unqualified anarchy". Forty years ago we would have laughed in contempt, but can we do so today? Mumbai is India's richest city with some poshest housing and skyscraping business towers. But are our rulers concerned at all about the fact that 45 per cent of Mumbai lives in slums or slumlike areas? Or about the fact that in a women's panchayat training camp of the 650 participants, in Saharanpur (UP) 80 per cent were from the weaker sections and 50 to 80 per cent illiterate.

Such facts are never raised in Parliament, never banged down on the table by our legislators. India, it is said, produces more milk than the US. For whom? In Midnapore district I was told of children who had never seen milk in their life! Malnutrition is rampant, so is the milk being produced for rabri and ice cream? Among the Bhils of MP's Barwah tehsil medical and child health services exist only on paper and 85 per cent of the women have some reproductive organ illness. Are those women concerned with how many planes India loses in Kargil? And are South Block, the PMO and the military brass concerned about the women of Barwah?

Have our politicians and civil servants ... been able to make people happy? Then why so many suicides, dowry deaths, female infanticides and so many hassles and obstacles, at every step in hospitals, courts, sub registrar's offices, with patwaris, till one's irritation boils over in India and Pakistan? This was not so in the time of the

(Contd. on Page 118)

Mushirul Hasan On Vande Mataram Controversy

... Today, as the Republic celebrates its 50th year, the controversy is not about the flag or the national emblem but the singing of Vande Mataram. (This is) symptomatic of the enlarged arenas of conflict in our polity and society... The country wrestles with long-standing religious, cultural and intellectual disputations... Generally speaking, the Congress was wedded to the view that divisive symbols should be kept in abeyance in order to conduct the struggle against colonialism. But, when it came to ... Vande Mataram, some insisted that the song was an integral part of their campaign...

Tagore, who set its first stanza to the tune and was the first to sing it at an early session of the Calcutta Congress, maintained that Vande Mataram had acquired a separate individuality and an inspiring significance of its own. Yet Tagore conceded that the poem, read together with its context, was liable to offend Muslim susceptibilities. Perhaps he was talking of a Hindu song, reflecting a Hindu ethos in which the country is equated with the mother goddess. Today, if some leaders of our minority communities express their disquiet, I see no reason why their feelings and sentiments should be brushed aside. At any rate, a secular state has no business to make Muslim, Sikh and Christian students sing any song against their wishes. This is the essence of any secular democracy. But, is the song anti-Muslim?

Let us discuss threadbare... Let the priests and politicians congregate in the shadow of the Red Fort and debate their viewpoints... A nationwide consensus is what we need...

(Source: The Indian Express, 9 February, 2000)

On Patriotic Character of Vande Mataram Controversy

If "patriotism" means commitment to the ideal that India should always be ruled by Indians, that a sense of unity, equality and secularism should be promoted, the continued playing of Vande Mataram song should be stopped in TV and Radio. Even those who are carried away by the rhythm and melody of this song will resent if they learn about the context of the song and how it was made popular... We can easily know the mind of those who continue to appreciate this song even after know its context and its purport.

When the British partitioned Bengal (1905), East Bengal which included Assam and turned out to be a Muslim-majority state... In meetings and gatherings criticising this Bengal partition, upper caste leaders encouraged the singing of Vande Mataram, despite opposition from Muslims. Deliberate indifference of upper caste leaders including those in the Congress to Muslims

(Contd. on Page 124)

Memorandum to President of India on Uttar Pradesh Regulation of Public Religious Buildings and Places Bill, 2000 7 February, 2000

Most respectfully, we, the undersigned, submit a Memorandum to you for your gracious and sympathetic consideration: -

The hasty passage of the U.P. Regulation of Public Religious Buildings and Places Bill, 2000, by the UP Assembly and the UP Council on 5 & 6 January, 2000, without any discussion and by voice vote has distressed, agonised and shocked the religious minorities in UP, particularly the Muslim community, which constitutes 17% of the population of the State and 23% of the Muslim population of our country and given rise to countrywide protest and demand for its withdrawal.

The Bill has now been referred to you by the Governor of UP for your consent. We, the undersigned, beg to you to draw your kind attention to the draconian and unconstitutional provisions of this Bill and the real motivation behind this hasty and uncalled for legislation.

The Statement of Objects and Reasons attached to the Bill merely gives 'ensuring public order' as its only reason; but is absolutely silent on the manner and the extent of public religious land and construction of public religious buildings in UP having caused any public order problem. Publicly, the Bill has been justified by the Chief Minister of UP and his colleagues as a measure to curb the ISI activities on the Indo-Nepal border by regulating the use and construction of Masjids and Madarsas. It needs to be placed on record that so far no Masjid or Madarsa has been prosecuted by the State authorities for involvement with the ISI. In any case the State has the necessary power and authority to deal with any subversive or anti-national activities. The Bill will not make the State administration more efficient or effective in meeting the ISI threat. **There is, thus, no nexus between the provisions of the Bill and its public rationale.**

The real object of the Bill is to stop the construction of Masjids and Madarsas in rural areas and to force the existing ones to close down as well as to vilify the Muslim community and thus raise the wall of distrust and suspicion against a peaceful and law-abiding people i.e. to promote the on-going mission of the Sangh Parivar.

The Bill constitutes the most serious interference with Freedom of Conscience and of Religion enshrined in our Constitution. The Bill is totally misconceived in empowering the State to determine the number of public religious places and buildings a religious community should own or construct. **The Bill also violates, in particular, the religious right of a Muslim to dedicate his property to God and create a Wakf for a religious purpose e.g. religious worship, instruction, burial etc.**

The Bill defines the terms 'public religious place' and public religious building in such a wide manner that even

minor repair and maintenance works or temporary change in land use or structure shall invite its provisions. To require an institution in rural areas to obtain prior approval of the district authorities, which may be delayed or finally refused, is nothing short of deliberate and willful harassment and designed to exhaust the applicant into silent acquiescence.

The Bill does not provide any guidelines for the authorities for taking decision on application or information received or inquiries made. This lacunae will give rise to pick and choose, to arbitrary exercise of power by a subservient bureaucracy subject to a politically and communally motivated Executive. **The absence of due safeguards against misuse of power goes against the basic concept of due process of law.**

The Bill omits to make any distinction between religious buildings and places occupying private land and those which occupy public land. If the State Government was seriously concerned about mushrooming of religious places, it should have vigorously applied the laws already in force, to vacate encroachment on public land, in both urban and rural areas, in the name of religion.

The Bill makes the violation of its provisions a cognizable offence, which is not so in the case of municipal regulation of land use or construction in urban areas.

The Bill denies the right of access to the judiciary, even though a fundamental right is affected and aims at making the power of denial or delay a closely protected preserve of the political Executive. This also militates against the Constitution.

In the existing circumstances, **the provisions of the Bill are certain to be used to target the religious minorities in UP, particularly the Muslim community**, though, on the face of it, the Bill applies to all religious communities.

In the circumstances, we, the undersigned, respectfully request you, as we regard you as the Keeper of the Nation's Conscience, as the Defender of the Constitution and, inter alia, as the Protector of the Rights of Religious Minorities, **to withhold your assent to the Bill and return it to the State Government for reconsideration.**

Syed Shahabuddin, V.P., Al Muslim Majlis-e-Mushawarat

Mohd. Shafi Qureshi, Former Governor

Saifuddin Soz, Former Minister

K.M. Khan, MP

M. Afzal, Ex-MP

Zafar Saifullah, Chairman, Movement for Empowerment of Muslim Indians (MOEMIN)

Moosa Raza, Co-Chairman, MOEMIN

Mahmood Madani, Secretary, Jamiat-ul Ulema-i-Hind

Ejaz Aslam, Secretary, Jamaat-e-Islami Hind

Navaid Hamid, Secretary, MOEMIN

Uttar Pradesh Regulation of Public Religious Buildings and Places Bill, 2000

[This replaces the translation from Hindi text published in previous issue page 73 – Editor]

3. No building or place, not already used as a public religious building or public religious place before the commencement of this Act, shall, after such commencement, be used as public religious building or as public religious place, or for the construction of a public religious building except in accordance with the provisions of this Act...

4. Any person intending to use a building as public religious building or a place as public religious place for the construction of a public religious building shall make an application therefor to the District Magistrate in the manner prescribed.

5. On receipt of an application under section 4, the District Magistrate may, after making such inquiry as he may deem necessary, by order in writing, grant the permission, unconditionally, or with such conditions as to security or otherwise as he may consider reasonable in the circumstances of the case, or refuse the permission, applied for:

Provided that no permission shall be granted, if the District Magistrate is satisfied that:

- (a) it is necessary so to do in the interest of public order, morality and health;
- (b) it will interfere with the right of any other religious denomination freely to profess and practise religion or to manage its own affairs in the matter of religion;
- (c) the use of the building or place, applied for, is forbidden by any or is such, as would, if permitted, defeat the provisions of any law.

6. (1) Whenever the District Magistrate on receiving information and on making such inquiry, as he thinks fit, considers that in contravention of the provisions of this Act, -

- (a) any building is used, or is likely to be used, as a public religious building;
- (b) any place is being used, or is likely to be used, as a public religious place; or
- (c) any public religious building, is being, or has been, or is likely to be constructed;

He may make an order requiring the person concerned to desist from prevent or stop, such activities or to remove the building so constructed, and if he objects so to do, to appear before him at a time and place to be fixed by the order, and show cause why the order should not be made absolute.

7. (1) Any person aggrieved by an order of the District Magistrate under Section 5 or Section 6 may, within thirty days of the communication of the order to him, appeal to the commissioner...

8. An order made under this Act by the District Magistrate, or on appeal by the Commissioner shall be final and shall not be called in question in any civil court.

UP Bill Totally Redundant in view of Existing Religious Institutions (Prevention of Misuse) Act, 1988

[In 1988, the Parliament enacted the Religious Institutions (Prevention of Misuse) Act, 1988, to prevent the misuse of religious institutions for political and other purposes. In view of the Act 1988, the controversial UP Regulation of Public Religious Buildings and Places Bill, 2000 appears to be totally redundant as the Government of UP can apply this Act instead of enacting a Bill which, inter alia, constitutes an assault on Freedom of Conscience and of Religion enshrined in the Constitution. The text of the substantive Section of the Act is given below - Editor]

"Section 2(f) defines the term 'religious institution' was defined as an institution for the promotion of any religion or persuasion, and includes any place or premises used as a place of public religious worship"...

Section 4,5 and 6 prohibit the carrying of arms and ammunition into a religious institution, the use of its funds for political or illegal activities and the use of the religious fora for propagating political ideas, Section 3 details the purposes for which their use has been prohibited. The text of section 3 reads:

3. No religious institution or manager thereof shall use or allow the use of any premises belonging to, or under the control of, the institution -

- (a) for the promotion or propagation of any political activity; or
- (b) for the harbouring of any person accused or convicted of an offence under any law for the time being in force; or
- (c) for the storing of any arms or ammunition; or
- (d) for keeping any goods or articles in contravention of any law for the time being in force; or
- (e) for erecting or putting up of any construction or fortification, including basements, bunkers, towers or walls without a valid licence or permission under any law for the time being in force; or
- (f) for the carrying on of any unlawful or subversive act prohibited under any law for the time being in force or in contravention of any order made by any court; or
- (g) for the doing of any act which promotes or attempts to promote disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities; or
- (h) for the carrying on of any activity prejudicial to the sovereignty, unity and integrity of India; or
- (i) for the doing of any act in contravention of the provisions of the Prevention of Insults to National Honour Act, 1971. □

U.P. Regulation of Public Religious Buildings and Places Bill, 2000

National Press Comments

Editorial, The Hindustan Times, 7 Jan., 2000

... The UP legislation seems to have caused a sense of disquiet among the minorities. The opposition has also voiced the suspicion that the ruling party might have ulterior motives... As a justification for arming itself with this new law, the state government has cited the need to check ISI activities in the areas bordering Nepal. The recent hijack to Kandahar, which originated in Kathmandu, has lent a seeming urgency to the legislation.

The real issue, however, is how necessary it is to have a fresh law to keep an eye on the ISI. Any number of legal and administrative devices are already available... If an existing religious place is being used for illegal activities, the law enforcement agencies have enough powers to swoop down on them. Thus, if the instruments of state have an honest intent, there is nothing to stop them from performing their duty... What is lacking is earnest and even-handed implementation... it is unlikely that a new entry in the statute book will genuinely curb wrongdoing... The minorities ... fear (the new law) might give communalised elements in the executive an opportunity to target whole communities. In any case, a miscalculation is also sometimes made that ISI networks find succour only from dubious characters among the minorities.

Editorial, The Statesman, 8 January, 2000

... UP Regulation of Public Buildings and Places Bill ... has been pushed through citing "national security" as the excuse. The Government's motives, however, are dubious. Very real and valid fears are that it will be used to harass the minorities. As in the case of TADA which was abused widely ... to incarcerate a large number of innocent Muslims without trial, dubbing them terrorists, this law is also open to abuse. It is urged that the Bill is to prevent mushrooming of mosques and madrasas along the Indo-Nepal border because some of them are used by militants as hide-outs, in which case surely the answer is to pinpoint these and flush them out... Instead of dealing with the real issue, the Bill arms Govt. with sweeping powers to interfere with religious freedom. The DM - answerable to Govt. - is given the power to decide where or whether a place of worship can be built, or whether an existing mosque or church can continue to be used. He will frame rules for removal of illegal construction from such places. Will Govt. apply this to a certain makeshift temple, hurriedly and illegally foisted on the debris of the Babari Masjid on 6 Dec. 1992? ... Once the law is in place minority religious institutions will function in a perpetual state of insecurity, at the mercy of local Govt... The real reason is to strengthen their Hindutva plank and stop the expansion of both Islam and Christianity... A similar law will simply give the VHP-HJM legal sanction to destroy churches... Such a law can only instill fear and tension among religious minorities and reduce them to second-class citizens. This must not pass. □

IUML: President G.M. Banatwalla's

Letter to President, 7 February, 2000

... The Bill gives unbridled-sweeping powers to the State Government... Further (the Bill) bars the jurisdiction of courts... The provisions of the Bill are in gross violation of the Fundamental Rights... In particular, there is a total violation of religious freedom guaranteed by Articles 25 and 26 and the right of minorities under Article 30 to establish and administer educational institutions of their choice..

The only reason for the proposed black law, as given in the 'Statement of Objects and Reasons' appended to the Bill, is to ensure public order in the State. There is not a word to show how religious places, their use and construction, threaten the said public order... There is dearth of laws, including the Religious Institutions (Prevention of Misuse) Act, 1988 to deal with criminals and misuse of places.

The State Government motives are dubious. The Muslims and other minorities ... apprehend harassment, denial of religious freedom and abuse of the proposed, law by the state machinery... It is shocking that legislation in secular India can pave the way to legalise destruction of religious places and denial of constitutional and human rights. This can only be in furtherance to the objective of establishment of Hindu Rashtra or ...Hindutva, in subversion of the Constitution.

I strongly urge upon you to withhold your assent to the obnoxious Bill.

Joint Statement of Muslim Organisations, 21 January, 2000

Representatives of prominent Muslim organisations including Jamaat-e-Islami, Jamiat Ulema-i-Hind, All India Muslim Majlis-e-Mushawarat, Movement for Empowerment of Muslim Indians, All India Shia Conference and prominent Muslim personalities held a meeting to consider the grave consequences arising out of the Bill proposed to be enacted in UP viz, UP Public Religious Building and Places Regulation Act.

The representatives believed that the provisions of the Bill in effect prohibiting all religious communities from not only constructing new places of worship, but modifying, reconstructing or extending any existing places of worship is a direct attack on the freedom of religious worship guaranteed by the Constitution of India. All minority communities in general and the Muslim community, in particular are gravely perturbed at this development. They, therefore, strongly condemn the Bill as passed by the UP Legislature and request the Governor of UP not to give his assent to the proposed draconian law which contravene the Constitution of India and also request the Government of India and all secular parties to intervene in the matter without loss of time.

Md. Shafi Moonis, Md. Rafique Qasmi, Mahmood Madni, Moosa Raza, Syed Shahabuddin, K.M. Khan, Saifuddin Soz, Mohd. Afzal, S.M. Hasnain Abidi

A.J. Philip on BJP's Target Practice

It was after running from pillar to post and paying the Delhi Development Authority the stipulated amount that possession was taken of a plot at Sector 3 in Delhi's Rohini for the St. Basil Orthodox Church. But when the parishioners converged at the plot for the Bhoomipujan, they were shocked to find a group of saffronites, led by the local BJP MLA, sitting on a dharna to prevent the ceremony. Fortunately, then Chief Minister Madan Lal Khurana, who had personally gone through all the relevant records, took a bold stand and ordered their forcible eviction. A grateful church had Khurana as the chief guest when, eight months later, the small church was dedicated.

But in Jaipur, the Mar Thoma Church members have a different experience. In 1994, they had obtained from the Housing Board a small plot adjacent to a cremation ground at Mansarovar on the outskirts of the city for a graveyard. Despite the title deed in their possession, they have not been able to develop the land because of opposition from the Sangh Parivar. Since Ashok Gehlot is not Khurana, the matter is still being "looked into" by the district magistrate even as the Marthomites have no place to bury their dead.

(It is) increasingly difficult ... for the minority communities "to establish and maintain institutions for religious and charitable purposes," a freedom that the Constitution grants them. The local administration can frustrate such plans in umpteen ways. As if this is not enough, the Uttar Pradesh government has enacted a new law, which makes it mandatory to get permission from the district magistrate before any worship centre is set up. A similar law is said to have quietly existed for nearly four decades in Rajasthan. To be fair to the Ram Prakash Gupta ministry, it is a secular law in that it does not discriminate against any religion.

But it is not the wording of the Bill but the motive behind it that raises suspicion. Lalji Tandon, a senior BJP leader and Cabinet minister of UP, has argued that the purpose is to gather information about land use and stop random growth of shrines. He cannot be found fault with on this score...

On both sides of the Indo-Nepal border, there has been a mushroom growth of mosques and madrasas and he gives the exact figures. On the Indian side, the number of mosques increased from 74 to 146 over a period of 20 years and the madrasas from 61 to 121. On the Nepal side too, there has been a similar increase. But then the increase has to be seen against the fact that the border stretches nearly 800 kms, which means that in 20 years, a new mosque has come up in every 10 km. Is that something so worrying that a new law has to be enacted? But conveniently, the government is silent on the figures of temples that have come up during the same period in the

same area.

Instead, figures of the percentage-wise increase in the population of Hindus and Muslims in the border districts are given. For instance, the Hindu population in Maharajganj increased by 22.76 per cent in 1981-1991 whereas the Muslim population increased by 39.41 per cent. No doubt, it is an alarming increase! ... It is no wonder that when the Sangh Parivar talks about population growth, the figures are always given in percentages.

The government's assumption is that these mosques serve as sanctuaries for militants and as a base for ISI operations. "Anti-national activities, rackets in fake currency, smuggling of narcotics and white sugar, clandestine supply of illegal arms... have all been reported from border areas." But how are these going to stop if the district magistrates are given additional powers under the new law? First, it is too farfetched to assume that these shrines are hideouts for anti-national elements. If the government is convinced that these are indeed hideouts, does anything prevent the police and the paramilitary forces from ferreting them out? So far, has it done anything in this regard? Instead, why not have some Muslim staff in the Intelligence Bureau and the Research and Analyses Wing so that they can ... provide better intelligence input? In any case, the unofficial ban on recruitment of Muslims in these organisations has not served any purpose except raising questions about their secular character.

According to the minister's own admission, the increase in the number of mosques on the Nepal side is intriguing because there has been no growth in the population of Muslims in that country as conversion is banned there. So what guarantee is there that new mosques will not come up along the border on the Nepal side as the UP law's jurisdiction does not extend to that country? ...

The power to grant permission for new shrines vests with the DM and the only authority to hear appeals is the Divisional Commissioner. In other words, the government does not trust the judiciary...

It is puerile to believe that the UP law will curb the activities of the ISI. But what will happen is that the minorities will have a genuine problem in establishing places of worship. The majority community won't be affected because most of the temples come up in a *laissez-faire* manner and are seldom as per approved plans and layouts. In Delhi, there is a full-fledged temple in an office belonging to the electricity board. The UP Bill may come a cropper in tackling the ISI but it will be deadly for the law-abiding and the religiously-minded...

(Source: The Indian Express, 19 January, 2000)

VHP Belief in Babari Masjid Site as Ram's Birthsite not Universal

Shahabuddin's Letter to The Pioneer, 21 Jan., 2000

In his letter "A Sacred Place" (20 January, 2000) S.D. Laghate mentions VHP's evidence in support of Hindu claim to the disputed spot but that is no response to my question whether all Hindus (or say, a substantial percentage) believe that Ram was born on that spot. Indeed almost every Hindu believes that Ayodhya is the city of Dasratha where Ram was born but no religious text pinpoints the site occupied by the Babari Masjid since 1528 as the precise birth-site. For long the site of the adjoining Ram Janamsthan Mandir was considered to be the birth-site. Also since the middle of the 19th Century some people regarded Ram Chabutra outside the Babari Masjid as the birth-site. Several other temples in Ayodhya claim the same honour.

As for usurpation of places of worship of other religions, may I be permitted to point out the occupation of many tribal, Jain and Buddhist shrines later by the Hindus and even the occupation of some Vaishnav temples by the Shaivas and vice-versa, in the course of their sectarian conflict.

Inder Malhotra on BJP's Double Game

Like Banquo's ghost, the Ayodhya issue that has suddenly erupted again, will not go away... The potentially explosive issue cannot be kept under a heavy lid indefinitely. For two reasons. First, many within the saffron camp, besides the hard-core followers of the VHP and the Bajrang Dal, do not like the issue of constructing the Ram temple to be put on the back burner or sidelined. They had lapsed into silence only because of the shock of the abrupt fall of the previous Vajpayee Government and the consequent need to return to power with a safer majority, if necessary by winning more allies by diluting the BJP's 'real agenda'...

However, those brought up on a hefty diet of Hindutva cannot wait for ever for these emotive issues to be raised again. In the belief that the present Vajpayee Government is now firmly in the saddle, they do want to assert themselves. That the revival of the mandir campaign might tear apart the NDA ... is evidently beyond the grasp of men whose political education is less than rudimentary... The second and more powerful reason ... is the sheer dynamics of politics in U.P., ... State where the mobilisation of Ram bhakts ... was the most massive and most intense. Furthermore, if Ayodhya is ... located here, so are the 'disputed' shrines in Varanasi and Mathura which, according to Mr. Gupta, need to be 'liberated'...

Altogether, on the Ayodhya issue, the BJP is behaving like a man who wants to eat his cake and have it too.

(Source: The Hindu, 15 December, 1999)

Temple Indiscretions

Editorial, The Hindustan Times, 31 Jan., 2000

In the unlikely event that history remembers Ram Prakash Gupta at all, it will be as the most forgetful chief minister in Indian history. Gupta has turned absentmindedness into an art form... Worse still, from the BJP's point of view, he actually speaks his mind. While the rest of the party is still engaged in the traditional obfuscations over the Ayodhya issue, Gupta has no hesitation in declaring that the Sangh Parivar will build a temple in Ayodhya and that the UP government will make no attempt to halt the construction.

Predictably, Gupta's candour has embarrassed his party which is still trying to have it both ways. On the one hand, it declares that the temple is not on its agenda while on the other it keeps the party faithful within the fold by suggesting that Ayodhya is still very much a BJP issue. Thus, when Gupta gives the game away, the BJP has reason to be concerned...

Though it is tempting to view the whole issue as just another episode in the long-running comedy series that is the BJP government in UP, the fact is that Gupta's indiscreet statement raises serious issues. Gupta's views are not his alone, they are the Sangh Parivar's. When he says that the temple will be built, he speaks for all his colleagues. And when he makes the seemingly incredible remark that the Babari Masjid was demolished peacefully, he is actually only restating the conventional wisdom within the Parivar. The Vajpayee government likes to pretend that the Parivar's views are of no consequence and that it is bound only by the NDA agenda. **This position is beginning to wear increasingly thin.** The truth is that as far as the Parivar is concerned, it is Vajpayee and the NDA whose views are of little consequence...

My opinion has always been that Ram temple should be constructed at the birth place of Ram and nothing else can exist there. May be, now he is only in a make-shift temple. But after a few days, a magnificent temple would come up there.

- Jayendra Saraswati Swamigal,
Kanchi Shankaracharya

"What was demolished was not merely an ancient structure; but the faith of the minorities in the sense of justice and fairplay of the majority. A 500-year-old structure, which was defenceless and whose safety was a sacred trust in the hands of the state government was demolished" - the Supreme Court in 1993.

(Source: Mohan Sahay in The Statesman, 11 January, 2000)

Mirwaiz Omar Farooq
On Political Solution of Kashmir

... Militancy is in the front run and Hurriyat, which is a political organisation has gone into background. But nobody is to be blamed except the Government of India, which has adopted a rigid attitude vis-a-vis Kashmir. It has never allowed a political opposition to emerge. If that would have been the case the Hurriyat leadership would not have been in jail.

As the crackdown on political leadership continues it leads to vacuum culminating in increasing militancy. And Kashmir issue has international dimensions now.

Our effort has been to create an atmosphere when the issue is addressed politically by all the parties but unfortunately the Government of India (GOI) has always tried to ignore us saying that it was the creation of ISI or was a fundamentalist organisation. May be they may overcome militarily but politically they have lost.

... Frustration among youth is on rise. Militancy is taking new shape which will be beyond any control now.

... Pakistani part of Kashmir is serving as a base camp for our struggle. We get support from people there and no Government, even Pakistan can stop those people from helping us...

Up to 1994, we had coordination with the Shoura-e-Jehad, the apex body of various militant outfits. But it could not be maintained thereafter. We are trying to establish contact with new setup. But I tell you we condemn the blasts like that Subzi Mandi in which 16 civilians were killed. Militants have also condemned the incident. Hurriyat appeals to them not to indulge in such activities.

... We want a political (duty). If our objective is achieved politically (militants) role ends... If they pursue a different agenda they lose the support. But they are working for "Kashmir cause". Both militancy and politics are important for us.

... There are three parties and ... there should be a start from somewhere whether between India and Pakistan, India and Kashmir or Pakistan or Kashmir. It is possible for us to enter into negotiations but without any pre-conditions. If they come one step towards us we will go ahead with two steps...

National Conference government ... has no role. It will be represented by the GOI.

(Source: The Hindu, 18 January, 2000)

(Contd. from Page 112)

detested imperialists. Letters reached then and money orders were not stolen.

Travelling in the railways, talking to people in the streets and crowded eating places one always comes across the problems of people, not their joys or happiness.

Jai Raina
On a New Era of Alienation

Going By the latest proactive pronouncements of the Vajpayee Government over continuing militancy-related violence in J&K, the BJP-led coalition at the Centre appears set to pursue uni-dimensional military solution to the problem.

If the strategy were compared to any kind of an initiative, it only spells out the Government's renewed resolve to retain the bountiful landmass in Kashmir bereft of its people. The initiative is blind to political, socio-economic and also the international components of the issue that continues to attract attention across the globe. And also hurt the sentimental strands of the national psyche. Forget about the enormous continuing loss of men and material...

The Centre's new proactive policy also makes a specific reference to "special operations" to be launched with the help of retired soldiers and members of the Village Defence Committees (VDCs) so as to effectively curb infiltration and exfiltration along the (LoC/ International Border (IB).

But from where will the Government recruit all these VDCs across the State? The official elaboration is silent over this vital aspect of its fire-fighting operations. The facts fly in the face of the Government's claims. According to reliable sources, around 1,800 Special Police Officers (SPOs) comprising ex-servicemen and retired police personnel and backed by another 5,300 odd VDCs are to be deployed in Poonch-Rajouri belt of Jammu province.

There is no possibility of such village-level security-grid being set up in the sensitive Kashmir valley for want of manpower...

The latest phase in stepped-up militancy in Kashmir, according to knowledgeable observers, can be attributed partly, to a new era of alienation amongst the (people) following the absence (a) composite Kashmir policy and also non-performance of the State Government headed by the non-resident Chief Minister Dr. Farooq Abdullah...

In his latest ... response ... Home Minister L.K. Advani blamed Pakistan for its "undeclared war" against the nation in Jammu and Kashmir. However, if lessons are to be learnt from history, no war has ever been won without the support of the people.

(Source: The Hindustan Times, 19 January, 2000)

Those who pull the strings or call the shots don't care one whit. And to have on top of all this a warlike conflict loaded on us is indeed like getting the straw which broke the camel's back. We ... genuflect to nationalism but synonym it can be hate.

(Source: The Hindustan Times)

Balraj Puri on Inadequacy of Military Measures

... The attacks on the secretariat and the headquarters of the Army, the Border Security Force and the Special Operations Group of the J&K police ... indicate that militancy is assuming a more aggressive and daredevil form - and that too in the winter months, when it normally subsides. The security forces suffered their worst losses in 1999 when 360 personnel were killed, as against 180 in 1997. The intensification of militancy cannot entirely be explained in terms of either the motives and compulsions of Pakistan or the effectiveness and lapses of the security forces. Militancy can nowhere be sustained without some degree of local support, and according to official sources, the extent of local support for militancy has increased in Kashmir. The process of exfiltration of Kashmiri youth to receive training and arms from across the Line of Control and join the ranks of the militants has restarted after several years... Militancy and the sense of alienation among the people, which were at their lowest ebb in 1996 ... have been on the ascendant ever since...

One significant indicator of the increasing alienation is the decreasing participation of voters in the elections in the last three years. A comparison of the percentage of votes polled in the three parliamentary constituencies in the Kashmir Valley - Srinagar, Anantnag and Baramulla - in the general elections in 1996 and 1999 is illustrative. The polling percentage, which was 35 in Srinagar, 50 in Anantnag and 41 in Baramulla in 1996, dropped to 12, 14 and 28 respectively in the elections of September- October 1999. Among the Muslim-majority Assembly segments in the Jammu region, the polling during the recent elections was 7 in Banihal, 21 in Surankot, 23 in Inderwal, 24 in Kishtwar and 26 in Mendhar (as against) were 52, 74, 63, 69 and 67 respectively in 1996.

The election boycott campaign by the militants this time was more aggressive and violent than in recent elections. But simultaneously the role of the security forces in coercing people to vote was also more brazen and partisan... The Election Commission's official observers were reported to have corroborated (that out of) 8 per cent votes were polled in Pulwama district, 7 per cent were due to the security forces...

What are the reasons for the disenchantment with the N.C. by the people of all communities ... except Muslims in Ladakh... Economic stagnation could be one of the causes. There are not many employment opportunities for the youth, particularly the educated, except in government service... The arbitrary method of recruitments to government service, which is done almost entirely to accommodate those close to National Conference Ministers and workers, has led to resentment among youth. The arbitrary use (or misuse) of state funds without proper accountability also breeds discontent...

Such an arbitrary and unauthorised manner of spending from the public exchequer, with the connivance of the Centre, may be motivated to strengthen the grip of a one-party state - headed by a party that is supposed to be the most patriotic and loyal. But it also creates room for corruption, nepotism and scandals that are widely known to the local people...

The NC's overenthusiastic support to the Bharatiya Janata Party and its securing a berth in the BJP-led Ministry at the Centre could not have endeared it to Muslims in the State. For despite Vajpayee's liberal face, his party has not been able to win the support of the Muslim community anywhere in India.

Meanwhile, the increased cordon-and-search operations and crackdowns on civilian populations by the security forces following a spurt in militancy have proved unpopular, particularly when lapses and excesses cannot be ruled out. This in turn has initiated a new vicious circle in Kashmir. There is another predicament that the people of the State face ... their discontent, which has accumulated from diverse sources, is denied a political and democratic outlet... Who fills the vacuum in Jammu may not be of immediate national concern. For even more extremist Hindus are supposed to remain patriots...

Muslims, however, face a more serious dilemma. Their electoral behaviour is not merely a protest against the ruling parties at the State and the Centre but against the Indian polity, which has left no room for their self-expression. They are being forced to choose between a non-performing and non-accountable Chief Minister who has become the most servile ally of the BJP, on the one hand, and extremist pro-Pakistan militants, on the other...

The policy of adopting military measures against militants and diplomatic measures against Pakistan will remain inadequate as long as discontent within the State continues and the system continues to block all electoral and political outlets to it. (Source: The Frontline, 4 Feb., 2000)

J&K Autonomy for National Integration J&K: CM Farooq Abdullah's Views

... The biggest problem the Home Ministry has is that I am asking for autonomy to the state. So dismantle Farooq Abdullah. If he goes, the autonomy issue will disappear. But it will never disappear. They have to realise this if they want to win the people's hearts. **If Jammu & Kashmir has to remain a part of India, autonomy has to be given...**

... Maybe the next war will see India taking Pakistan-occupied Kashmir and then there will be no Kashmir problem.

(Source: The India Today, 7 February, 2000)

K.L. Kotru on Political Solution of J&K

... The General (has) come out with the astounding proposition that terrorism in J&K will come to an end only if India agrees to a dialogue with him on Kashmir. If Pakistan has no control over the terrorists, how come he knows the terrorists mind? The presence of hundreds of Pakistanis and Afghans among the terrorists gives the lie to his claim that the insurgency in Kashmir is a "local" problem, of India's own creation. In the aftermath of Musharraf's debacle in Kargil, we are currently faced with an unprecedented upsurge in terrorist activities in J&K. Gen. Musharraf may not admit it but he has thrown a direct challenge to the sovereignty of India. And much as he may not like it, several countries are beginning to disbelieve Pakistani claims of innocence...

But we must remember that our war against terrorism has to be fought and won by us alone. It is in this context that one welcomes New Delhi's belated moves to give a more purposeful turn to counter-insurgency measures in Kashmir. Whatever the ingredients of the new counter-insurgency plans, we have to remember that there can be no lasting peace unless a sound political strategy is simultaneously evolved, one that embraces all sections of political, social and economic opinion in the State. Such a policy has to be something more than the present ad-hocism of the Farooq administration.

... However, our previous experience shows that the unified command was anything but "unified". The various agencies involved in the command were pulling in different directions and, tragically, even working at cross purposes. The Chief Minister who was technically the head of the command rarely found time to take its meetings and instead nominated the Chief Secretary to deputise for him. The new regime provides a role for the State Governor even as the Chief Minister stays as the head of the Unified Command.

... New Delhi has never over the past 50 years allowed an alternative to the National Conference to grow. The NC, under the leadership of Sheikh Abdullah, undoubtedly played a historic role but in the years following the Sheikh, who for his own reasons was averse to let national parties entering the State, none of the major political parties really showed any interest in involving itself in J&K politics. The BJP did put in an appearance but only as a Hindu party, confining itself to the predominantly Hindu areas; the Congress party's presence always depended on the state of its relationship ... with Sheikh Abdullah. This more or less left the Valley entirely to the National Conference.

The NC may still be the most broad-based party in the State but the Farooq years have rendered it most ineffective and rudderless. It is unfortunate that every

attempt by even pro-Indian combinations to form a rival political party have been thwarted by New Delhi by simple devices such as choosing to give poll ... irregularities by the NC a blind eye and lately giving Farooq a free hand to have his writ run.

The three years and more that Farooq has been in power, he has done little to address the grievances of the people. He continues to be inaccessible. His constant refrain for some time now has been that he needs more Central funds for development and security...

The new trial balloon floated by him is the demand for autonomy... What good is greater autonomy to the state of anarchy to which J&K has been reduced? How are the people going to benefit if the Chief Minister is called Wazir-e-Azam and Governor, Sadr-e-Riyasat?...

Farooq Abdullah's ... reckless inability to build bridges between his Government and the people causes concern. A luxury aircraft for his own use or building brand new gold courses is not people's priority. They want their basic needs to be provided. We must pursue the new counter-insurgency programme with vigour but let us not give a handle to the campaign across the border that the situation in Kashmir is repressive.

Farooq Abdullah as Chief Minister and the head of the unified command must be seen by the people as a healer without compromising on security and law and order. Simultaneously, efforts must be made to broaden the political dialogue in Kashmir, involving all secular, pro-Indian elements... (Source: The Pioneer, 1 February, 2000)

Extend Gujarat Dispensation to J&K Editorial, The Greater Kashmir, 3 Feb., 2000

Permission to its employees by Gujarat government to join the ranks of the RSS is, but one example of the hidden agenda remaining hidden no more... The hard reality is that while a district magistrate in Gujarat shall sport his official identity card he shall also possess one issued to him as the basic worker of the RSS. What is such a basic worker supposed to do in times of a communal flare-up? Does it need any explanation? It is said that every human being has a dual personality; One that he displays and the other that he actually possesses. Isn't it now intended to remove the outward façade that most public servants have? What has been legitimized by the Gujarat government shall find takers in a lot many of other Indian states. J&K must not remain an unnecessary exception to this changed perception at the all India level. A humble contribution can be now made by the state government by announcing that its employees can also become members of **political or religious** parties whose existence has been alleged to be anathema to the so-called national interest...

Harish Khare On Advani as Prisoner of Bureaucracy

... Despite official assurances to the contrary the Government has not been able to prevent the infiltration of a large number of professional mercenaries. These mercenaries have made their presence felt even in downtown Srinagar.... Despite the "magnificent victory in Kargil", the combined resources of the Army, paramilitary forces and the J&K police have not been able to check the entry of mercenaries.

What is more everybody, including the Defence Minister ... had warned that in order to avenge the "Kargil humiliation" the militants would step up their violence.

The security forces are busy performing a thankless job of killing as many mercenaries as possible... Despite the BJP-RSS long-held views about the inadequacies of the Abdullah family, the Vajpayee Government has allowed itself to get sucked into the quagmire.

There is a National Conference (NC) representative (Omar Farooq) in the Vajpayee Government, notwithstanding the fact that the NC and the BJP were on the opposite sides in the 1999 Lok Sabha elections. This is the most blatant example of political dishonesty, but is tolerated in the name of "national interest".

That the Abdullah family does not care for its political credibility in J&K cannot be Advani's concern; but as the Union Home Minister it is his duty to ensure that the democratic political space does not shrink any further.

... Everyone in the Valley believes that the security forces played the bountiful god, deciding which political party should win. In the process Advani presided over an "operation" that politically squeezed out democratic dissent from the likes of Mufti Mohammed Sayeed and Saifuddin Soz; the bottom line of this "operation" is that dissent now comes only from the Hurriyat quarters...

Advani ... has now revealed himself to be as much a prisoner of North Block's unimaginative orthodoxy as those preceded him. He too has come to rely on the Indian Army's capacity to contain the militants, instead of trying to "solve" the Kashmir problem.

(Source: The Hindu, 17 December, 1999)

Autonomy has no Takers

S. Zahoor in The Greater Kashmir, 29 Jan., 2000

... The political observers opine that with its acceptance of the autonomy report the state government could not only end up in a straight collision with the centre but there are no takers for the autonomy card within the state as well. The observers feel that the people in Jammu and Ladakh are already up in arms against the 'sinister move' of the ruling party and even in Kashmir valley and Muslim majority areas of the Jammu region there are no takers for autonomy as the pre-dominant opinion in these areas is for separation from India.

... The BJP with which NC is a power-sharer at the centre, is up in arms against the ruling party's intentions to restore autonomy to the state...

... Dr. Abdullah's role has now been restricted to

Brij Bhardwaj on Checking Popular Support to Militancy

... Can the security measures alone turn the tide in the ... State... The situation can change only if we are able to win the battle of the hearts of the Kashmiri people. A beginning can be made by ensuring that people are able to participate in free and fair elections...

... Common people, afraid of the militants' gun and crushed under the burden of a corrupt administration, have lost the will to defy the militants... A new effort is required to make a distinction between the militants who are supported and financed by Pakistan and others who are operating independently inspired by their desire to be free. A dialogue with some organisations who are willing to operate within the framework of the Indian Constitution should not be out of place. Similarly all political outfits should be actively involved in the fight against militants. The insurgents, who want to give up militancy and join the mainstream, should be suitably rehabilitated and provided protection.

The need for a proper strategy is essential as militancy in Kashmir will remain with us until we deal with it in full measure. It is difficult to control the determined militants or suicide squads but the popular support which provides them sustenance can certainly be checked. Dr. Abdullah will be an important part of the new strategy but to depend on him totally will be a major folly... The support for militants by Pakistan will not change irrespective of the change of Government in Pakistan. The fight against them is a long process and requires a multifaceted strategy. Dependence on force alone will not carry us far. We need to hit the militants, but we also need to start a dialogue while carrying with us all pro-India elements.

(Source: The Pioneer, 13 November, 1999)

rubber stamp administrative head of the state. And seeing the power going out of his hands, he has started trumpeting the autonomy issue which he himself had otherwise buried on the birth anniversary of his father saying "restoration of autonomy was a distant dream".

So far as the Valley is concerned ... the discriminatory policies of the centre have further eroded the faith of Kashmiris in the Indian democracy. The pro-India NC has completely lost ground in the Valley and it does not command any support among the masses due to its policies of duplicity, treachery and betrayal of the people, the observers feel... The acceptance of the Pre-1953 position for J&K might open up a Pandora's box for the BJP government which is otherwise committed to further integration of the state with the rest of the country.

Whether or not NC can convert the delicate autonomy issue into a political trump card, only coming days are going to unravel. However, keeping in mind the prevailing ground reality, one prospect looks certain: that is, though the autonomy issue might generate some ruckus in the Centre-State relationship, the Kashmiris are expected to watch the development with the same ...old stoic silence...

Kanwar Sandhu On Role of Ex-Militants

Six years ago, the Ikhwan [ex-militants] were the Army's valuable asset. Working largely in the shadows, the surrendered militants were of great help in tracking down militants in the Valley. They knew the hideouts and the terrain. Soon, they began getting regular salaries but over the years as their numbers have grown, they are now increasingly becoming a liability.

In fact, today, there are many who resent them. Local residents view them with deep suspicion—some even with contempt—for switching sides. Mainstream parties sneer at their recent attempts to jump into electoral politics. Even the Army admits their limited use... It's estimated that there are close to 3,000 of them operating in the Valley (with) different security agencies... It was recently decided that Ikhwan get a uniform salary of Rs.1500 p.m.

Several cases of extortion, looting and harassment by surrendered militants have been reported. Since some of them surrendered to avenge excesses by fellow-militants, they have been settling personal scores...

Given their proximity to the Army, Ikhwan are also being targeted by militants... The Ikhwan, armed with official sanction and protection, were much sought after by parties during elections. This prompted many to contest polls themselves... Kukka Parrey floated his own political party Awami League, as an MLA from Sonawar. Javed Shah, formerly of the Al-Jehad, joined National Conference and is a member of the state legislative council. Another militant of Muslim Mujahideen (now called Peoples' Patriotic Front) contested the Lok Sabha elections from South Kashmir but lost.

Security officials admit that Ikhwan have become yet another element in the Valley's turbulent politics. "We know the dangers of pandering to these elements but without them we are totally at sea in the Valley," says the Army.

(Source: The Indian Express, 9 December, 1999)

Failure in Kashmir

Editorial, The Hindustan Times, 15 Dec., 1999

The series of grenade explosions and firings by terrorists in prominent Srinagar localities all through the day on 13 December, 1999 are a disturbing reminder that the government continues to be at sea in dealing with the Pakistan-orchestrated militancy in the Valley... (This) would suggest that the Centre is yet to evolve a coherent strategy — military or political — to tackle the fundamentalist terror unleashed on the uniformed personnel...

All this pointedly suggests that the security situation in J&K ... has deteriorated disconcertingly. If such a state of affairs persists, emboldened militant activity may well be expected to spread to regions beyond Kashmir...

On Establishment of Casino in Srinagar Shahabuddin's Correspondence With Chief Minister of J&K,

I - 15 September, 1999

The Indian Express, New Delhi, has reported today that your Government has sanctioned the opening of a casino in a hotel of Srinagar and that two more such applications are under consideration. It is also reported that the sanction was issued because of your 'personal interest'. Senior officers have pointed out that so far gambling is legally banned in the State.

Your Finance Minister is reported to have stated that the State Government has to enact a law before sanctioning a casino.

The existence of a casino may or may not increase the tourist flow but it will certainly further alienate the people of the Valley. I request you to re-examine the question in a broader perspective.

II - 21 September, 1999

... This facility that is being provided in two 5-Star hotels is not going to be for the locals... This is only for the tourists who will be visiting the Valley and thus will not in any way affect our way of life. This project is still in its infancy and all other pros and cons will be studied.

(Source: CM's Letter No. CMJK/PS/OS/99 dated 21.9.1999 to Shahabuddin)

III - 29 September, 1999

I thank you for your DO No. CMKJ/PS/OS/99 dated 21 September, 1999 regarding the proposed licensing of Casinos in 2 Five-star Hotels in Srinagar.

The point that the Casinos will be out of bounds for the local people, while they are open to tourists (including those from the rest of the country) may not be legally tenable. Nor will it politically advisable or defensible.

In this connection, I would like to bring to your notice the public furore in Goa **against opening even off-shore casinos**. I request you to reconsider your views.

IV - J&K Awami National Conference's Statement, 23 September, 1999

... The J&K Awami National Conference gave a clarion call for mobilising public opinion against the CASINO menace which is being brought in clandestinely for the promotion of tourism in the State. This menace is the thin edge of the wedge of destruction posing a devastating threat to our rich cultural heritage...

Carefully executed hits at establishments of the Indian security forces in J&K are aimed at shaking the confidence of the people of Jammu and Kashmir in their capacity to protect them against the fundamentalist terror. This is the first step toward reigniting political and social support for secessionism...

**Former External Affairs Secretary
V.K. Grover on Pakistan's
Disintegration as Final Solution**

... The mantra that a strong and stable Pakistan is good for India rings hollow. There has been a strong and stable Pakistan only intermittently in the last years. Whenever it felt it was strong, it became a threat to India. Pakistan is a failed State whose disintegration is only a matter of time.

... Once Pakistan disintegrates into three or four units; it will lose its perceived geo-strategic advantage. For India, it will mean a final solution to the Kashmir problem. There will be no successor State to the 1947 Pakistan, and once it balkanises it will not be able to claim Kashmir on a religious basis... The mixture of a weak economy, failed democracy, religious fundamentalism and sectarian strife are a sure recipe for some form of balkanisation... The global community can more effectively contain the drug menace from the Pak-Afghan border once the Pakistan State, in its present form, ceases to exist.

Of course, there is the other side of the coin. Pakistan's disintegration will bring instability to the region. There is also the menace of nuclear weapons in case Pakistan sinks into civil war and uncontrolled sectarian strife... The West has been able to manage the nuclear weapon threat after the collapse of the Soviet Union. Pakistan will have to be tackled in a similar fashion...

Fundamentalist terrorism is more difficult to deal with. However, three or four smaller states of a disintegrated Pakistan will be much weaker... India, the US and Russia could all cooperate for achieving this common objective.

A section of our political elite may feel sad over a broken Pakistan. For India, it is the lesser of the evils. It is the danger of disintegration which is driving the US to back the military regime in Pakistan. A General is preferable to mullahs, who might take over once the State starts its meltdown...

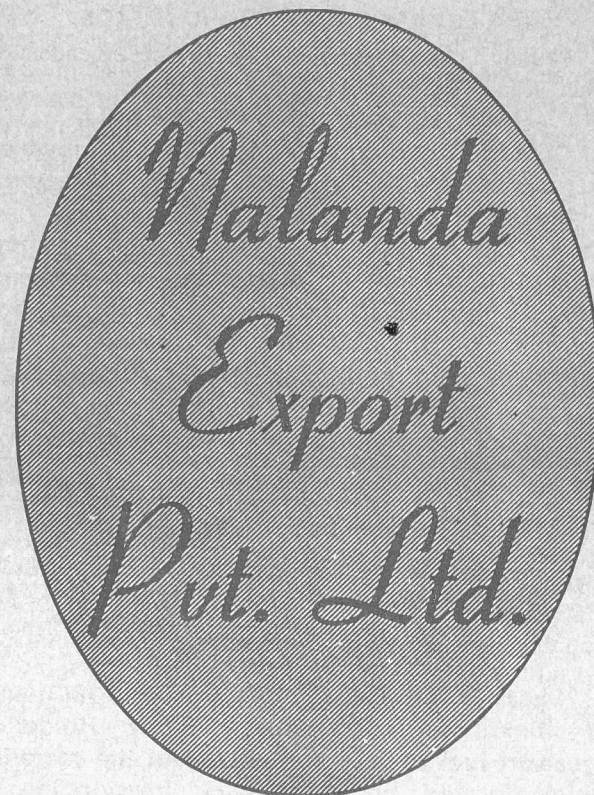
(Source: The Pioneer)

India-Pak in New Millennium

Editorial, The Anti-Corruption, 23-30 Jan., 2000

... How can we have a long-term policy towards a neighbour who is periodically affected with bouts of hiccups? The one redeeming feature of our more than half-a-century of co-existence is that no matter who ruled our respective countries, our people continue to have the warmest of feelings towards each other. This is a unique phenomenon of our times. Nowhere else in the world will you find two neighbouring states perpetually at loggerheads with each other with their people overeager to embrace each other as long lost brothers. Let us hope the new millennium will usher in a new era of closer Indo-Pak friendship.

*With Best
Compliments
From*



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Supreme Court On Freedom of Speech

Narmada Bachao Andolan, Petitioner v. Union of India and others, Respondents.

A.S. ANAND, CJI, S.P. BHARUCHA & B.N. KIRPAL, JJ
Constitution of India, Article 19(1)(a) – Freedom of Speech – Right of criticising judgment of Court – Cannot be exercised with malice or by attempting to impair administration of justice – No one can be permitted to distort orders of Court and deliberately give a slant to its proceedings, which have the tendency to scandalise the Court or bring it to ridicule...

(Source: AIR 1999 Supreme Court 3345)

Allahabad High Court On Business on Public Roads

Framod Tiwari, Petitioner v. Senior Superintendent of Police, Kanpur Nagar and others, Respondents.

RAVI S. DHAVAN AND V.P. GOEL, JJ.
Constitution of India, Article 226 – Removal of encroachment – No fundamental right to carry on business on public road – Petitioner only had licence, like hawker – Therefore, removal of shop by anti-encroachment authorities for clearing road for smoother and better traffic is not improper – No writ can be issued to the authorities that petitioner should occupy side walk of a public road or in alternative he may be allotted another site.

(Source: AIR 1999 Allahabad 289)

J&K High Court on Impounding of Passport without Hearing

Hussam-ud-din Ahmad, Appellant v. Union of India and others, Respondents.

**BHAWANI SINGH, C.J. AND
SYED BASHIR-UD-DIN, J.**

Passport Act (15 of 1967), Sections 10(3) and 11 – Impounding of passport – Validity – Holder of passport has to be informed about the material which formed basis of such impounding – Impounding without providing such information and without offering hearing opportunity – Is illegal.

(Source: AIR 1999 Jammu and Kashmir 136)

(Contd. from Page 112)

and Muslim League's caution (Resolution of 1937) against this song became an irritant in Hindu-Muslim relations.

Dr. Iqbal's historic song "Sare, Jahan se Achha Hindustan Hamara" reflects true patriotism while the Vande Mataram promotes violence and destroys country's unity and integrity

(Courtesy: The Dalit Voice)

* (Source: The Anti-Corruption Weekly, 10-17 January, 1999)

Supreme Court on Compensation For Human Rights Violation

A.K. Singh and others, Appellants v. Uttarakhand Jan Morcha and others, Respondents.

**K.T. THOMAS, D.P. MOHAPATRA AND
U.C. BANERJEE, JJ.**

Constitution of India, Articles 21, 226, 300 – Human rights violation – Compensation – Liability of State Government – Police atrocities on agitationists demanding separate Uttarakhand – Writ petition filed against State for direction to meet consequences – Court with out trial and without considering evidence directing the Government to pay huge sum to victims as compensation – Not proper – Direction set aside as unsustainable.

(Source: AIR 1999 Supreme Court 2193)

J&K High Court

On State Liability for Damage under Curfew

Jagdish Rai and etc., Petitioners v. State of J&K and others, Respondents.

T.S. DOABIA, J.

Constitution of India, Article 21 – It is duty of State to protect citizen and compensate them – Damage caused to property of citizens during curfew and by anti-social elements – State is directed to pay compensation to aggrieved parties on same lines on which it is paying to citizens who are become or became victims of militants related violence.

(Source: AIR 1999 J&K 156)

PUCL: National Conference, Jaipur, 24-25 April, 1999 Policy Statement (Extracts)

Our focus should be to strengthen the organisational network throughout the country to take up issues of human rights systematically so that the NHRC take effective steps for providing redressal by bringing pressure on the government both at the State and at the National level.

Extrajudicial Killings: ... Staged encounters – the most brutal form of human rights violation – are increasingly becoming a part of administrative practice in various States. As it is, such killings of political adversaries with a view to controlling political movements was part of administrative policy in the State of Punjab and is widely prevalent in J&K, AP, Manipur, Nagaland, Mizoram etc. Recently in Mumbai and UP this practice of eliminating alleged criminals without conformity to law has emerged as a major trend through some sort of uninformed social sanction. This obnoxious development has to be curbed...

Attack on Minorities: There has been an increase in the attack on minorities and this time the target are the

(Contd. on Page 125)

Standing Committee on External Affairs: Demands for Grants (1998-99)[Extracts]

Haj: The Committee drew the attention of the Ministry of External Affairs (MEA) to the fact that there has been lot of complaints about the method of selection of Haj pilgrims and making the funds available to them for the pilgrimage. Since the Haj Affairs are looked into by the MEA, the Committee feel that there should be a clear demarcation of powers of the Mission at Jeddah and Haj Committee to avoid any overlapping between them which, in turn, results in lot of difficulties to the Hajis. As the Haj Committee is still functioning under the old statute, the Committee desires that early steps be taken to review and make necessary amendments in the Central Haj Committee Act.

No Quota, No Numerical Limit, No Subsidy

Shahabuddin's Letter to A. Durrani, 18 Jan., 2000

The Dharna by the Delhi State Haj Committee for getting additional Haj quota sanctioned for Delhi pilgrims is, in my view, misconceived. The total number of Haj pilgrims – the so-called Haj Quota – is determined by the Government for the country as a whole and then the quota is distributed state-wise in accordance with the prescribed formula. The surplus unutilised quota of some States is redistributed among the 'deficit' States in proportion to their waiting applications. Therefore, the question of increasing the Haj quota should be taken up by the Central Haj Committee and the benefits should be equitably distributed over all States with a surplus of applications.

Secondly, the State Haj Committees are not statutory bodies. They have been established by executive order to assist the Central Haj Committee in the performance of its allotted tasks. Therefore, the Dharna goes beyond the function and responsibility of your State Haj Committee.

I dare say that the Haj affairs with due concern for its sanctity and should not be politicised.

In my view, the only long-term solution is simultaneously to abolish the Haj Air Charter subsidy and the Haj Quota and make the Haj Committee responsible for making arrangements for all applicants within the national limit sent by the Saudi Arabia authorities.

(Contd. from Page 124)

Christians. This we witnessed in the States of Gujarat, Orissa, MP. Minorities in a plural society like ours are citizens entitled to all freedoms including the rights to equality and equal protection of the laws. Our organisation should ensure that the minorities rights are protected.

Dalits and Tribals: The attacks on the Dalits and Tribals have been on the increase... Tribals covered by Section V of the Constitution are suffering deprivation of their rights and habitats... PUCL should take up these issues and fight for their rights... (Source: The Human Rights Today, Autumn 1999)

Jump in Subsidy Due to High Charter Fare Shahabuddin's Letter to P.M., 11 February, 2000

For Haj 2000, the Government have sanctioned a subsidy of Rs.137.12 crore for Haj Air Charter Service. This is the highest so far.

This high subsidy is largely due to the fact that the Haj Charter return fare has been fixed at Rs.31,044 which is higher than the normal Delhi-Jeddah-Delhi IATA fare. Normally, because of utilisation of full capacity on one lap and low fuel consumption on the vacant return lap, the charter fare used to be fixed at 2/3 of the IATA fare.

Thus, even if the Government decide, on political grounds, not to raise the Haj fare payable by the pilgrim, from the level of Rs.12,000/-, the subsidy should not have exceeded Rs.8,000/- per pilgrim i.e. 57.6 crore in all.

I had repeatedly pointed out to your colleagues, the Minister of External Affairs and the Minister of Civil Aviation that the sudden jump in the Haj Charter Fare in 1997 and, therefore, in the total subsidy in recent years is totally unjustified and it must be brought down by proper negotiation, after collecting data from other countries like Pakistan, Indonesia, Iran etc. But apparently no one took any heed. To my mind, the system of negotiation needs to be overhauled in the national interest.

Since there is the possibility of collusion between the Haj Committee, the Air India, the Charter airline and possibly the Government officials concerned there appears to be a case for a CBI probe in the matter. You may like to consider this aspect.

For the present, I would be grateful if you would be kind enough to look into the various components that have gone into the fixation of the Haj charter fare at Rs.31,044.

CBI Inquiry in Fixation of Charter Fare Since 1997

Shahabuddin's Letter to S. Yadav, 12 Feb., 2000

You will find that the Haj Charter Fare was raised suddenly for Haj 1997, consequently raising the Haj Charter Subsidy. Till 1997, the Charter fare used to be around 2/3 of the normal IATA fare. In 1997, it was raised to IATA fare level.

I am advised that in 1997 this was the result of collusion between the then Chairman, Haj Committee, the Air India and the then Minister of Civil Aviation. In 1997, Air India itself carried the pilgrims, Haj subsidy became a subsidy to Air India!

The same pattern has been followed in Haj 1998, Haj 1999 and now in Haj 2000, despite the fact that the IATA fare has remained unchanged since before 1997, with the difference that private firms have taken Air India's plane. So now the Haj Subsidy is being pocketed by the foreign carriers. In the national interest, I request you to order a CBI investigation in the fixation of Haj Charter Fare since 1997.

Central Wakf Council: Annual Report, 1997-98 (Extracts)

... During the period under report, the seventh Council was constituted on 26th June, 1997 and accordingly the 39th meeting of the Council was held on 10th September 1997, under the Chairmanship of B.S. Ramoowalia, Union Welfare Minister...

Constitution of the Standing Committees of the Council: As (authorised by) the Council the Chairman constituted the following four Committees: -

- (a) **Monitoring Committee:** The Committee did not meet during the period under report.
- (b) **Planning and Advisory Committee:** The Committee held a meeting on 23rd March 1998 in which it approved the Revised Estimate for the year 1997-98 and Budget Estimate for the year 1998-99. The Audit Report/Annual Report for the year 1996-97 were discussed and adopted/approved.
- (c) **Wakf Development Committee:** The Committee held a meeting on 10th January, 1999. It recommended an allocation of funds from Grant-in-aid to 9 on-going (and) 9 new schemes, under the scheme for the Development of Urban Wakf Properties...
- (d) **Education and Women Welfare Committee:** The Committee held its two meetings on 7th January and 11th March 1998 in which it recommended grant of scholarship to the students of technical/professional Degree courses, ad-hoc grant to the students of general Degree courses, matching grant to Wakf Boards for giving scholarship to the students of schools, Madaras and of technical diploma courses, financial assistance to educational institutions/voluntary organisations for vocational training, matching grant to the technical institutes for opening new trades/strengthening the existing trades and also grant for reading rooms. The Committee ... decided (to raise) the income limit of the parents/guardians of the applicants for eligibility of the scholarship/ad-hoc grant ... to Rs.50,000/- per annum in case of non-salaried class and upto the grade of UDC or its equivalent in case of salaried class. The Committee increased the number of scholarship from 500 to 800 and also decided to increase the amount of the scholarship from Rs.3,600/- to Rs.4,800/- per annum from 1998-99. It decided to include all subjects at the graduation level for the award of ad-hoc grant to poor and needy students of general Degree courses.

Employees of the Council: The Council ... has a sanctioned strength of 27 employees including the posts of Secretary, Administrative Officer, Accounts Officer and Development Officer.

Welfare Activities: During 1997-98 the Central Government released the grant amounting to Rs.108.17 lakhs and in turn the Council released the entire grant-in-aid plus Rs.0.50 lakhs unutilised in 1996-97 by advancing loans to 10 approved projects - 5 in Karnataka, 3 in Kerala

and one each in Maharashtra and Rajasthan as detailed below: -

S.No.	Wakf Institution	(Rs. in lakhs) Amount
Karnataka		
1.	Dargah Hazrath Khawaja Bandanawaz, Gulbarga	17.00
2.	New Muslim Hostel(Sunni), Saraswatipuram, Mysore	5.35
3.	Taha Educational Trust, Bangalore	5.00
4.	Hafiz Badi Dargah, Belhongal, Belgaum	10.00
5.	Masjid-e-Siddiqui, Gulbarga	5.00
Kerala		
6.	Chavakkad Taluk Muslim Orphanage Association, Chavakkad	10.00
7.	Badagara Jamath Palli Dars Committee, Kozhikode	20.00
8.	Jamia Sadia Arabia, Kaser Code	20.00
Maharashtra		
9.	Shad Adam Shaikh Trust, Mumbai	5.00
Rajasthan		
10.	Dargah Khawaja Saheb, Ajmer	11.32
Total		108.67

The Central Government have released grant-in-aid amounting to Rs.1,581.11 lakhs to Central Wakf Council upto March, 1998. Upto ... 1997-98 the Council has released loans of Rs.1613.58 lakhs to 93 approved projects, which includes Rs.27.47 lakhs from Revolving Fund and Rs.1586.61 lakhs from the grant-in-aid. Out of the total schemes financed so far, 50 schemes have been completed and 14 Wakf institutions have refunded the loan amounting to Rs.31.83 lakhs, as the work did not start for one reason or other and 29 projects are still under construction. The State-wise details are as under: -

S.No.	State	Number of Projects			
		Loan Given	Comp-leted	On-going	Loan Given
1.	AP	12	2	6	137.50
2.	Bihar	9	4	4	40.09
3.	Karnataka	33	19	12	814.00
4.	Kerala	6	2	3	96.90
5.	Maharashtra	4	2	1	88.00
6.	Orissa	6	4	2	182.20
7.	Punjab	1	1	-	10.00
8.	Rajasthan	3	2	1	35.34
9.	Tamilnadu	15	14	-	203.05
10.	UP	1	-	-	1.00
11.	Delhi	3	-	-	5.50
Total		93	50	29	1613.58

... As on 31st March, 1998, the Council has advanced loans from Revolving Fund amounting to Rs. 294.16 lakhs, to 69 Minor Schemes as per details given below: -

S.No.	State	No. of Schemes	Loan Given (Rs. in lakhs)
1.	Karnataka	29	119.08

2. Kerala	6	42.05
3. Madhya Pradesh	17	59.39
4. Orissa	6	35.37
5. Punjab	2	7.59
6. Tamilnadu	8	27.08
7. Uttar Pradesh	1	3.60
Total	69	294.16

Progress during the year 1997-98: During 1997-98 out of the budgetary provision of Rs.90.92 lakhs for the Educational Programmes Rs.56.57 lakhs were sanctioned as detailed below: -

S.No. Programme	Amount (Rs. in lakhs)
1. Scholarship for technical courses	26.86
2. Scholarship through Wakf Boards	1.98
3. Ad-hoc Grant to Poor and Needy Students	4.66
4. 50% Matching Grant to Technical Institutes	4.24
5. Financial Assistance to Reading Rooms	10.25
6. Financial Assist. to Vocational Training Courses	8.15
7. Misc.	0.43
Total	56.57

Finance:

... An amount of Rs.36.50 lakhs was received by the Council from State Wakf Boards as contribution during 1997-98 to meet the administrative and other expenses of the Council...

Set-up of the Central Wakf Council (31.3.98)

Chairperson : Maneka Gandhi, Minister of State for Social Justice & Empowerment
Secretary : Dr. M.R. Haque
Members : Asad Madani, President, JUH
: S. Nizamuddin, G.S., AIMPLB
: Zahedulla Meccai, Bangalore
: Prof. Shafi Haider, Sitamarhi, Bihar
: Najma Heptullah, Dy. Chair, RS
: K.M. Alaudeen, PMT, Tamil Nadu.
: K. Moidin Kutty Haji [since deceased].
: M.A.A. Fatmi, MP
: Munnavar Hasan, MP
: Ghulam Abdul Qadir Alvi, UP
: C.M. Ibrahim, MP
: Chairman, AP Wakf Board, H'bad.
: Chairman, W. Bengal Board of Wakfs, Calcutta
: Chairman, Bihar State Shia Wakf Board, Patna
: Justice V. Khalid, Chennai.
: Justice A.S. Qureshi, Ahmedabad
: Salman Khurshid, ex-MP, N. Delhi
: Hakeem Abdul Hameed [since deceased]
: Prof. Akhtarul Wasey, New Delhi.
: Abdul Razzak, Bhopal. □

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Public Pressure Essential to Retrieve 10,000 Masjids in Punjab, Haryana and HP

Shahabuddin's Letter to The Milli Gazette, 11 February, 2000

With reference to your report on Mosques in Haryana (Investigation, 1-15 February, 2000) I do not hold a brief for the Punjab Wakf Board which though a statutory body in existence since independence, has to a large extent failed to recover, protect and preserve the Masjids, Idgahs, Madarsas and Qabristans etc. in the erstwhile East Punjab, now divided into Punjab, Haryana, Himachal Pradesh and Chandigarh.

I also endorse the views that the real culprits are those who ran away to Pakistan and left the entire region practically vacant of Muslim presence!

However, the Central and state Governments have repeatedly assured the Muslim community that the religious places, if unlawfully occupied by the refugees or anyone, shall be vacated. Under the Wakf law, public religious places like Masjids and Qabristans are **Wakfs by definition** and the Parliament repeatedly extended the period of limitation and **has now exempted such properties from the law of limitation**. Therefore, unlawful occupation, howsoever long, can and should be vacated.

But the Board, and particularly, its paid employees, have not handled these cases with the care and concern

they deserved. Indeed, the Board initially regularised the occupation by leasing out the properties to the unlawful occupants (irrespective of the purpose for which they were used). In some case, by mutual collusion, **they managed to lose civil and criminal suits**, one after the other, and thus confirm the occupants in possession.

I must add that in several cases the local Sikh community has voluntarily come forward to restore the Masjids it had occupied and converted into Gurudwaras.

I am not personally aware of the cases Indri, Taprana, Jharsa and Rewari Khera Masjids but I am fully aware of the Hansi case. **Interestingly your investigation report is silent on the Hansi case.** I have drawn the attention of the CM of Haryana but I must add that an ex-parte order was passed by the local SDM because of obvious neglect by the PWB. The PWB has informed me that they have filed a petition for permanent injunction against the occupations.

I would request the PWB to publish a White Paper on the Restoration of Masjids, Qabristans and other religious places under unlawful occupation and to update it year-after-year. The Report should list the Wakf properties
(Contd. on Page 136)

حیدرآباد



روزنامہ

روزنامہ ”عوام“ ملت کی تعلیمی تحریک کو پروان چڑھانے کے لئے اپنی اشاعت کے ذریعے اپنی ایک سالہ خدمات کا ایک مختصر مدتی لیکن شاندار ریکارڈ رکھتا ہے۔
اس عرصے میں ”عوام“ نے جس موثر انداز میں ملی مسائل تعلیم کے عصری رجحانات اور دیگر سیاسی، معاشی، تہذیبی، مذہبی، سماجی اور ثقافتی امور کو اپنے قارئین کرام کی خدمات میں پیش کیا ہے، وہ اظہار من القفس ہے۔
اقلیتوں کی فلاح و بہبود کے ذریعے ملک و ملت کی بھلائی اور عوامی خدمت کے مقصد سے شائع ہونے والے روزنامہ ”عوام“ کی بقا و ترقی کا اہم تقاضہ ہے۔ اس کے لئے ضروری ہے کہ

آپ

اسے پڑھیں، اور دوسروں کو اسے پڑھنے کا مشورہ دیں۔

ایڈیٹر: کے، ایم عارف الدین

Reservation for A Backward Religious Community Permissible

Shahabuddin's Letter to Jethmalani,
Minister of Law, 24 January, 2000

As promised, I reproduce below an extract from Para 80 [c] of the Supreme Court Judgement in the Inder Sawhney Case.

"That it is significant to notice that throughout his speech in the C.A., Dr. Ambedkar was using the word communities (and not castes) which expression includes not only the castes among the Hindus but several other groups. For example, **Muslims as a whole were treated as a backward community in the princely state of Travancore...** The word 'community' is clearly wider than 'caste' and 'backward communities' meant not only the castes, wherever they may be found – but also other groups, classes and sections among the populace".

I also enclose the extract from the Notification by the Government of Karnataka on Reservation in which 'Muslims' as a community have been declared to be a Backward Class.

I hope you shall reconsider your stand in the light of the above and agree with me that **the Muslim community, as a community, in a state or in the country as a whole, may be declared a Backward Class, if it is found to be so by a competent Commission on the basis of uniform parameters as applied to other groups.**

May I also reiterate the fact that during the Freedom Movement the Congress objection was focussed on separate electorate and not on quotas for religious minorities. In fact the Congress itself demanded quotas for Hindus and Sikhs in Bengal and Punjab.

May I also request you to go through the Constituent Assembly Proceedings which will convince you that **only one Muslim Member** in the Minorities Sub-Committee of the Advisory Committee on Fundamental Rights etc., when the question was reopened, supported the withdrawal of reservation in legislatures and public employment for Muslims and that both Nehru and Patel promised fair and 'generous treatment'. How generous it turned out to be, you know very well.

MOEMIN: Statement on Reservation for Muslim Women in Parliament, 23 December, 1999

Muslim women who constitutes 6.5% of the national population and 50% of the Muslim population of the country are the most deprived and un-represented segments of the Indian society. Their presence in the Parliament is negligible and in the state legislatures they are hardly represented. In the political hierarchy also one rarely finds them. Women members do not represent women only in the legislature but like other legislators they represent their constituencies as well as the social

IAMSS: Seminar on Social Empowerment of Muslims, Calcutta, 20 November, 1999 Resolutions Adopted

The Seminar on Social Empowerment of Muslims in India (held in Calcutta on 20 November, 1999) views with alarm that ... the Muslims (are) in a statement of persistent downward mobility. That the systematic immobility of such a large segment of our population ... is ultimately bound to have a devastating effect on the socio-economic life of the country and the nation as a whole.

That a feeling of psycho-social subordination or subservience resulting from a situation of disempowerment of the Muslim minority will not only cripple the community and make the society semi-paralytic, but will also deflect our society from the path of democracy leading it towards fascism and authoritarianism.

In view of these it is resolved:

1. That the provisions of our Constitution relating to the rights of the minorities be implemented...
2. That ... in all measures for the upliftment of the Muslim minority building self-esteem, self-confidence and the spirit of healthy competition among them should be the guiding principle.
3. To bridge the yawning socio-economic gap between Muslims and other countrymen ... reservations in job and educational institutions be provided by the state until such time as they catch up with the rest of the population.
4. That steps be taken for due and proportionate representation of the Muslim minority in state and central legislatures.
5. That steps be taken by the state for educational advancement of the Muslims and impediments to their self-endeavour for the purpose, be removed...
6. That measures be initiated by the state to facilitate better housing conditions ... particularly in the urban areas.
7. That measures be taken to (protect the) self-employed and unorganized craftsmen ... from exploitation.

group to which they belong. The rationale behind women empowerment would not be fulfilled without giving due representation to all segments of the women population of the country. Equity and social justice demand that the rights of the OBC and Muslim women are not ignored. Since the proposed bill without sub quotas for OBC women and Muslim women will only promote the interest of the elite and the affluent among the high castes of the Indian society. Under this Bill, the representation of the Muslim community which stands at 5% against 12.5% in the population is likely to go down further to 3 or 3.5% because of the disinclination of political parties to field Muslim candidates, male or female. To protect the legitimate interest of the OBC's and the minorities, we appeal to all political parties to amend the Bill to provide for sub-quotas of 4% for Muslim women and 15% for OBC women within the 33% proposed. □

Secularism Alone can keep a Multi-Religious Country Together Shahabuddin's Letter to The Pioneer, 1 February, 2000

I wonder what purpose is served by your publishing such letters as the one by Mr. M.M. Sankhdher (Anti-theoretical to India, 29 January, 2000) which is nothing but an exercise in personal vilification on false premises. I imagine Mr. Sankhdher is upset because he cannot respond logically to the points I make in my statements and letters.

However, to oblige him, I would like to state solemnly, with Allah as my witness that I am not anti-Hindu or anti-Hinduism but that I regard the ideology of the Sangh Parivar as anti-democratic, anti-secular and anti-national and its activities as directed against the religious minorities, particularly Muslims and Christians.

I further submit :

That India is my homeland and I am a citizen by birth and not by the grace of Sankhdhers and that I owe everything I possess to my homeland, to all its people.

That, I have never sought to impose 'Muslim identity on Indians', that I would like every religious, linguistic, racial, caste even regional group to preserve and defend its identity, to be what it likes to be and to be accepted as such and recognised as a legitimate social group, with full right to participation in governance and development and to an equitable share in its fruits.

That, I preach secularism, not only to Hindus but to all religious groups in my country, because that is the only approach that can keep this multi-religious country united, peaceful and happy and on the march forward.

That, I have never defended use of violence to attain political ends – by Hindus or by Muslims, in India or elsewhere.

That, I regard Religion, Nation and State as distinct categories and that is why I have always regarded the Two Nation Theory as nothing more than a political gambit by Jinnah to support his quest of Pakistan. I have always regarded the Partition as a great tragedy, particularly for the Muslims of the Sub-continent.

That, I have never called India 'Muslim India' but in my view there are many Indias – Brahman India, Shudra India, Dalit India, Adivasi India, Tamil India, Bengali India, Maratha India, Muslim India, Hindu India, Sikh India and Christian India etc. All these Indias are indivisible, inseparable in space; they inter-penetrate each other and together make the splendid mansion called India. But each must be accepted and its contribution recognised. This is what would make India great.

That, I may have provoked Sankhdher against the Muslims but I have never provoked Muslims against Hindus because, as a minority group, their security lies in good-neighbourly and fraternal intercourse with the Hindus, but on the basis of Freedom, Equality, Justice and

Dignity.

That, I stand for Indian Culture which is not static, which is ever-evolving, which has the capacity to absorb the best of all cultures, east or west, modern or ancient but it is NOT Hindu culture of the Vedic or the Puranic Age. Nor is India well served by the out-dated concept of 'one country, one culture, one language' or the philosophy of Hindu Nationalism. What we need is Multi-Culturalism and not Cultural Nationalism.

Mr. Sankhdher may satisfy his ego by misrepresenting and distorting my views imputing unfounded notions to me and drawing false conclusions. But I challenge him to quote any writing or statement of mine to support them. In return, I ask him only one question: **does he still stand by Guru Golwalkar's Thoughts?**

India: Watan and Dar-ul-Ahad-wal-Aman Shahabuddin's Letter to The Pioneer, 21 Jan., 2000

Apropos Shri Prafull Goradia's foray into the domain of Islamic theology, may I remind him of the Holy Prophet's off-quoted saying "*Hubbul Watan menal Iman*" (Love of the homeland is part of the Faith), so the Muslim Indians do not need any lessons in patriotism from the RSS or its spokesmen.

And there is no reason why one's faith be in perpetual conflict with one's motherland. Therefore, it is possible for a Muslim to love his religion as well as he loves his motherland. As Maulana Mohammad Ali, the great freedom fighter, stated that when the question relates to the sincerity and progress of India and the welfare of the Indian people, he, as a Muslim, is first Indian, second Indian and nothing but an Indian and when the question is one of freedom and dignity of Islam, he, an Indian, is first a Muslim, second a Muslim and nothing but a Muslim. Man's personality is multi-dimensional and a particular dimension comes to the fore depending upon the circumstances.

Muslim Ulema have come to the consensus that apart from *Dar-ul-Islam* (a territory in which Shariat is the rule of law) and the *Dar-ul-Harb* (the territory in which it is not and which is at war with *Dar-ul-Islam*), there is *Dar-ul-Ahad-wul-Aman*, the territory which is neither but has an external compact with a *Dar-ul-Islam* or an internal compact which grants freedom of religion to Muslims and protects their security, dignity and their rights as citizens.

To sum up, India is both '*Watan*' and '*Dar-ul-Ahad-wal-Aman*' for Muslim Indians. Participation in its progress, its protection and its well-being is their religious and human duty, so long as the 'internal compact' (call it Constitution based on Democracy and Secularism) is not violated. □

A.P. High Court On Custody of Stray Animals

Chief Secretary to Government of A.P. and others, Appellants v. P.K. Jain and others, Respondents.

P. V. REDDI AND RAMESH MADHAV BAPAT, JJ.

Prevention of Cruelty to Animals Act (59 of 1960), Section 11 – A.P. prohibition of Cow Slaughter and Animal Preservation Act (11 of 1977), Section 17 – Stray animals – Sale in public auction – Cannot be resorted to when voluntary Organisations were willing to take over such animals, maintain them and account for them.

(Source: AIR 1999 Andhra Pradesh 306)

Ban on Haemoglobin of Bovine Origin

The Supreme Court has prohibited the practice of using bovine-extracted haemoglobin in drugs in a ruling on August 12 declaring it unsafe for human consumption. Pharmaceutical companies have, for the time being, obtained a six-month stay... (In) abattoirs animal blood (continues to be) collected (to be) processed for iron tonics...

(Source: The Indian Express, 19 September, 1999)

Writ in Supreme Court Against Total Ban

The Supreme Court today issued notice to the Rajasthan government on a petition challenging the Constitutional validity of a state Act (probably) banning slaughter of animals.

The petition pleaded that the ban affected the fundamental right of a butcher to carry out his profession (under) Article 19(1)(g) of the Constitution...

(Source: The Hindustan Times, 6 January, 2000)

Awards for Cow Protection

The All India Krishi Gau Seva Sangh has announced two prizes for Cow Protection. Each prize carries a cash award of Rupees fifty thousand and a citation. Any institution engaged in the protection of cows and serving them is legible for the prize...

The Gau Raksha Shaurya Prize will be given to an institution that saves cows from being sent to abattoirs. That institution is also legible for the award that reports to police (or files a case) about any incident related to cow slaughter... The Krishi Gau Seva Prize will be given to an institution that is engaged in scientific research on producing manure of different types from cow's dung and urine...

(Source: The Sansthakul, January, 2000)

... I am against cow slaughter and slaughter of all other animals in principle. I also have been appealing to owners of cows which grow old and dry to care for them. In extreme cases, where they cannot afford to maintain them, they could send them to "Goshalas" which are run by philanthropic organisations and which have been caring for many such cows.

- Swami Agnivesh

Government Statements On Calves Slaughtering

Under Order S.O. 203 dated 15.1.1993, Government has prescribed the age limit of 4 months to 12 months for buffalo calves and above 12 months for buffaloes as also above 9 months in the case of goats and sheep for the purpose of their slaughter for export of meat. Amendment of age limits is not under consideration of the Government. (Source: LSUQ No. 950 dated 3.12.1999 by R.P. Singh)

On Export Price of Meat

It is not possible to accurately compare the price of frozen buffalo meat exported as the prices depend upon type and quality of product exported, international demand and supply. (Trade) competition and (amount?) of substitution goods... Range of FOB prices realised by 5 major buffalo meat exporters (lies between Rs.36 and Rs.59 per kg.

S.No. Name of the Exporter

1. Allanasons, Mumbai
2. Al-Kabeer Exports, Mumbai
3. Arabian Exports Pvt. Ltd., Mumbai
4. MKR Frozen Food Exports Pvt. Ltd., New Delhi.
5. Hind Agro Industries Ltd., New Delhi.

(Source: LSUQ No.1801 dated 10.12.1999 by R.P. Singh)

Demand for Animal Rights Commission

... Unanimously demanded in Delhi on January 1, 2000 ban on meat export and declaration of the Cow as National Animal... Ahimsa Mahakumbha-2000 organised by the Bharatiya Jain Milan...

Acharya Ravindra Muni said (that) India ... should think of setting up an Animal Rights Commission...

Chief Minister of Delhi Sheila Dixit, Former Speaker Delhi Assembly Charati Lal Goel, Justice (Retd.) Guman Mal Lodha, B.K. Modi, Lal Behari Tewari, MP, Swami Agnivesh also attended the function. (Source: The Organiser)

Falling Price of Buffalo Meat in ahmedabad

(Due to) bad monsoon ... prices of bullock and buffalo meat have fallen (in Ahmedabad) from an average of Rs.40 per kg a month ago to an average of Rs.28 per kg now... Most of the slaughter is done illegally... Legally ... according to an ordinance in 1989, the number of buffaloes that can be slaughtered in a week is 212. The figure is based on the 1951 cattle census... (There are) 6.5 lakh non-vegetarians in the city, according to the 1991 census, even though all are not beef consumers...

(Source: The Indian Express, 28 September, 1999)

People donate cows to temples for the sake of doing some good and not for auctioning. So the bovines are to be used for temple purposes or given to Goshalas, where they are taken care of auctioning these animals is in no way correct.

- Jayendra Saraswati Swamigal,
Kanchi Shankaracharya

Government Statement On Urdu Newspapers

The number of Urdu newspapers and periodicals registered with the Registrar of Newspapers for India is 2,767 as on March 31st, 1999, constituting 6.24% of the total registered newspapers.

Government Advertisements

Out of the above, 555 newspapers/periodicals were eligible (and were) released government advertisements in 1998-99...

Year	Amount (Rs. in lakhs)	% Share
1996-97	16.46	4.21
1997-98	23.11	4.54
1998-99	23.79	3.66

Steps Taken to Develop Urdu Newspapers

- ❖ ... In the last 11 months, the PIB has issued 205 features and 3,658 Urdu releases. It also prepares graphics in Urdu.
- ❖ United News of India (UNI) ... special Urdu News Service continues...
- ❖ ...Representatives of Urdu newspapers have been included in Press parties conducted by the PIB, both within the country and abroad.
- ❖ The PIB organised three software computer training courses for Urdu journalists during 1997 and 1998.
- ❖ 4 Complete applications for registration, receiving during Oct-Nov., 1999, are pending...

(Source: LSSQ No. 122 dated 7.12.1999 by G.M. Banatwala)

Shahabuddin's Letter to Minister for Railway, 5 February, 2000

I thank you for your letter No.Hindi-99/RB1/8/7 dated 28.1.2000 regarding the use of Urdu in Railway Stations.

Frankly I do not see why the Ministry of Railways should be guided in this matter by the instructions of the Ministry of Home Affairs. In any case, it is the State Governments and the State Legislatures which declare a language as second or third official language of the State. However, the Census is a public document which clearly brings out the proportion of speakers of different languages, state-wise and district-wise. Since there are wide variations within a state, my plea to you, is that **to facilitate the travelling public, all railway stations in a district, where at least 5 per cent people speak a Modern Indian Language, other than the principal language of the State, should have signboards in that language as well.**

I request you to consider this suggestion.

Correction

The article on 'URDU in India' [Muslim India, 205, January, 2000] is by Prof. C.M. Naim of the University of Chicago and not by Prof. Mohd. Umar Memon of the University of Michigan. It was published in the Annual of Urdu Studies, edited by Prof. Memon. The error is regretted - Editor.

National Council for Promotion of Urdu Language: Composition, 2000

1. Gopi Chand Narang, New Delhi.
2. Jagan Nath Azad, President, Anjuman Taraqqi Urdu, Jammu Tawi.
3. Mohd. Jaleel Pasha, Chairman, All India Urdu Educational Committee, Hyderabad.
4. Asad Madni, President, Jamiatul Ulema-e-Hind, New Delhi.
5. Waris Alvi, President, Gujrat Urdu Sahitya Academy, Gandhinagar.
6. Ali Sardar Jafri, Mumbai.
7. Jaffar Raza, Allahabad.
8. Zahiruddin Malik, Aligarh.
9. Amir Qazalbash, Delhi.
10. Gulzar, Mumbai.
11. Syeda Jaffar, Hyderabad.
12. K.R. Malkani, New Delhi.
13. Man Mohan Sharma, Editor, Punjab Kesri, Delhi.
14. Mohd. Aslam Parvaiz, Editor, "Science", New Delhi.
15. Kalidas Gupta Raza, Mumbai.
16. Badruddin Ali, Editor, "Salar" Daily, Bangalore.
17. Ahmad Sajjad, Chairman, Markaz-e-Adab-o-Science, Ranchi.
18. Mohd. Yusuf Taing, Srinagar.
19. Mohd. Wali Rehmani, Munger.
20. Ahmad Saeed Malihabadi, Editor, Azad Hind, Calcutta.
21. Abul Kalam Qasmi, Aligarh.
22. Khwaja Hasan Sani Nizami, New Delhi.
23. Rafiq Zakaria, Mumbai.

Urdu in Tamil Nadu

Shahabuddin's Letter to Indian Express, 21 December, 1999

Apropos your editorial "Much Ado About Tamil" (20 December, 1999) I endorse your view that the adoption of Tamil as the medium of primary instruction is a step in the right direction because it is the mother tongue of 86.7% of the State's population. The needs of Tamil children will be fully served so long as Hindi and English are also introduced in stages by the time they finish primary education.

However, 13.3% of the population is constituted by Telugu (7.1), Kannada (2.2), **Urdu (1.6)**, Malayalam (1.2), Gujarati (0.4) and Hindi (0.3) speaking minorities. The children of the linguistic minorities have equal right to primary instruction through their respective mother tongue. Tamil should be taught to them at the primary stage but it should not be the medium of instruction for them, purely for educational reasons. The Government of Tamilnadu should, therefore, provide for primary instruction through the medium of mother tongue also for those children, if necessary, by adding sections in some schools located in villages/localities of concentration of linguistic minorities and by aggregating them, within reasonable limits, in selected schools.

AMU: Court Members (Elected as on January, 2000)

Chancellor (ex-officio) : Syedna Burhanuddin
Pro-Chancellor (ex-officio) : Dr. Mumtaz Ahmad
Treasurer (ex-officio) : Nawab Ibne Saeed Khan
Court Members :

Shahid Qamar Qazi, Aligarh.
 Allauddin Ahmad, New Delhi.
 *Majida Asad, Delhi.
 *Obaidullah Azmi, MP, New Delhi.
 *Khursheed Ahmad Khan, Aligarh.
 Mansoor Ali Khan Pataudi, Bhopal.
 G.M. Banatwalla, MP, Mumbai.
 Zafar Iqbal, New Delhi.
 *M. Ali Ashraf Fatimi, ex-MP, Darbhanga.
 Zafruddin Khan Faizan, Delhi.
 S. Farooq, 321-D, New Delhi
 Zafar Alam, Aligarh.
 Shamim Kazim, Mumbai.
 M. Amin, Mumbai.
 Saleem Iqbal Sherwani, MP, New Delhi.
 Manzoor Ahmad, Agra.
 Kalb-e-Sadiq, Lucknow.
 Ishtiaque Husain Quraishi, Lucknow.
 Ammar Ahmad Khan, Aligarh.
 Ibrahim Sulaiman Sait, New Delhi
 Ch. Tayyab Hussain, Jaipur.
 Mohd. Shafi Qureshi, New Delhi.
 Rafique Zakaria, Mumbai
 Sardar Ali Khan, Hyderabad
 Khaja M. Shahid, New Delhi.
 Fuzail Qasmi, Delhi-
 Maqbool Ahmad, Calcutta
 Ghayyur Alam, Advocate, New Delhi.
 Javed Akhtar, Mumbai
 Ziauddin Islahi, Azamgarh.
 Fazalur Rahim Mujaddadi, Jaipur.
 Salim Qasmi, Deoband.
 Nizamuddin Islahi, Azamgarh.
 Wali Rahmani, New Delhi.
 Abdullah Mughisi, Meerut.
 Fahim Siddiqui, Chandigarh.
 K.A. Jalil, Trivandrum.
 Farooq Abdullah, Srinagar.
 Siraj Paracha, New Delhi.
 Ali Sardar Jafri, Mumbai
 Shamsur Rahman Farooqi, Allahabad
 Ishaq Gymkhanawala, Mumbai.
 B. Shaikh Ali, Mysore.
 Ahmad Saeed Malihabadi, Calcutta.
 Omar Farooq, Srinagar.
 Manzoor Alam, New Delhi.

Priya Solomon On Terror in AMU Campus

A gun-toting Vice-Chancellor (VC), a deserted campus... that's Aligarh Muslim University. The university was closed on December 8 following a series of violent incidents, and normalcy is a long way away. While Vice-Chancellor Mahmood-ur-Rahman gets ready to demit office on completion of his term in April, the students hope that the new vice-chancellor will neither be "too lenient" like the last incumbent Prof. Farooqi nor be "dictatorial" like Rehman. Once an IAS officer in Kashmir, Rehman moves around with Z-security and possesses a licensed gun. His bungalow on the campus resembles a fortress.

Rehman ... explained that he kept the gun to protect himself from criminal and hostile forces on the campus.

It was the mid-term exam that started it all... Led by a rusticated student, Jamal Ahmed, a group of 30, allegedly armed, stormed into the examination halls, tore the answer sheets and beat up students who refused to vacate...

... Rehman appeared on the scene during the incident, beat up the students who had created trouble and even brandished his gun. He had reportedly taken out his revolver in another incident in 1995. "The law gives me the right to self-defence," thundered Rehman. "If they (the trouble-makers of November 28) were my students, I would not have feared. But they are outlaws, experts in bomb making, members of terrorist groups, the worst criminals of society."

On December 1, a group of (masked) men stabbed deputy proctor Qayyum Hussain in his house on the campus. Hussain, who was injured on his shoulders and his back, was also beaten up... The police arrested six persons, who claimed to be students of the university...

Following the arrests, angry students obstructed traffic and forced markets and shops to close. Police and paramilitary forces were deployed in the university to prevent further violence. It was then that the VC decided to close the university... What caused the ripple? Surely it is not the university's Muslim base, as some insiders believe. For, even when Aligarh had communal riots, the campus was peaceful. It is also not student politics, as the university does not have a party system... Many students said that Rehman's highhandedness and the control that Jafri, PVC had over him were at the root of the trouble...

(Source: The Week, 9 January, 2000)

Ex-Vice-Chancellors (ex-officio) :

A.M. Khusro, New Delhi. Saiyid Hamid, New Delhi
 Syed Hashim Ali, USA. M.N. Faruqui, Kanpur (UP).

* Elected as Members of Executive Council.

Demonising Christianity and Islam

Extracts from Textbooks in Gujarat/Maharashtra

I

In a chapter titled "Problems of the Country and Their Solutions", the Social Studies, Standard IX text of the Gujarat Board has a section with a sub-heading, "Minority Community"... It reads:

"But apart from the Muslims, even the Christians, Parsees and other foreigners are also recognised as the minority communities. In most of the States the Hindus are in minority and Muslims, Christians and Sikhs are in majority in these respective states".

"The priests of the Catholic church had accumulated plenty of wealth through unjust taxes, illegal fees, ownership of large tracts of land, selling miracles and indulgences. They spent this money on worldly pleasures and immoral behaviour (SS. Std. IX).

"The Christian Church was a part and parcel of this integrated feudal system. Almost half of the land and other property belonged to the bishops or the heads of parishes. The Pope who was the head of the Roman Catholic Church was himself a big landlord. The Church received sumptuous gifts of land from the kings as well as the lords. Thus the Church had amassed great wealth. The Pope, archbishop, bishops and other priests lost their heads, forgot their duties and lived a life of luxury and sensual pleasures" (SS, Std. X).

II

... A recommended third year B.A. textbook for the students of history in Maharashtra. The chapter on Mahmud of Ghaznavi ... reads:

"The advent of Islam might have been a boon to the Arabs who got united under its banner, and were enthused by it to carry on conquests in Asia, Africa and Europe but it has been a curse for the people outside Arab world because wherever the Islamic hordes went, they not only conquered the countries, but killed millions of people plundered their homes and places of worship and destroyed their homes, places of worship and above all their artworks...

The general Islamic belief that political power can be claimed by anyone who can wield power goes not only against the legality of inheritance to throne but encourages intrigues, plots rebellions and assassinations of father by his son, brother by his brother, ruler by his military commander or minister and above all master by his servant, nay, even by his slave.

There might have been some killings of such a type among the people of other religious faiths like the Hindus or Christians but those were exceptions while in the Islamic people these have occurred as a rule, not as

exceptions". ...

"The king of the Ghaznavides, Subuktigin, who started raids on India in the last decades of 10th century AD was a slave of Alptigin, who himself was a slave of Samanid ruler of Khorasan. So it is the slave of the slave who set in process, the Islamic invasion from 10th century AD." ...

"Why these atrocities? Because Islam teaches only atrocities. Have not Islamic invaders done so wherever they had gone, be that India or Africa or Europe? Mahmud returned to Ghazni with a large booty"

The question, however, is how did such a text pass muster and how does it continue to be one of the recommended texts at the graduation level in Maharashtra.

(Source: The Indian Currents, 8-14 September, 1999)

On Saffronisation of History

... The fear of growing national movement made the British rulers distort Indian history for school students. Not only dividing the history of India into Hindu, Muslim and British periods, British historians presented Indian society as based on two mutually opposed and irreconcilable entities, Hindus and Muslims. They also stressed on the atrocities of Muslim rulers on Hindus and their destruction of Hindu temples and forcible conversion and marriage of Hindu women. The intention was to vindicate how tyrannical Muslim rulers were and how the Hindus got back the freedom to pursue their religious beliefs in the British rule. If the deliberate design of saffron brigade in falsifying history is allowed to continue; the integrity of the Indian nation would be in jeopardy once again.

(Panchanan Saha's Letter in the Statesman, 3 December, 1999)

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Mass Base Essential for Educational Development

Shahabuddin's Response to Naseem A. Zaidi

Prof. Naseem A. Zaidi's article "Employment Paradigm for Educated Muslims" (16 January, 2000) like his earlier writings focuses on the higher administrative services and the corporate sector.

Granted that the number of Muslim candidates for the Civil Service etc. Examinations is disproportionately low, we have no statistics which gives the percentage of Muslim candidates in the various stages: the Preliminary, the Main and the Interview. All we have is the number of Muslims in the list of candidates recommended by the UPSC. Therefore, apart from vague impressions, we cannot objectively surmise at which stage the Muslim candidates face difficulties. This is a serious statistical lacunae which flaws Prof. Zaidi's analysis.

The problem for the average educated Muslim is how to get into even Group C and D posts under the Central and State Government. At these levels, the average Muslim candidate is as meritorious as the non-Muslim and if he is rejected, it is basically on account of communal bias. At these levels, the recruitment process is neither so well-structured nor so organised as to eliminate the bias to the extent possible.

In any case, Muslim youth should be encouraged to apply and prepare for other openings in Government and Semi-Government organisations, including the public sector, at non-gazetted levels. Simultaneously we should endeavour to secure reservation for Muslims.

I agree with Prof. Zaidi that private sector which is expanding fast is likely to be less subject to bias but one cannot rule out linguistic, caste and religious preferences when the candidates are roughly of equal merit.

Prof. Zaidi goes off the track by harping on the poor standard of Muslim minority educational institutions. A vast majority of the Muslim graduates are not products of such institutions. They come from government or even from other private institutions.

In my view, what is essentially needed is expansion of the educational base of the Muslim community. If the enrollment in school is high and the drop out rate is low, the community would be in a position to field millions of qualified secondary, higher secondary products and hundreds of thousands of university graduates. This will throw up thousands of meritorious Muslim youth who will, like the youth from other communities, be in a position to enter the job market successfully. If the educational base remains narrow, the representation of the community at all levels, in all sectors, will remain poor.

The Muslim educational agenda must, therefore, give priority to generate a mass movement with the slogan 'education for all' and to provide opportunity and facilities for higher education for the hundreds of thousands who do well at the secondary and, more so, at the higher secondary level. No elitist approach will work if general aversion to education clouds our social landscape.

Human Sacrifice to Propitiate Durga

Soma, an Adivasi youth is believed to have killed a seven-year-old boy in Ramda Hamlet of West Singhbhum district in Bihar on December 18 to propitiate goddess Durga... Soma, it is believed, offered Vijay's head as offering hoping that his son Radhe who died at the age of 5 years last year would come back to life...

Such human sacrifice is not restricted to the Hos alone in this largely illiterate area. Other tribes such as Munda and Santhal are also believed to carry on the practice...

Couple Killed for Inter-Caste Love Affair

A young couple was killed just because they were in love with each other... In village Rajpura, District Bulandshahr ... family members of both the boy and the girl hanged them to death and made an unsuccessful attempt to cremate them. Police ... took the half-burnt bodies in its possession from the pyre...

In the village, the officers found most of the males absconding while the females and children were not ready to speak even in a single word about the incident.

(Source: The Hindustan Times, 30 January, 2000)

Naved Zahir on Another 'Hindulim' or 'Muslindu' Family

A ... 'Muslim' family in Bihar, which goes by Hindu names and worships Hindu gods, is keeping alive a bizarre tradition of catching snakes that challenges scientific fact.

Suresh Nat (35), also known as Khurshid, is reckoned to be the most skilled practitioner of the art, known locally as saanp kadna or snake hypnosis. It involves mumbling mantras that locals believe have magical powers and force snakes out of their hiding places... Nat and his family are much in demand in the viper-infested area near Shakrawan village of Nalanda district...

Rumpus in JNU on Buffalo Meat

... (Some) students (of the JNU) are outraged over the staff allegedly serving beef in the canteen. However, the cooks and another section of students say it is buffalo meat and that they have been savouring the dish for years now...

Samples of the dish were seized by the Vasant Vihar police... The forensic report is awaited.

Students on the campus have formed three distinct groups over the beef issue. While one group wants beef banished from campus, another is championing student's right to have whatever he or she likes and the canteen's right to serve the same. The third group ... is towing the middle line.

"...Every Saturday, the canteen has been serving beef unofficially... However, it has not taken permission from the canteen committee... Now, the whole thing should be legalised... "Selling buffalo meat is legal. Cow slaughter is an offence," said P.K. Bhargava, deputy commissioner of police, South-West...

(Source: The Indian Express, 23 November, 1999)

Jamia Millia

Rajeev Ranjan Roy's Report in The Meantime, Bangalore

At the turn of the new century, Jamia Millia Islamia University has a militaryman, Lt. Gen M.A. Zaki (Retd.) as its vice-chancellor (VC). By any yardstick, this is not a good omen for an academic institution, which had been founded on a liberal ethos...

Spread over 200 acres, the Jamia is at present home to over 12,000 students. The ills that have crept into this erstwhile magnificent centre of learning are enormous. Says a former professor Jamia: "Since the early 1960s, the Jamia has been reeling under corruption, favouritism and nepotism. Ultimately, these shattered the very academic fabric of the university. From time to time, efforts were made to maintain its dignity as a central university, but without much success". Though the present VC is said to have cracked his whip on such practices, most teachers feel that these have taken a more surreptitious form. Classes have become truly rare. A number of teachers are said to be running their own private businesses. "Truant teachers are not new in Jamia... claims a senior professor. "Teachers close to the power centres of the university are a law unto themselves... A university functionary adds that such practices are common especially in departments where there are very few students.

In fact, the Jamia is being treated as a private fiefdom by a section of teachers, most of them from the Aligarh Muslim University. Those from other universities like the Jawaharlal Nehru University and the Delhi University are a microscopic minority. "This crossbreeding between the Jamia and the AMU is a threat to the university's healthy atmosphere...

Jamia's administrative set-up is ravaged by fissures. Says a former professor of Jamia: "People from Aligarh and Meerut have virtually usurped it. They fight to have their say in every affair". For the teaching community, it is indeed an ominous sign.

Another disturbing development is the growing chasm between students from Bihar and eastern Uttar Pradesh... Then there is the growing rift between Muslim and non-Muslim students...

The university has other more palpable shortcomings like poor hostel accommodation inside the campus. For the 12,000 strong student community, there are just four hostels... Of these, even the largest, the S.R.K. Hostel, can accommodate only 200 students. But, the administration is yet to come up with plans for building a few more hostels, despite the availability of land...

A large tract of university land has been under possession of encroachers right from the 1950s. According to a rough estimate, the Jamia has already lost landed property worth over Rs.100 crore apart from the land under dispute. Former vice-chancellor A.J. Kidwai tried to recover some of it without success. The present VC has

recovered 47,000 square yards of the land so far.

There is no record with the university authorities on the amount of land under unauthorised encroachment... To boot it all, the local populace manages to butt its nose in the day-to-day functioning of the university. Till 1952, Jamia was a voluntary organisation, surviving on donations from local Muslim leaders and organisations. After that, it began receiving government grants, and in 1958 was accorded the recognition of a central university... The Muslim leadership is yet to reconcile to losing control over the institution, a prime reason behind the endemic tension in the Jamia...

There are obvious signs of degeneration everywhere in the university that came into being in response to a call by Mahatma Gandhi to boycott all British aided educational institutions. Stalwarts like Maulana Mahmud Hasan, Hakim Ajmal Khan, Dr. Ansari and Dr. Zakir Hussain put their heart and soul into its growth. Today, Jamia is a shattered dream, promoting rank vice and pettiness in the name of higher education. "It is not the Jamia its founders had dreamt", says an old timer.

A.W.B. Quadri, who was with the Jamia's Department of Education from 1953 to 1992, does not mince words when he says that the university is in no way comparable to other central universities in the country. "Without any commitment and devotion, how do you expect Jamia to scale new heights of success?"...

(Source: The Meantime, 11 November, 1999)

(Contd. from Page 128)

under unlawful occupation, revenue village by revenue village, Tehsil by Tehsil and District by District. The Report should indicate the present condition and the status of legal proceeding, if any, in respect of each property.

I may add, however, that while the PWB may be inefficient and corrupt, thus providing an opportunity for the continuance of unlawful occupation, it does not legitimise it. **The law is on our side and all it needs to set the ball rolling is the appointment of a concerned and honest officer** as the Administrator, who will not surrender to political pressure. What is also needed is public pressure to be generated by papers like yours and Muslim organisations throughout the country to appoint a proper Board under the Wakf Act, 1995.

The Wakf properties, being squandered in Punjab, Haryana and Himachal Pradesh are the responsibility of Muslim Indian community, as a whole. There are very few Muslims in the area to have the necessary strength or weight to protect or preserve them. And the properties are valuable enough to generate income for Muslim educational development all over the country. To this extent, their protection and legal utilisation should be a common concern of all Muslims of the country.

Government Statements On Infiltration

A large number of infiltrators have entered the country. The infiltration mainly takes place through the Indo-Bangladesh and the Indo-Pakistan borders/Line of Control. The year-wise figures of infiltrators intercepted by BSF is as follows:

1997	15166
1998	6659
1999 (upto 20 Nov.)	5880

... Recommendations of the Governor (of Assam to the President) have been sent to the State Government of Assam for appropriate action...

The Govt. of India is committed to complete the border fencing in Assam at the earliest. Fencing of 152.3 kms of Assam – Bangladesh border including 71.72 kms in Karimganj district has been sanctioned. Out of this, about 140 kms border has been fenced as on 31.10.1999. Fencing for additional 71.5 kms of Assam – Bangladesh border, including 35 kms in Karimganj district is planned in the IIInd phase. The matter has been taken up with the Government of Bangladesh ... at various levels.

... On various occasions ... it has been reiterated to the Government of Bangladesh at various levels to adhere to the ground arrangements between the Border Security Force and the Bangladesh Rifles for accepting illegal Bangladeshi nationals handed over to Bangladesh Rifles from time to time by the Border Security Force.

(Source: LSUQ No.1161 dated 6.12.1999 by R. Athawale & 2 Others)

On Deportation of Bangladeshis

No assessment of the presence of Bangladeshis in Bihar, Uttar Pradesh and other States has been made by the Central Government. The State Governments and Union Territory Administrations have been directed from time to time to detect and deport Bangladeshi nationals staying illegally. Most Bangladeshis reportedly infiltrate into India for economic reasons... Ground arrangements exist between Border Security Force and Bangladesh Rifles for deportation of those illegal Bangladeshi migrants detected in India.

(Source: LSUQ No.995 dated 6.12.1999 by A.K.S. Chandel & 3 others)

PUCL: National Conference, Jaipur, 24-25 April, 1999

Resolution on Deportation of Bangladeshis

...The Determination of Illegal Migrants Tribunal Act, 1983 ... provided a procedure to determine the illegal immigrants by an independent tribunal before departing any person from the country.

The Act provides protection against the high handedness of the executive authorities and ensures rule of

Government Statements On Sectarian Conflicts, Jan., 97-6 Dec.,99

State	No. of Communal Riots
Andhra Pradesh	1
Bihar	2
Gujarat	2
Karnataka	3
Tamil Nadu	4
Uttar Pradesh	3
All Other States	NIL
All Union Territories	NIL
Total	15

(Source: LSUQ No.1001 dated 6 December, 1999 by H. Mollah)

On Atrocities on Christians

... The Central Government is taking the following steps to maintain communal harmony and peace in the country:

1. Providing assistance to the State Governments for improving their policing infrastructure, besides sharing intelligence with them.
2. ... Constitution of a special force, called Rapid Action Force, for assisting the State Governments in controlling communal situations.
3. Guidelines ... issued from time to time, drawing the attention of the State Governments to the need for taking action against persons spreading ill-will, hatred or disharmony between members of different communities.
4. (Advice to) Chief Secretaries of some sensitive States ... to issue suitable instructions to the district law and order authorities to respond immediately to the complaints of atrocities/harassment of the minorities and initiate prompt and effective action to identify and punish the guilty persons.
5. The Government is firm that acts of violence against the minority communities, whenever and in whatever form they occur, must be dealt with sternly and exemplary punishment awarded to the perpetrators.

(Source: LSUQ No. 986 dated 6 December, 1999 by G. Mukherjee)

law. Recently certain communal forces have again begun a tirade against alleged Bangladeshis and demanded immediate deportation ... particularly (those) who belong to minority community. In response to that the Government came out with a statement that it is proposing to repeal the aforesaid Determination of Illegal Migrants Tribunal Act, 1983.

The Conference strongly opposes any move to repeal or amend the said Act and resolves that before deporting any person from the country, a procedure, established by due process of law must be adopted.

(Source: The Human Rights Today, Autumn 1999)

MONUMENTS

Lalit K. Jha

On Participation of Corporate Sectors

At long last, the unfathomed glory of the historic monuments of the Capital is all set for a grand resurrection with a new participatory approach chalked out by the Archaeological Survey of India.

Under the new scheme, the private sector, non-governmental organisations and a host of other agencies have been roped in a big way to bring back permanence to the decaying monuments on Delhi's landscape.

The Indian Oil Corporation ... has shown keen interest in giving Rs.10 crores for restoring the historic Qutab Minar – a World Heritage site – to its original glory and the Punjab and Sindh Bank has expressed its willingness to fund the conservation and maintenance of medieval monuments in Lodhi Gardens and those in and around Purana Qila.

While the Gas Authority of India Limited has offered to floodlight the Shershah Suri Gate and the Khairul Munjair Mosque near Delhi Zoo, Park Hotel is actively considering sponsoring the revival of Jantar Mantar floodlights.

... The Capital, according to the ASI, has 156 monuments and more offers and requests are trickling in. a formal agreement for all these proposals is yet to be signed.

The "overwhelming response" for private participation in the conservation and preservation of monuments comes after the Ministry of Culture and the ASI launched a campaign through the newly established National Cultural Fund...

A number of presentations have been made before members of the Federation of Indian Chamber of Commerce and Industries, the Confederation of Indian Industry, the Hotelliers Restaurant Associations and similar organisations.

... The concerned groups who give money for conserving India's heritage (have also been) given incentives ... in the form of 100 per cent tax exemption, reasonable space for advertisement inside and outside the monuments (and) on the tickets or on its brochures.

(Source: The Statesman, 4 December, 1999)

Restoration of Manek Burj in Ahmedabad

Manek Burj, believed to be the site where Sultan Ahmed Shah laid the city's foundation about 600 years ago, will witness a strange paradox. While a part of this historic monument is being demolished for the widening of Ellisbridge, the rest will be salvaged by removing the sand under which it has long been buried. It will then be renovated and developed as a heritage site...

(Source: Sachin Sharma in The Indian Express, 9 February, 2000)

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The Good Earth: A Paean to Composite Culture

"Lucknow: Fire of Grace by Amaresh Misra" Review by Saeed Naqvi

A quest for the colour of Indian nationalism betrays a realisation that it is not quite yet an identifiable quantity. From this perspective, is the hard saffron of the BJP merely a prescription or an established identity? If the Sangh Parivar has identified hard saffron as the only colour which defines Hindustan, then it devolves on the Parivar to spell out how it arrived at this conclusion. It will have to substantiate the claim by solid scholarship and not fall back exclusively on folk lore and myth. Its claim, for example, that Ram was born exactly at a particular spot 5,000 years ago does not qualify the test of scholarship.

If, on the other hand, the Parivar has settled for hard saffron as a prescription to glue the nation together from Kashmir to Nagaland and Kanyakumari, forcible administration of it will be resisted by the various regions and states. This aggravation of the centrifugal pull is a consequence exactly the opposite of what the Parivar intended.

The remarkable achievement of Amaresh Misra's book, *Lucknow: Fire of Grace*, is precisely this: without being overtly political the book, sometimes by hint and innuendo, raises these important questions.

The affection with which he approaches his theme speaks volumes for his intentions. He sees Lucknow both as a metaphor and fact, once a living tradition, now lost in the haze of change; something with elements that deserve to be rediscovered and emphasised and not simply relegated to the realms of nostalgia.

Indeed, without saying it is so many words, Amaresh Misra accepts the proposition that the soul of Hindustani civilisation must be divined, its hard core found. He then proceeds to offer his compelling thesis that this critical equilibrium of the Indian soul is best represented by the composite culture which was, and to some extent still is, Lucknow's strength.

"Lucknow's richest spoil", Misra writes, "is its composite culture: that cultural strain which, for centuries, welded together diverse communities, religions, ways of life and thought to finally showcase an idea and praxis of Indianness."

"Ironically, the composite harmony, projected by the Indian ruling elite as the basis of national unity and secular temper, found an echo in the Indo-Gangetic plain, a perceived centre of religious discord".

The story of Lucknow is told from its earliest phase to the contemporary period with special emphasis on the period 1722 up to 1947, the beginnings of the Nawabs of Avadh (Burhan-ul-Mulk: 1722-1738) ... to independence which, sadly, also happened to be the partition of India.

Rekhta, ghazal, qasida, soz, nauha, marsia, nazm, rubayi – all forms of Urdu poetry are informed by that certain Indianness which was the essence of Avadh,

Lucknow, Urdu. The tragedy of Karbala was Indianised by the great epic poet Mir Anis in his marsias. The ladies of the Prophet Mohammad's family wear sandalwood in the most unself-consciously Hindu fashion.

Likewise in music – thumri, dadra, kajri, chaiti, khayal expressed the very soul of Hindustaniat or "Indianness" and were enriched by Hindus and Muslims alike. Scholars may find flaws with the book... But no one can question his sincerity in searching for an Indian identity neither in Nehruvian secularism nor in hard saffron but in the more eclectic traditions of Hindustan.

Review by Khushwant Singh of Vibhuti Narain Rai's 'Curfew in the City'

Fifty-year-old Vibhuti Narain Rai is a senior police officer, editor of the Hindu magazine *Vertman Sahitya* and a novelist. A few years ago the National Police Academy of Hyderabad granted him a Fellowship to study communal prejudice in our police force. His findings shook everyone. After examining Hindu-Muslim riots in different parts of the country, he proved by statistics that deep anti-Muslim prejudices exist in our police force; that well over 75 per cent of the loss of life and property was always suffered by the Muslims (in some places 90 per cent) and yet many more Muslims were arrested and their homes searched than Hindus. Nevertheless the myth that Muslims start riots and cause mayhem persists. Personally I was heartened to read Rai's report: it was an honest expose of true facts and it was written by a Hindu scholar castigating his own service and his community. Such courage is rare and deserves to be commended.

Rai has had to deal with many Hindu-Muslim riots including one not long ago in a suburb of Allahabad between poor Muslim beedi-makers and comparatively better-off Hindu neighbours. He used his first-hand knowledge to write a novel *Shahar Mein Kurfew*. It was reprinted three times and serialised in some Hindi and Urdu journals... Ashok Singhal, Secretary of the Vishwa Hindu Parishad, called for a ban on the book and threatened to burn down cinemas that screened the film (based on it). The novel has been translated into English by C.M. Naim, Professor of Urdu in Chicago University: *Curfew in the City* (Roli books).

Curfew in the City is a powerful novella (109 pages). It is an eye-opener which will disturb the reader's conscience...

... As long as we have men like him to tell the bitter truth, there is hope that our country will overcome communal hatred and emerge as a truly secular society – not only *naam kay vaastey*...

(Source: The Nation and the World, 1 January, 2000)

Forgotten Chechens Face Extermination

Foreign Editor Eric Margolis in Toronto Sun, 23 January, 2000

... Look at Grozny and you see a second Warsaw Ghetto. Like the valiant Jewish defenders who held off the might of the Nazi SS, Chechens, another forgotten people facing extermination, are fighting to the death against impossible odds.

I have been a combat soldier and have covered 12 high-intensity wars from the front, but I have never seen anything that equals the heroism and boundless courage of the Chechen mujahedin. For the past four months, 5,000 lightly-armed Chechen warriors fighting on flat, open terrain that favours air, armour and artillery, have held off 160,000 Russian troops, backed by regiments of heavy guns and rockets, helicopter gunships, ground attack aircraft, and thousands of tanks and armoured vehicles. Russia's generals have repeatedly vowed to "exterminate" the Chechen. All Chechen males from 6-65 are being thrown into concentration camps.

Chechen mujahedin, most without any formal military training, have no heavy weapons and are chronically short of radios, anti-tank rockets and even small-arms ammunition. There is almost no medicine or morphine for their wounded, and no shelter from massive Russian bombardment that includes banned fuel air explosives, toxic gas, and napalm. If taken alive by the Russians, they will be tortured, then executed...

Grozny – which Russian generals vowed to storm by early December, and President Vladimir Putin promised to take by New Year's – still holds out...

Mujahedin are defending every ruined building and mined street while some 40,000 civilians cower in cellars under non-stop Russian shelling. Still, overwhelming Russian numbers and firepower must eventually prevail. Losses are high on both sides – about one Chechen for every four Russians...

So 1.5 million Chechen defy 146 million Russians – as these Caucasian mountaineers have done for the past 250 years. The Chechens who today defend Grozny are the children of a nation that three times nearly has been exterminated by Russian genocide – in the 18th, 19th and 20th centuries, the last when Stalin had tens of thousands should and the remainder of the Chechen people deported to Siberian concentration camps.

In the first Chechen war, 1994-96, Russia killed 100,000 Chechen civilians, razed much of the small country, and, in an act of monumental terrorism, scattered 17 million anti-personnel land mines across the tiny nation.

Russia was driven from Chechenya in 1996, but its hard-liners and communists vowed to "exterminate the Chechen bandits". Their man Putin's first act as president was to declare a crusade – blessed by the Russian Orthodox Church – against Chechenya. Moscow demanded revenge for 1996...

The Clinton administration, which is largely financing

Russia's genocide in Chechenya, supplied Russian attack helicopters with advanced U.S. night-vision devices – "to combat terrorism", says the White House...

If the West's response to Russia's Mongol-like behaviour in Chechenya has been shameful and hypocritical, the (Muslim) world's reaction is even more disgraceful. Important Muslim (States) – like Egypt, Malaysia, and Iran – are negotiating arms and aircraft deals with Russia. No Muslim state has dared challenge Russian brutality or anti-Muslim racism... China, which oppresses its own Muslim peoples and Tibetans, loudly applauded Russia's final solution in the Caucasus.

Those who (see) a monstrous crime and do nothing share guilt for it. We begin the 21st century watching silently as a brutish Russia, which knows neither shame nor mercy, crushes the life out of a tiny but heroic people who refuse to bend their knees to Moscow's tyranny.

Government Statement On Taliban

During the debate on the situation in Afghanistan in the Security Council on August 29, 1997, the Indian Representative in his statement demanded that the Security Council must take meaningful and effective measures against the Taliban... Since then the Security Council has adopted Resolution 1267 on October 15, 1999 proposing sanctions against the Taliban. These sanctions have gone into effect on 14th November, 1999. The sanctions include denial of permission for any aircraft owned, leased or operated by or on behalf of the Taliban to take off or land in the territory of any Member State. The sanctions also involve freezing of funds and other financial resources which are owned or controlled directly or indirectly by the Taliban.

India has called for cessation of interference in Afghanistan from across the Southern border. The Security Council has also called for cessation of outside interference in the internal affairs of Afghanistan.

(Source: LSUQ No. 1552 dated 8.12.1999 by V. Muttemwar)

Canada: Anti-Islam Bias in Media

Canadian media continue to discriminate against Muslims by identifying them and their religion with violence, reports The Toronto Star citing a year-long study. The study found 350 stories out of about 1,300 news stories carried by seven daily Canadian newspapers during the year ending in August – about one in four – made irrelevant or unfair references to Muslims.

"Muslims are often portrayed as violent people and we believe that can lead to increased hate crimes against Muslims", said (the head) of the second annual "Anti-Islam in the Media" Study by the Canadian Islamic Congress....

(Source: The Radiance Viewswweekly)

The Economist, London

On the Surge of Islamic Modernism in the Middle East

The 20 years that have passed since the world's one billion Muslims crossed into Islam's 15th century have been momentous, witnessing a sleepy faith transformed into a global force. A new religious radicalism spread from the Islamic heartland to the periphery, challenging not just governments and social conventions, but secular, rational tenets. The violence of a tiny minority of Islamists alienated other faiths as well as fellow Muslims, provoking war and internal oppression as governments responded to what they sensed was an elemental threat to their legitimacy.

Spasmodic violence continues; in some parts of the world, it may even be increasing. But in the Middle East, the fountainhead of political Islam, a gentler form of Islamic modernism seems to be gaining ground. The trend can be seen most clearly in Iran, where revolutionary zealots are fighting a rearguard campaign against the reformist camp. Similar inter-Islamist struggles go on in the Arab world... But the Arab struggle is on a subtler level than in Iran since most Arab regimes have driven political Islam underground.

In Egypt, where the roots of the movement run deepest, influential Islamists are now softening their tone, calling for reform instead of revolution, and an Islamic "framework" for society rather than a rigid Islamic state. "There is a new generation, even in Saudi Arabia, that sees the radicals as backward," explains Aboul Ela al-Madi, an Islamist who left the old-school Muslim Brotherhood to form the still unlicensed Centrist Party. "We want to be seen as an opposition force and not as a resistance movement, and to work from within the system rather than seek to overthrow it".

Significantly, some leaders of the militant groups that waged a campaign of terror in the early 1990s have now followed al-Madi's lead and applied to form legal parties. The move represents not only an appeal to the Egyptian mainstream, but an ideological shift. Previously, the radicals had rejected the very concept of democratic politics as un-Islamic.

The Egyptian government has shown little sign of softening in return... Like other ruling establishments, Egypt's still feels that Islam has no place in politics.

Although political Islam has largely been barred from politics, the Islamist renaissance has prompted governments to take seriously their role as guardians of Islamic practice. Evidence of this comes from the courts... The more notorious rulings have seen self-declared Muslims branded apostates for seeking to reinterpret fundamental principles of the faith.

For many Muslims, this prosecutorial intent represents the crux of the problem. Even as Islamists moderate their tone, the essential contradictions in their ideology have yet

to be ironed out. Islamists of all stripes condemn the separation of religion and state as a western, secular aberration. Yet the implications of fusing religion and state remain ominous for Muslim dissenters or religious minorities.

Islamists also unite in calling for the application of Islamic law, yet they cannot agree on what exactly this law consists of... Islam's main text, the Koran, is regarded as the actual word of God necessarily assigns a paramount place to the interpreters of this text. But who is to choose the interpreters? And who is to say what the "correct" interpretation is? Egypt's Parliament has just passed a law giving women fuller rights to divorce. In the debate both reformists and conservatives claimed to have religious law on their side.

The biggest challenge, al-Mahdi believes, is to agree on the boundaries of Islam. Attempts like his own to broaden the ground of agreement have led conservatives to accuse the new Islamists of diluting the faith. "We often find ourselves between two fires", he says, "the lack of a democratic state where we can express ourselves, and the risk of treading on what other Islamists feel are sacred principles".

Because of such tensions, the strongest glue holding the Islamist movement together – aside from the declaration of faith – remains the perception that Islam faces enemies. And, sadly, there is still no shortage of evidence that can be produced...

(Source: The Economist, 29th January, 2000)

USA: Beards Permitted

The US Supreme Court on October 4 refused to hear an appeal from the City of Newark, N.J., effectively upholding a federal appeals court decision to block the Newark Police Department from disciplining two Muslim officers, Faruq Abdul-Aziz and Shakoor Mustafa, who refused to shave their ... beards. The two Muslim officers had challenged a Newark Police Department policy requiring officers to shave their beards, saying that the department interfered with their religious practices. They sued the City of Newark when they were threatened with termination for refusing to shave.

(Source: The Radiance Viewswweekly, 17-23 October, 1999)

USA: Compensation in Hijab Case

An American jury awarded \$125,000 to each of two Muslim women ... who were arrested at a supermarket in Norfolk, Virginia in 1996 while wearing *hijab* (veils).

The jury concluded on October 1, 1999 that (the police officer) was liable for concluding that the women's veils violated a state law against wearing masks in public...

(Source: The Radiance Viewswweekly, 10-16 October, 1999)

All Religious, Linguistic and Regional Groups Demand Identity and Dignity Shahabuddin's Letter to The Organiser, 11 February, 2000

Apropos Shri J.C. Bose's letter "Minorityism in Secular Bharat" (Organiser 21 February, 2000) the Muslims in India, do not constitute a nation but they do constitute a distinct religious community. Their self-conscious identity as a religious community does not detract from their duty or right to be 'equal partners' to transform India into a strong and prosperous country. This transformation does not require the various identifiable sections of our people – identified by religion, caste, race or language – to lose their identity or to assimilate themselves into the dominant religion, caste etc.

Every identifiable community, whether a religious or a linguistic or a regional or a caste group – participates in politics not only to serve the people **as a whole** but also to protect and promote its legitimate aspirations and interests. This cannot be dubbed as 'communalism' or 'separatism'. Simple majority rule works in a homogenous society but when there is scarcity of resources and there are many identities in a heterogeneous and plural society it does not work. This is because a majority associated with a religion or a language or a caste etc. tends to become a permanent majority and becomes unmindful of the rights,

interests and aspirations of the other groups which constitute minorities.

The Muslim community, which constitutes the largest minority group, has its own family laws and customary practices, based on, and inseparable from, its religion. Hence a democracy which treats all religious groups equally, has to respect such laws and practices. Indeed the Hindu community has its own Hindu Code.

Apart from this, the Muslim minority does not enjoy any special rights and privileges which are not available to the Hindu majority. The right to establish educational institutions of their choice is available to all religious groups in practice. **There is no such thing as Minorityism - it is a figment of the majoritarian imagination.** Minorities which are well treated are a source of strength for the nation; only when minorities are ill-treated or oppressed or sought to be assimilated against their will, does Balkanisation loom on the horizon. **If the rights, interests and aspirations of various communities are not protected, it may lead to emotional Balkanisation, even when physical Balkanisation is not possible.**

Y. Chinna Rao on Dalits and Tribals as Non-Hindus

... Dalits and tribals were never Hindus. Traditionally, Dalits, known as panchamas, bahyas and outcastes, were outside the caste order... The sudden rhetoric displaying love and brotherliness for the Dalits by Hindu narcissists reveals the desire to hold their hegemonic social structure intact by incorporating Dalits and tribals into a social system which had no space for them till the missionaries, and more specifically the Britishers, came to India. The sudden aggressive mood and the claim that Dalits are a part of Hindutva is the result of insecurity arising from the loosening of Brahminical dominance.

... It is also pertinent to note that the interests of the Dalits and the Hindus are antagonistic to each other. Even before the arrival of Aryan immigrants, Dalits and tribals had an independent culture, highly democratic in nature. The religion, beliefs, customs and ideals of Dalits and tribals have been the very anti-thesis to the inegalitarian, exploitative and repressive culture of the Hindus.

How the Dalits came to be defined as Hindus is a question the VHP and their associates have yet to answer. The Dalits and tribals have always been outside the pale of the chaturvarna scheme of stratification. They are in several places not allowed to enter Hindu temples, not served by Hindu priests, and not allowed to read the "sacred" texts of Hindu religion. Then how can one count them as Hindus?

Numerous writings of foreign travellers and works of anthropologists show that before the advent of Christianity in India, Dalits had a religious system of their own. Dalits are concerned with their local village goddesses... Other than the local village goddesses, they worship kuladevata (caste deity) and Inti devata (family deity). Later these

traditions were incorporated as "little" traditions...

... With the introduction of separate electorate, communal statistics gained greater significance. Communities became increasingly conscious not only of their own numbers but also those of the other communities... In this period Dalits were used by the politically motivated caste Hindus. The census proved to be a blessing in disguise for the Dalits whose numbers came to be decisive in the political life of the country. Centuries of neglect began to be gradually replaced by a cautious handling of them by the Hindus, only to be incorporated as marginalised Hindus.

The Muslims started emphasising the independent identity of Dalits out of the fear that the Hindus will emerge numerically stronger by assimilating them. Thus, the Muslims took the bold step of suggesting that Dalits should not be enrolled as Hindus. That was when Dr Ambedkar suggested alternative terms like "Protestant Hindus" or "non-conformist Hindus". Through his Dalit uplift programmes in the 1930s, Gandhi tried to consolidate the Hindu society on the basis of chaturvarna system, and the Dalits were the losers. When Christian missionaries realised that the incorporation of Dalits into the Hindu fold was the strongest obstacle to spread the Christian faith, they adopted a new policy to change their way of life by establishing schools and colleges, and by introducing social reform among the Dalits. The Dalits saw the contrast between caste Hindus and the missionaries. It is not the missionaries who converted the Dalits. It is the Dalits who opted for a religion of compassion and concern...

(Source: The Hindustan Times, 20 Jan., 2000)

Chronology of the Month

(16 January – 15 February, 2000)

NATIONAL AFFAIRS

Government: *Government of Gujarat lifts ban on government servants joining or participating in activities of, RSS with HM Advani's approval. Gujarat H.C. admits petition, issue notice (23 Jan).

*UP and Himachal Pradesh follow Gujarat example.

*Cong(I), CPI(M), CPI protest and accuse BJP of subverting Constitution. President seeks clarification (4 Feb).

*Coalition partners – DMK, TDP and Samata also express misgivings.

*PM Vajpayee sees no objection as RSS is not 'a political outfit but socio-cultural organisation'. Kalyan Singh criticises PM (8 Feb).

*Muslim organisations protest move as step towards saffronisation of public administration.

*RSS softens stance; Vajpayee assures central ban to stay (14 Feb). Agrees to talk with allies (10 Feb).

*RSS agrees not to press issue (15 Feb).

Religious Freedom: *UP Religious Buildings Bill (See Text) referred by Governor to President for assent (3 Feb). *Cong, CPI(M), CPI vow to oppose Bill.

*UP Government justifies Bill to severe linkage between ISI and Madarsas and Masjids.

*Massive protest by Muslim organisation and institutions throughout country. Eminent Muslims request President to withhold assent [See Text] (7 Feb). AIMPLB calls for joint action by all religious minorities (8 Feb). JUH, Milli Council, IUML press with withdrawal.

Hidden Agenda: *Sangh Parivar seeks legitimatization of RSS; shows its fangs, and acts as Culture Police.

*Sangh Parivar emerges as extra-constitutional power. Parliamentary Committee seeks status paper on RSS (9 Feb); Scuttles shooting of film 'Water' on Hindu widows in Varanasi, denounces observance of Valentine Day (14 Feb), closes down fashion show in Gujarat (14 Feb), humiliates Goa teacher for setting question.

*Soz and Shahabuddin see steady implementation of RSS hidden agenda [See Statements].

Scoffs at hijack deal; calls Hindu passengers and the pilot coward.

*Calls upon Vajpayee not to sign CTBT.

Government: *Uma Bharati's resignation accepted.

Constitution Review: *Notwithstanding massive public reservation, and opposition of Congress and CPI(M), Government establishes 11 Member Constitution Review Commission with former Ambassador Abid Hussain as a member (13 Feb).

*Christians and Muslims express fears of erosion of minority rights (15 Feb).

Assembly Elections - Bihar: *BJP-led NDA contest Bihar Assembly election on common manifesto; secular forces divided in 3 camps led by RJD, CPI and Congress.

Exit polls on first phase (12 Feb) gives lead to NDA. Congress likely to suffer reverses all over.

Small States: RJD leader Laloo Yadav proposes tribal majority Jharkhand carved out of Bihar, Orissa and MP (8 Feb).

TADA: *Law Commission confirms effective anti-terrorism law to replace TADA on the anvil (13 Feb).

ISI Score: *ISI reported to be active in 23 districts of UP and specially on Nepal border.

Party Politics: *Kalyan Singh rules out rejoining BJP.

*A.P. ex-MP Kamaluddin Ahmed joins BJP.

*M. Afzal, ex-MP joins Congress.

Reservation: *Sonia Gandhi presses for constitutional amendment to provide reservation in promotion to SC/ST (20 Jan).

*Law Minister Jethmalani reiterates commitment to Women's Reservation Bill and denies sub-quota for OBC or Muslim women (19 Jan).

Minorities Welfare: *Maharashtra decides to re-establish State Minorities Commission (14 Feb).

Electoral Registration: Delhi H.C. asks ERO to explain deletion of 12,000 Muslim voters from Matia Mahal, Delhi (15 Feb).

Infiltration: *West Bengal plans border detention camps for Bangladesh infiltrators (10 Feb).

KASHMIR QUESTION

Insurgency: *Hizbul Mujahideen gives details of attacks and encounters during January (2 Feb). Train blasts, encounters and attacks on security forces continue.

Political Development - Autonomy Report: *J&K Government endorses and forwards Autonomy Committee Report to Centre, demands restoration of pre-1953 status (20 Jan). Minister Sagar calls independence as only alternative option (1 Feb). BJP opposes proposal; Hurriyat calls it political gimmick (13 Feb). Union Minister from Jammu slams State Government (3 Feb). BJP calls Article 370 itself dead letter and rules out more autonomy (9 Feb).

*Farooq Abdullah takes tough stand and sees autonomy as vital precondition for State remaining with India (14 Feb).

*On Hurriyat's call Valley observes Maqbool Bhat's death anniversary with total bandh.

*Pandits, Ladakh Buddhists and Jammu Students demand reorganisation of State (5 Feb).

Indo-Pakistan Relations: *Major clash on LoC (22 Jan). Both sides blame each other. India rejects Pakistan charge of violation (24 Jan).

*Indo-Pakistan Forum for Peace and Democracy urges resumption of dialogue (1 Feb).

*South Asian intellectuals call for revival of Lahore process (1 Feb).

*VHP calls for attack on militant bases in PoK.

CHRONOLOGY

*Pak-based militants plan final offensive (5 Feb).

*F.M. Jaswant Singh rules out talks until Pakistan stops support to cross-border terrorism and silences cry of Jihad (20 Jan). Reiterates stand (13 Feb).

P.M. Vajpayee vows to take back PoK (6 Feb).

Foreign Reaction – USA: *Senators Doshche and Reid, after visit to India, call for increasing US involvement in Kashmir dispute. Ask India to normalise ties with Pakistan (21 Jan). Senator Johnson follows suit (23 Jan).

*Musharraf urges Clinton to play a role in resolving Kashmir issue (23 Jan).

*Clinton's offer help for resumption of bilateral dialogue (4 Feb). Musharraf offers to meet Vajpayee on Kashmir. India rejects offer as rhetoric (7 Feb). Clinton expresses concern over tension (9 Feb). Pakistan F.M. claims that Clinton may host India-Pakistan Summit.

*Vajpayee warns USA against meddling (12 Feb).

*US finds no evidence of Pak complicity in hijacking (21 Jan) but asks Pakistan to curb militant groups and arrest hijackers. Musharraf expresses inability to contain Harkat (5 Feb). Pakistan promises action against terrorists (12 Feb).

UK: *Minister Hair holds Pakistan responsible for instability in Kashmir (21 Jan).

*Kashmiri group demonstrates outside 10 Downing St. for self-determination (4 Feb).

BABARI MASJID QUESTION

*UP CM agrees not to stop construction of Ram Mandir on Babari Masjid site by VHP 'peacefully' (28 Jan), disowns statement (29 Jan). Statement condemned universally by mass media. BMMCC demands clarification by central government (See Text). Congress seeks clarification from PM; other secular parties remain silent.

*CBI Court summons all accused to appear personally on 28 March (9 Feb).

*UP Chief Secretary in 1992 deposing before Liberhan Commission, disclaims knowledge of specific threat to Babari Masjid (31 Jan).

OTHER MATTERS OF CONCERN

Communal Violence: *Communal violence in Azamgarh; 4 killed; curfew imposed (27 Jan).

*Tension over refusal of demand by Hindu students of Shibli College to permit singing of Vande Mataram on Republic Day.

*JUH, Milli Council, JIH all condemn police role. AIMC Delegation meets PM (1 Feb). *SP demands CBI inquiry.

*Government transfers Commissioner, DM, DIG and SSP.

Education: *HRD Minister Joshi inaugurates Gyan Disha, National Educational TV Channel (26 Jan).

*NCERT drafts revised National Curriculum for School Education which inter alia, seeks to redefine Secularism, introduce moral instruction and rewrite history (2 Feb).

*Shahid Mehdi joins as VC in JMI and Siraj Husain in Jamia Hamdard (17 Jan).

AMU: *Muslim organisations seek new VC in AMU with no gap when present VC completes terms and amendments

in the AMU Act and Statutes (17 Jan).

*2 more students rusticated; one detained student dies in police custody, inquiry ordered (26 Jan).

Haj: *Government allows 6000 more Haj pilgrims to total of 72,000, on subsidised fare; 50,000 more likely.

*Government approves subsidy of 137 crores for Haj charter with pilgrim share unchanged at 12,000 and charter fare fixed on parity with IATA.

*Congress demands probe in award of Haj Charter contract (25 Jan).

Wakf: *Delhi HC asks Jama Masjid 'Trustees' to demolish illegal structure outside Masjid or face prosecution (15 Feb).

Al-Falah Collapse: *Al-Falah Investment Group, in doldrums since early 1999, faces criminal charges; 2 Directors arrested; 2 absconding (21 Jan).

Personal Law: *Wide revulsion at creation and subsequent burial of ashes of Maulana Jamil Ilyasi's daughter-in-law. Fatwa against performance of Namaz behind him.

Reservation: *A.I. Backward Muslim Manch demonstrates in New Delhi for recognition of some Muslim sub-groups as SC (27 Jan). *Hindu MBC's demand separate quota in government service (15 Feb).

Urdu: *Anjuman Taraqqi Urdu Hind holds International Seminar on Urdu in the 20th Century (21-24 Jan).

Cow Slaughter: *Gujarat launches special drive to monitor cow slaughter (15 Jan).

Human Rights: *SC upholds Calcutta H.C. order against Railway Board for payment of Rs. 10 lakhs as compensation to Bangladesh woman for gang rape (31 Jan).

Indo-Pakistan Relations: India successfully opposes Pakistan's membership of Indian Ocean Rim Association (IORARC) (22 Jan).

Other Minorities: *Alleged killer of Staines family arrested (31 Jan).

Muslim World: *Indonesian President seeks separation of Islam from politics and state and restriction to personal morality (9 Feb).

*Pakistan trial court accepts prima facie charge of conspiracy to hijack PIA plane against former PM Sharif (19 Jan).

*Pakistan drafting law to regulate and monitor Madarsas (1 Feb).

*Pakistan Shariat Court rejects notice for divorce.

Commemoration: *695th Urs of Amir Khusrô observed in Delhi (24-26 Jan).

*Homage to Ali Mian pours in from all corners of country; condolence meeting in Delhi addressed by Vice President (6 Feb); AIMPLB holds condolence meeting in Lucknow (8 Feb).

*Maneka Gandhi suggests observance of birthday of Maulana Azad (11 Nov) as Education Day (12 Feb).

Obituary: *Table wizard Ustad Alla Rakha, 81, passes away in Mumbai (3 Feb).