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SYED SHAHABUDDIN, ex-MP

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Inland: Life	Rs.1500
Annual Donor	Rs.150
Annual Ordinary	Rs.120
Overseas: Life	US\$200
(By Airmail) Annual	US\$25
Per copy	£1, \$1.50, IR:10, SR 6
Outstation Clearance Charges	Rs.15

ADVERTISEMENT TARIFF

Outer Cover	Rs.3,000
Inner Cover	Rs.2,500
Full Page	Rs.2,000
Half Page	Rs.1,000
Payable by MO/Bank Draft/ Cheque in the name of:	

Muslim India Monthly

Behind 29, Feroze Shah Road,
New Delhi - 110001 Tel: 378 2059

Representatives Overseas

- UK** Dr. Roohi H. Majid
7, Woodville Road, London,
NW11 9UH. Ph: 4556281
- USA** Dr. K.A. Mallick
810-73rd St. Downers Grove
IL-60516-3818 Ph:(630)9696755
- KSA** Syed Shariq Ali
PO Box 11447, Jeddah-21491

Printer and Publisher Syed Shahabuddin, Behind 29, Feroze Shah Road, New Delhi and Printed at Dawat Offset Printers, 802, Chhatta Sheikh Mangloo, Jama Masjid, Delhi-110006.

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Muslim India

MONTHLY
JOURNAL OF REFERENCE, RESEARCH AND DOCUMENTATION

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A PUBLICATION OF MUSLIM INDIA EDUCATIONAL AND CULTURAL TRUST

Website: www.muslimindiajournal.com

E-mail: muslim@del3.vsnl.net.in

Small States, Decentralisation and Minorities

Territorial reorganisation of the Union is still on the national agenda because the reorganisation under the recommendation of the Fazle Ali Commission, 1956, based largely on the linguistic criterion, had ignored the factors of geography, history, economy, race and culture, left mega states of UP and Bihar untouched and even created new mega states like MP, Rajasthan and Maharashtra. The second phase of reorganisation in the late 60's was largely confined to the N.E. and had created several mini and micro States.

Since 1956, the Union has generally responded to the regional pressures with adhoc measures. Had the political system adopted a well-crafted and structured policy, the mini and micro states could have been fitted within existing states depending on their population and area, as largely homogenous and autonomous districts or even Tehsils/Talukas within a multi layered Federation. Despite Constitutional commitment to decentralisation, there was a reluctance to redefine the Union as **the Union of Autonomous States, which are Unions of Autonomous Districts, which are Union of Autonomous Tehsils/Talukas, which are Unions of Autonomous Panchayats.**

Over the years the wave of democracy has penetrated down to the villages. People have become increasingly conscious of their collective identity and assertive for administrative empowerment of their collectivity at various levels. And if the people of a geographically compact region, with common historic memories and cultural affinities felt that a distant capital, politically dominated by 'others', was not familiar with or sensitive to their problems, this feeling generated a separatist mood. The mood became sharper if they felt that their region was being economically exploited or that their villages, towns and districts were not getting due share of the development outlay. Then, the cry was for a separate state.

Today, 45 years after the first territorial reorganisation, the entire political landscape is ringing with demands for creation of new states, all over the country, from Assam to Gujarat and from Kashmir to Kerala. The recent legislation to carve Uttaranchal, Jharkhand and Chhattisgarh out of UP, Bihar and MP respectively has given an added impetus to this historic process of ethnic fusion within existing boundaries and sometimes across them. Bodo Land, Gorkhaland, Purvanchal, Bundelkhand, Harit Pradesh (West UP), Vindhyanal, Telengana, Vidarbha and Kodga are now in the pipeline.

To begin with, we must concede that the state or administrative boundaries as they exist are not sacrosanct but artificial historical constructs. We must recognise the legitimacy of the idea of small states. We must also be clear in our mind that recognition is not secession. We must appreciate that the pace of economic and even social development will be accelerated by tapping the cooperative energy generated by geographical cohesion, shared historical consciousness, cultural affinity and developmental aspirations notwithstanding the cost of the infrastructure.

We must also understand that emergence of constituent states with comparable population, area and resources will strength the federal principle which is jeopardised by the imbalance between mega and micro states. A look at the current political map will show that today the population and area ratios between the biggest and the smallest units are simply absurd. Contemporary world developments tell us that disequilibrium and imbalance among the constituent units is a negative factor for the longevity of a federation.

Small states are bound to be more administratively manageable and thus more efficient in management of development resources and in supervising and monitoring executive performance and in optimising the use of their natural resources. Above all, small States will be more democratic because the executive, the legislature and the judiciary shall be all closer and more accessible to the people. Thus the State is bound to become more democratic and more responsive to their grievances and demands.

What is needed, therefore, is to constitute another States Reorganisation Commission to redraw the political map, with a mandate to break up mega states into small socio-cultural units with a common history, a compact geography and a viable economy and, at the same time, accommodating the habitats of small collectivities in Panchayats, Tehsils or Districts. The Commission should also have the power to recommend creation of new States out of contiguous areas from two or more neighbouring states.

In 1977, the Janata Party Manifesto had promised such a Commission but its government was too short-lived and too preoccupied with the immediate problem of survival to take any such long-term measures. But today with the whole country ringing with such demands, instead of taking ad hoc decisions under compulsion of circumstances, we should evolve a national policy and

formulate national norms and ask the National Commission to examine each regional demand in the light of both its internal logic and the national norms.

In a multi-ethnic and culturally plural milieu we should recognise the existence of heterogeneous elements within a homogenous matrix – the MINORITIES – and work out a National Minorities Code applicable to all minorities at all functional levels and apply it uniformly throughout the Union. This will create webs of inter-dependant reciprocity among neighbouring villages, Tehsils/Talukas, districts and states and maximise inter-community understanding and harmony as well as lead to greater participation by the minorities in governance and to their empowerment.

And 'minorities' does not mean religious minorities only; there are linguistic, caste and racial minorities dispersed throughout our body politic. And even the biggest communities form a minority-group somewhere, at some level.

Territorial reorganisation is likely to have a demographic impact on the minorities since most of them are unevenly dispersed through the national territory. For example, the creation of Uttaranchal is likely to decrease the population of high castes (Brahmins and Rajputs) and increase the population of Muslims in what is left of UP. A division may even convert a minority to a majority in one of the parts! For example, if Ladakh is separated from J&K, Buddhist there shall form a majority, while they formed a minority in the original state. Such demographic changes will have their political impact but, all diversities and pluralities at all functional levels can be equitably protected from majoritarian pressures under the Minorities Code.

To sum up, territorial reorganisation has become a political imperative but it cannot be undertaken in isolation or merely as an exercise in geographical or administrative surgery. Every territorial reorganisation should serve a clear social, economic and political purpose and results in the common good to the satisfaction of all the people. Optimum and greater demographic homogeneity and area are not enough. Democracy and Development also demand autonomy at every level, accessibility in governance, systemic protection of minorities, decentralisation of power and devolution of resources, right down to the village.

New Delhi,
1st September, 2000

(SYED SHAHABUDDIN)



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Proceedings of the Parliament

(24 July – 12 August, 2000)

I – Rajya Sabha

New Members:

24 July : M.P.A. Samadani (Kerala).

Obituary:

24 July : President Hafez-al-Asad of Syria.

Papers Tabled:

28 July : National Agricultural Policy.

3 Aug : Annual Report of Nehru Yuva Kendra Sangathan for 1975-76 to 1996-97.

Special Mention:

24 July : On Alarming Trend in Population Growth by N. Mohan.

25 July : On Reduction in Use of Jute bags by S. Maheswari.

2 Aug : On Compensation to Kuwait evacuees by C. Ramachandraiah.

8 Aug : On Need for judicial Inquiry in Killing of Amarnath Pilgrims by P. Mukherjee. G.N. Azad and M.A. Rashid participate.

Statement by Government:

2 Aug : On Killing by Militants in J&K by H.M. Advani.

3 Aug : On Massacres in J&K by P.M. Vajpayee.

7 Aug : P.M. gives clarification.

Private Bills:

28 July : Introduced The Prevention of Communalisation of Education, History, Heritage and Educational Institute Bill, 2000 by S. Pachori.

: The Prevention of Commodities, Education and Educational Institutes Bill, 2000 by E. Faleiro.

Discussed. The Eradication of Unemployment Bill, 2000.

Private Resolution:

4 Aug : Resolution on Population Planning and Control moved by R.M. Reddy Sirigireddy and discussed.

A.A. Kidwai and Shabana Azmi participate.

II – Lok Sabha

Obituary

24 July : President Hafez al Asad of Syria.

: Akbar Jehan Abdullah, ex-MP

3 Aug : Victims of Massacre in J&K on 1-2 August.

Papers Tabled:

4 Aug : Annual Report of Lalit Kala Akademi for 1998-99.

Submission by Members:

24 July : On passage of Autonomy Resolution by J&K

Assembly by M.R. Scindia, M.S. Yadav, S. Chatterjee and L.K. Advani.

3 Aug : Discussed.

Inderjit Gupta, A.M. Naik, Rashid Alvi, E. Ahamed participate.

7 Aug : On Judicial Inquiry in killing of Amarnath Pilgrims by M.R. Scindia and others.

Special Mention:

24 July : On Overall Revision of Primary Education by S. Singh.

: On Development of Hindi as National Language by Manjay Lal.

2 Aug : On Mother Tongue as Medium of Primary Education by P. Venugopal.

7 Aug : On ISI Activities by R.M. Singh.

Government Statement:

2 Aug : On Killings in J&K on 1-2 Aug by HM Advani. Sonia Gandhi, S. Chatterjee, M.S. Yadav, Indrajit Gupta seek clarification.

4 Aug : On Massacre in J&K by P.M Vajpayee.

Government Bills:

31 July : The M.P. Reorganisation Bill, 2000 moved, discussed and passed.

1 Aug : The UP Reorganisation Bill, 2000 moved, discussed and passed. Saiduz Zaman participates.

2 Aug : The Bihar Reorganisation Bill, 2000, moved, discussed and passed.

7 Aug : The Protection of Human Rights (Amendment) Bill, 2000, introduced.

Private Bills:

28 July : Introduced: The Freedom of Religion (Removal of Restriction) Bill, 2000.

G.M. Banatwalla opposes/introduction.

: The Religious Places (Removal of Restriction on Freedom of Religion) Bill, 2000, by G.M. Banatwalla.

: The Compulsory Voting Bill, 2000 By Y.S.V. Reddy.

: The Compulsory Registration of Marriages Bill, 2000 by S. Mohite.

No To Democracy!

A benevolent dictatorship is the only solution for this country, not the democratic process or the Gandhian way.

- Bal Thackeray, Shiv Sena Chief

Rochana Bajpai on Minority Rights in Constituent Assembly

The Constituent Assembly debates mark a decisive turning point with regard to the state policies of group preference which have existed in India since the early 20th century. Provisions for special representation in the legislatures and reservation in government employment had been instituted by the colonial state as well as by some princely states, primarily for groups designated as minorities or 'backward'. The question of minority safeguards, as colonial policies for the accommodation of minorities were termed, had been critical at various stages of the negotiations leading up to Indian independence. The colonial state deemed a satisfactory resolution of this question to be a precondition for any advance towards self-government.

This paper focusses on a neglected aspect of India's constitutional history: **the withdrawal of political safeguards for religious minorities during the making of the Indian Constitution.** Ever since the introduction of the constitutional reforms of 1909, which instituted separate electorates for Muslims, religious minorities had been the prime beneficiaries of the colonial state's policies of group preference. In constitutional drafts and deliberations, political safeguards encompassed provisions for reserved seats in legislatures, quotas in government employment reserved posts in the cabinet and the creation of administrative machinery to ensure supervision and protection of minority rights. All the minority groups hitherto preferred were included within the ambit of these provisions in the initial proposals and in the first draft of the Constitution, published in 1948. In a remarkable reversal, however, by the final draft religious minorities were excluded from the purview of all political safeguards, which came to be restricted mainly to the 'scheduled castes' and the 'scheduled tribes'.

These radical changes in minority safeguards are explained mainly in terms of the partition of the country in the literature on the Indian Constituent Assembly debates. This traumatic event, it is argued, hardened opinion within the Indian National Congress against groups that represented communal interests. Moreover, the Congress no longer had to conciliate a powerful Muslim League and had few real checks in the way of pushing its agenda through. Most importantly, it is suggested, the political parties representing the two main religious minorities pressing for political safeguards, the Muslim League and the Sikh Panthic Party, were in disarray and therefore unable to prevent a united front in resisting the revocation of safeguards.

... Analyses (of) the debates on minorities in the Constituent Assembly reconstruct the grounds on which special provisions for minority groups were legitimated or opposed in these debates. In the dominant nationalist opinion represented in the House by the Congress and its

supporters among minority representatives, **the backwardness of a group was regarded as creating legitimate grounds for group-preference provisions whereas perceived need to preserve a distinct cultural identity was not. This nationalist vision rejected political safeguards for minorities as a matter of general policy.** Safeguards were regarded as legitimate only in the case of certain groups and only for the specific purpose of ameliorating the social and economic disabilities of backward sections.

This marked a shift from the manner in which communal safeguards had been envisioned and defended in colonial policy. That policy, which sought to balance the numbers of different communities in representative bodies, public services and other arenas, had a twofold rationale. As it was based on the notion that India was a conglomeration of communities rather than a nation, the presence of members of different communities in the legislatures and the services was regarded as a desirable goal in itself. Minority safeguards were thus defended as a mechanism that would facilitate the political accommodation of different communities. They were also valued as a means of ameliorating the conditions of disadvantaged groups. As the maintenance of a political balance between different communities was regarded as an unacceptable basis for minority safeguards in the Congress nationalist vision, the case for safeguards for religious minorities became weakened.... Our understanding of the retraction of group-preference provisions for religious minorities during the drafting of the Indian Constitution is (brought out) by an analysis of the legitimating vocabulary on minority safeguards in the Constituent Assembly debates.

... Safeguards ... for the religious minorities were more problematic, given their implicit grounding in the notion of the cultural distinctness of groups. Bereft of legitimacy in the nationalist scheme, their presence in the future Constitution was precarious from the outset...

... The dominant opinion during (the late) period regarded only grounds relating to backwardness as constituting a legitimate basis for claims for special provisions, and these grounds were regarded as attaching to lower castes and tribals and not to the religious minorities. Further, the claims of the religious minorities for reservation in the services appealed to the now discredited vocabulary of the intrinsic importance of giving representation to every community in the administration, to the duty of the state to balance the interests of different communities. These notions, which had guided colonial policy on the subject had few supporters in nationalist circles during this period.

In the dominant opinion in the house, quotas in the

(Contd. on Page 392)

Government Statement On Identity Cards to Voters

Photo Identity Cards have not yet been issued to all electors in the country. About thirty-eight crore electors representing 62% of the eligible electors of the country have so far been provided Photo Identity Cards. The scheme has so far not been extended to the State of Jammu and Kashmir. The work has also not started in Assam and Mizoram till now... The scheme ... is not a project but an ongoing programme and no time limit can be fixed for completion of such a programme...

(Though) the production of Electoral Photo Identity Cards was insisted upon in the recently held general elections to the Legislative Assembly of Haryana in February, 2000, the Commission had also prescribed other means of identification for the electors not provided with Photo Identity Cards... The Government has no proposal to make production of Photo Identity Cards mandatory at the time of voting. It may also be stated that the orders of the Election Commission issued in 1994 are sub-judice before the Supreme Court of India. The Government ... is providing necessary funds for this programme which is shared between the Union and the States on 50:50 basis.

(Source: LSUQ No. 3577 / 17.4.2000 by K. Somaiya and A.S. Chautala)

Praful Bidwai On the Real Vajpayee

... The "soft" and "liberal", Atal Behari Vajpayee has been fondly called "the right man in the wrong party", and one of PLUs (People Like Us) (and) credited with pluralism, moderation, consensual politics, even secularism. The ... strong version depicts Vajpayee as the Boy on the Burning Deck, fighting a valiant, lonely battle to bring to heel the Sangh Parivar's "lunatic fringe". The weak variety portrays him as a "pragmatic" politician constrained by his RSS past and by pressure from BJP hardliners, but one who at least tries to chart out an autonomous course rather than be a slave to Hindutva.

The time has come to question and reject the stereotype, and recognise that the "fringe" is, or is becoming, the mainstream... Many secular people once thought Vajpayee is the "acceptable", "liberal" face of Hindutva. They made wishful, often fanciful, distinctions between him and hardcore RSS supporters... The "soft" façade is deceptive. The Sangh, as he himself said, is Vajpayee's soul.

(Source: The Frontline, 3 March, 2000)

Shahabuddin's Raps NCW

Letter to Chairman on Report on Rape, 20 June

The report "Rape: A Legal Study" by your colleague Ms. Poornima Advani is so full of historical inaccuracies, unacceptable presumptions, untenable conjunctures and prima facie absurdities that, instead of adding to the prestige of your Commission, it only serves to bring it down.

The report should have kept to the legal aspects of the problem of rape and the possible legal means of fair and swift adjudication and deterrent penalties.

I request you to inform me whether the Report has been officially approved by your Commission.

Deepak Tiwari

On Pujas and Yagnas in Vidhan Sabha

... The death (of an MLA) sparked off an impassioned debate, which called into question the construction and layout of (the new) building (of the) Vidhan Sabha (occupied) in August, 1996. Singh was the twelfth legislator to die since the shift. With 24 employees also meeting the same fate, most legislators were convinced that the building had cast a malefic influence on them.

"The complex has not been built in keeping with the principles of vaastu", says Gopal Bhargava, MLA from Rehli... Legislators were quick to classify the structure – which won its architect, the famed Charles Correa, the Aga Khan award for architecture – a disaster zone. Among the charges laid at its doorstep are that ... the eleventh Vidhan Sabha earned the distinction of losing the largest number of MLAs, nine to date, and helped make history when for the first time a minister, Likhiram Kanware, was stabbed to death allegedly by Naxalites. The 'evil effects' of the building are also seen behind the fortnight-long disruption of Assembly proceedings after the police beat up Vijay Shah, MLA from Harsud...

Those who spout vaastu say problems are bound to crop up as the building faces south and is circular, not the ideal specifications according to the shastra. Brijmohan Agarwal, MLA from Raipur, also terms as inauspicious the fact that the Vidhan Bhavan design is similar to that of the Sanchi Stupa, a memorial to the Buddha... (Thus) linked to death. Vaastu shastri Dr. K.C. Agarwal of the Bhartiya Vastukala Anushandhan Kendra echoes the idea... "Building on land which was used in the past for burial or cremation can be inauspicious."

As it turns out, the compound does hold the tomb of a Muslim fakir, Abbasgarh ke Baba...

Remedies include holding pujas and yagnas to pacify evil spirits. Although the Vidhan Sabha Employees Cooperative Credit Society had funded two yagnas on behalf of Assembly Speaker Srinivas Tiwari, Bhargava suggests that a huge yagna be organised and all the MLAs asked to participate... Even Chief Minister Digvijay Singh is game to holding a ceremony to ward off evil. And, so is Leader of the Opposition Dr. Gauri Shankar Shejwar...

The Indira Gandhi Vidhan Bhavan ... built at Rs.50.72 crore (had) overshot the construction schedule by eight years...

(Source: The Week, 23 July, 2000)

State Subsidy of 130 Crore For Mahakumbh, 2001

The State Government has sanctioned Rs.130 crore for the century's first mahakumbh, falling in January next year, Chief Secretary Yogendra Narain said.

Presiding over the Kumbh mela review meeting, Narain said for the first time the Centre was providing an assistance of Rs.55 crore. He said funds would not be a constraint for holding of the Mahakumbh 2001...

Narain instructed the officials concerned to complete all preparations for the Kumbh by November, 30.

Geeta Puri on Continuous Dilemma of BJP

The BJP's Chennai Declaration was yet another serious, if not completely convincing, attempt by the party to reconcile and integrate the claims of party's Hindutva identity with the Hindutva bereft image of the national democratic alliance rooted in the secular thrust of the regional parties and formations. The Declaration sent a clear message to its hard core upper cast social base and loyal partisans nursed in the RSS's worldview that the BJP continues to the fervently ... committed to its ideology of 'cultural nationalism' and 'integral humanism'. But at the same time the ... Declaration also forcefully articulated, the party's commitment to NDA's agenda to reassure its allies and their social constituencies that it has indeed given up its core concerns (which) had given the party its focused Hindu identity. The BJP has thus perfected the art and science of articulating a complex 'ideological dualism' in substantially, if not wholly, satisfying both its long-nurtured Hindu-nationalistic constituency and its secular-socialist partners... But it has, nonetheless, clearly exposed the BJP's continuing existential dilemma of choosing between identity and power. The ideological retreat of the BJP, despite being palpably pragmatic ... is bound to undermine its identity and ideology...

Though the BJP has held back its communal and divisive agenda, yet the party is sparing no effort to execute its cultural and educational programmes derived directly from the Hindu agenda of the RSS. The State sponsored schemes in the fields of education, youth affairs and social welfare reflect the ideological objectives and the organizational culture of the RSS. The BJP-led governments at the Centre and ... in States, not only Gujarat, have massively used the State-funded educational and cultural organisations to promote the study and research based on the RSS synonymising Indian culture (with) Hindu culture, denying its pluralistic thrust and the concept of composite culture as also the role of the minorities in the creation and development of Indian culture and identity. In this mindset, the minorities are crudely presented as aliens even questioning their loyalty and patriotism.

The removal of ban on the government employees in Gujarat from participating in the activities of the RSS (was) a cruel façade to perpetuate its myth of a voluntary socio-culture organisation. The fact of the matter is that the RSS is in every sense of the term an organisation with stated and unstated ideological and political objectives to change and transform the systemic character of the Indian State as defined in the Indian Constitution...

The 1998 and 1999 elections have underscored another point: the in-built incapacity of the Hindutva-inspired Sangh Parivar to capture power at the Centre on

its own ideological plank and organizational-electoral mobilization. The BJP, therefore, can come to power only through a coalitional arrangement. There is, thus, one positive aspect of the emergence of coalition politics in India: more than anything else, it paves the way for marginalising the 'Hindu agenda'.

The Chennai Declaration and deliberations of the BJP reflecting the continuation of its post-1998 commitment to the NDA agenda with 'restrained' Hindutva positioning and posture projected the leadership of Atal Behari Vajpayee. His leadership alone has the capacity to give the party a liberal image, integrate the inspirations and worldviews of the RSS and non-RSS elements in the party, and provide it with much needed Muslim-friendly credentials... (The) emotive off shoots of the Hindutva discourse which directly connect the party with its concept of Hindu Nationalism, such as nuclearisation, Pakistan-centered foreign policy, terrorism ... in Kashmir and the defense and security of the country were powerfully and ardently articulated in the Chennai Resolutions.

... The Congress is fast emerging as almost the principal adversary of the BJP... (But) there is still an enormous space for the emergence and development of a credible third front (which) alone can pose a serious challenge to the RSS-inspired BJP's hidden or open agenda...

... Socialists need to explore in a constructive manner the beginning of a 'new relationship' with the left parties to forge an ideological coalition. The latter have also to undergo a democratic transformation in their ideology and organisation...

(Source: The Janata, 14 May, 2000)

Stop Military Training by Bajrang Dal Shahabuddin to HM Advani, 20 July, 2000

Please refer to my letter dated 5 July, 2000 regarding the military training being imparted to their volunteers by the Bajrang Dal.

Today the Hindustan Times have reported military training by the Dal with live ammunition in Lucknow on the banks of the Gomti "to scare away the encroachers" from Government land.

It has also been reported by the PTI that the Dal plans to establish Gram Suraksha Samitis all over the country "to protect Hindus against atrocities from other communities, especially the Muslims and Christians".

The reports speak for themselves.

I request you, in the interest of social harmony, to advise the States to ban the military training camps and the proposed Gram Suraksha Samitis.

Javed M. Ansari on Congress Failure to Act as Main Opposition

... Unfortunately for India's grand old party and now the main Opposition, a perception that is increasingly gaining ground is: the Congress(I) is inert, unable to provide any real resistance to the Government...

The inaction on the part of the Congress(I) is all the more glaring as it comes at the most inopportune of moments for the party. The NDA Government appears to be losing much of its shine as it begins to commit mistakes. Whether it is the flip-flop on the J&K autonomy issue, its inability to contain the lunatic fringe in the Sangh Parivar or the unseemly controversy created by Mr. Ram Jethmalani's outburst against not only the Government but the members of the judiciary as well. Normally developments such as these would be milked by an alert Opposition. But so far the Congress(I) has given little indication of moving in for the kill. Be it the economic policy, or the takeover of cultural institutions by the Sangh Parivar's apologists, the Congress(I) response has by and large been meek and lethargic.

At the core of the Congress(I)'s problem is its ideological and tactical confusion. Having launched a high voltage campaign against the Government for its alleged mishandling of the Kargil episode, the party drew a lot of flak for being negative. Now it appears to have gone into a shell, and is content playing the role of a constructive Opposition.

On the economic front, its agenda has been hijacked by the Government. Ideologically, the Congress(I) has been unable so far to recreate space for itself. Tactically too it has not been combative enough or quick enough in its thinking. The leadership is unable to act quickly because of the structured decision-making process of the party. It has been unable to pin the Government down on economic issues or for that matter launch a sustained public agitation on economic policies, because much of what the Government is doing was initiated by the Congress(I) when in power. The party is wary of being accused of political expediency if it attacks the very policies it initiated...

... As a result of the lack of clarity on the issue the party could not come up with a cogent strategy in Parliament during the Budget session. It cut a sorry figure with even its half-hearted attempts to move cut-motions over-ruled by the Speaker.

... It has five State Governments implementing exactly the same policies that the Centre is following; hence it cannot hope to abandon the reforms process. What it has been seeking to do, without a great degree of success, is to stress that the process that it initiated is different from that of the BJP. For instance, on disinvestment, the Congress(I) says it is all for it but is opposed to privatisation.

What sets the Congress(I) really apart from the BJP is its secular agenda. While the party has been consistent in

its criticism of atrocities against the minorities, it has strangely enough not taken the issue to the people. It has also not focussed sharply enough on the way the Sangh Parivar has packed cultural and educational bodies with its sympathisers.

The Congress(I) outside Parliament has lost touch with agitational politics. For far too long, it has been a party in power; now its leaders lack the reflexes or the stomach to take to the streets.

... The party met with success the only time it shed its lethargy and adopted a pro-active approach. On the issue of the Gujarat Government permitting its employees to attend RSS shakhas, the Congress(I) put up a stout resistance both in the State Assembly and in Parliament refusing to allow the Houses to function for days. The Centre finally had to back down and force the Keshubhai Government to rescind its order. In what is perhaps its longest spell out of office, the Congress(I)'s sense of timing appears to have deserted it. On the J&K autonomy issue ... the party failed to derive political advantage...

For the Congress(I) to get back on its feet, the party needs new and alternative ideas and to draw up a strategic vision and dovetail that with sound tactics to regain the political ground it has conceded to its rivals... Having ruled the country for over four decades, most of its leaders appear have stopped thinking, being used to briefs from aides... What the party needs is a think-tank to develop a position on issues and present alternatives so that a decision can be taken quickly...

Till that happens, the Congress(I) continues to give the impression of being a party in government rather than the principal Opposition. The popular perception remains that rather than adopt a more combative attitude it is content with posturing.

The hallow around the Government may be wearing thin ... "not because of the Congress(I) but despite it".

(Source: The Hindu, 30 July, 2000)

(Contd. from Page 389)

public serves could not be endorsed as a general principle of governance but were admissible for a limited purpose. They were viewed as a mechanism that would reduce disparities in the levels of development between different sections of the population and thus assist in the assimilation of these groups into the rest of the population as well as in the development of the nation. These grounds were regarded as creating a case for quotas for the scheduled castes, the scheduled tribes and the other backward classes but not for the religious minorities.

As in the case of political-representation provisions, an analysis of the legitimating vocabulary for reservation in the services suggest that the retraction of quotas for religious minorities during the making of the Constitution was always a likely outcome.

(Source: The Economic and Political Weekly)

Satinath Pasi on Rationale for Proportional Representation

... Under normal circumstances ethnic identity happens to be far stronger than Hindu identity. It has positive side as well as negative side. The negative side is each caste tends to strengthen itself at the expense of the other. That's why the upper castes want to continue their hegemony at the expense of the rest.

When the Yadavas come to power, they try to strengthen themselves at the expense of the rest – the case in point is the situation in Bihar where out of around 300 tickets (nominations) given by the ruling RJD, Laloo Prasad Yadav gave away over 100 to Yadavas alone.

Positive Side of "Caste Identity"

The positive side of the ethnic identity is that by empowering each caste in proportion to its population, the same ethnic identity can be used to bring about true democracy and usher real independence. A country ruled by 15% minority cannot be said to be independent; it is more of a colony of the 15% minority. Independence means "self-rule". What kind of self-rule is it where all structures and institutions of the country are under exclusive and full control of the said 15% minority?

Long ago B.R. Ambedkar had concluded: "Solution to all problems lie in politics". His conviction was timeless... The oppressed (must) gain their appropriate share of political power... Political emancipation is not possible under the current electoral system which is highly discriminative against the weaker communities and their parties, and tends to evolve towards a two-party system, ignoring the interest of the smaller and weaker segments... India is a finely segmented country of various castes with relatively small population. So an artificially concocted majority is likely to oppress all of the other caste.

Defects of Democracy

The key to bringing about real independence (self-rule) and true democracy lies in how we hold elections. Basically there are two types of election. One is plurality system, also called "first-past-the-post (FPTP)... Major flaw of this system lies in its highly discriminatory characteristics against smaller parties.

Until and unless a party gets to have a base that is greater than 15-20%, the party has very little chance of winning any seats. Under these circumstances we cannot expect any caste-based party to win any seat. A number of castes have to cluster together to win any seats. In the process one or the other caste tends to take advantage at the expense of the others. It has been happening in RJD, Samajwadi Party, Samata, JD, JD(U), etc. Even in BSP, in spite of eagerness on the part of Kanshi Ram to distribute tickets as evenly as possible, one cannot deny that there tends to be hegemony of one caste or the other in various regions.

Proportional Share

What then is the solution? Solution lies in the

proportional representation (PR) system of holding elections... This is second kind of electoral system that is prevalent in over two-third of the democratic countries of the world, including all of Europe except UK and France...

PR system has many variations. Its oldest and crudest form is list-PR system. In this system multi-seat constituencies are created. In case of Holland and Israel the whole country is a single constituency. In case of Germany, each of its state is a single constituency. In our country each of our states could be a single constituency. In the more primitive system, parties announced list of their candidates. People voted for parties. Each party was awarded seats in proportion to the votes it polled. If a party won 10 seats on the basis of its votes, 10 persons from the top of its ... list would go to parliament or assembly, as the case may be. In the more modern systems used in the Scandinavian countries and Switzerland, people vote for individual candidates as well, in addition to voting for parties. Votes for individuals determines position of candidates on the list of their respective party lists. Again, each party is awarded seats in proportion to votes polled by it. This allows even small parties to win some seats.

If India adopted this kind of system, immediately numerous caste-based parties will crop up. Castes too small to win a single seat would be forced to band together and elect a couple of their own.

... There may even be more than one party in the same caste. A divided caste would not necessarily hurt that caste as far as total representation of that caste is concerned...

For example (party of) Paswans (will) win two seats in Bihar (out of its 55 seats), as Paswans (or Dusadhs) constitute 4 per cent of Bihar population. Chamars too are nearly 4 per cent... Pasis are only 0.5 per cent of the population so they will have to combine with some other smaller castes to be able to elect any. Yadavas, with their 10-12 per cent would have 5-6 MPs from Bihar. They may all belong to RJD. But Yadavas can easily support more than one party.

BJP will be Cut to Size

... In 1931, the total percentage (of high castes) in Bihar was 13.3 per cent. In all likelihood, their percentage has decreased by now, as the lower caste population generally increases faster... The upper caste stopped taking caste-wise census for obvious reasons... So the best predictions we can make is on the basis of the 1931 Census.

S.No.	Upper Castes	1931
1.	Brahman	4.7
2.	Bhumihar	2.7
3.	Rajput	4.1

Praful Bidwai on Internal Cleavages in NDA

... If all goes smoothly, there is steady growth, no social strife, no internal crisis, then the balancing act (of the NDA) could carry on. But in India, such things do not happen... In the near future, at least three issues could trigger off a major crisis leading to a breakdown of the delicate balances that hold the present government and its external support systems together. (For external support, the RSS and the VHP are important). The first the economic...

A second issue could be the Ram temple. The BJP is getting desperate in Uttar Pradesh, where its chances in next year's Assembly elections are rated poorly. If the Samajwadi Party (SP) led by Mulayam Singh Yadav and the Rashtriya Kranti Party (RKP) led by Kalyan Singh join hands, they could do extremely well. The BJP is toying with an extraordinarily devious tactic; transport a replica or room-sized model of the planned temple from Rajasthan to Ayodhya and generate huge hysterical celebrations and mobilisation on the way, with *aartis*, fiery speeches, and riotous *utsavs* around the *yatra*. Since this is not the real temple, but only a decoy it gambles, no one will really ban or oppose the whole thing. At the same time, the decoy will deliver votes. This will pose a ... dilemma for the NDA and also for the anti-BJP opposition; will they go along with the deception and buy into legalistic myths, or will they staunchly oppose the exercise because of its calculated objective of widening the communal divide; promoting hate speech and fomenting violence?

A third issue is "internal" to the Parivar; to put it bluntly, when will the RSS take cognizance of the goings on in the Prime Minister's Office (PMO)... The RSS is not the embodiment of probity and rectitude. Its reputation has taken more than one knock after some of its life-long *pracharaks* were reportedly found to have amassed substantial wealth. Even so, it will not find it palatable to have the open association of its creature, the BJP, with the (middlemen) of the world. But how will it broach the issue with Vajpayee? Can it afford to dump the BJP, or pull down the NDA?

It is far from clear how the different actors in this rather unseemly drama will play out their roles. Matters could get gravely complicated if Vajpayee's already delicate health takes a downturn or his attention-span further shrinks... (This) could precipitate a huge fight inside the NDA. The BJP would be hard placed to find an acceptable substitute or deputy for Vajpayee...

That is where the internal differentiation in the NDA would come into play. Some members of the NDA have maintained their broadly "secular" political identity. But people like George Fernandes have emerged as Hindutva's apologists...

One thing is undeniable. There are serious tensions

within the BJP, between the BJP and the rest of the Parivar, and between the BJP and the NDA. There is no easy way of resolving or containing them. The RSS, the most proactive and self-willed agency among all, is itself on the horns of a dilemma. It does not know whether and how to confront the NDA on issues of identity without risking a total loss of power and marginalisation for Hindutva...

(Source: The Frontline, 23 June, 2000)

(Contd. from Page 394)

6. It is quite likely that at least in the beginning, on account of the current caste-based discriminations and polarization a lot of caste-based parties will become viable and reality. I see no harm in that. If and when castes have been equalized, the caste-based polarization may reduce, resulting in groupings based on some other factors like economic status. But these groupings have to be allowed to be formed freely and naturally depending upon exigencies of the time and place and other factors.
7. ... Push-pull ... bargaining and alliance for the sake of existence forces principles to be shelved away, and the very word "politics" comes to mean shrewdness, cunning, untruthful, etc.
8. In the absence of non-democratic nominations made by the party supremos, sycophancy, mediocrity, nepotism, favouritism, casteism, etc., and the resulting corruption will diminish, if not vanish. It will pave way for the entrance of more sober people with self-respect, dedication and genuine desire for social work. People desirous of contesting elections will have to start helping their constituents well in advance of the election, without the uncertainty of obtaining a big party ticket. They can contest the election under the affiliation of whatever party, they feel closest to.
9. Under the proposed FPR, since votes polled by each candidate will be added to the respective party, various party leaders will come and beg of prominent community leaders to contest the election under their (party leaders) respective parties. This will be a welcome reversal of the situation that exists...
10. Under the current system, many spurious and undesirable factors are taken into account by the supremos before they give a ticket to a candidate. One of these is their feeling of insecurity that the candidate may be too smart and would not continue to be under the thumb of the supremo, in fact may even challenge the supremo. Under PR nobody will be able to block anyone else from contesting an election under any party affiliation.
11. Under a PR, candidates are not pitted each against the rest. One is elected along with many others. This would lead to drastic reduction of electoral violence...

(Source: The Dalit Voice, 1-15 June, 2000)

Shahabuddin Refutes Half-baked Review of Muslim Situation

Apropos Mohd. Fazal's article on the rights, interests and aspirations of the Muslim Indians, one must recognise that they are as eager for participation in the development process as any other group, and they aspire to nothing more than fair share in the fruits of development. They are as eager as anyone else for the education of their children and for the livelihood of their youth.

The problem lies not in their involvement in some priority concerns, call them religious or emotional, if you like, but in the general denial and deprivation of a vast majority of the people and, in particular, of the Muslim Indians who are projected as communal, pro-Pakistan, anti-national, obscurantist, fundamentalist... Such projections justify distrust and injustice and even violence and, at the very least, deny them the sympathy and support they deserve in the larger national interest.

Having said this, let me say that Muslim family laws are based on the Quran and the Hadith which may be interpreted but cannot be abandoned. Family laws are personal in the sense, criminal and civil laws of the State are not. The comparison is not relevant because India is not a Muslim or Islamic State and during the Freedom Movement, Muslims were guaranteed non-interference in personal law. However, I personally favour codification.

Aligarh Muslim University (AMU) has a historic and symbolic importance. Why should its Muslim character sought to be changed? Yes, educational progress does not rest with the AMU. It needs educational infrastructure in all Muslim concentration areas in accordance with the national norms. But let Mr. Fazal explain why have the Muslims been deprived so far?

Urdu is not a Muslim monopoly. No language is ever a group monopoly. It is an Indian, a national, language. Yet it has been consistently denied its rightful place in administration, education and information. Children whose Mother Tongue is Urdu are denied the opportunity to learn Urdu. Why?

Babari Masjid, whether the then Prime Minister took his advice (the same as that of the VHP) or not is immaterial. What is material is that a mosque cannot be shifted, certainly not to provide space for another place of worship, in a secular state. Mr. Fazal is not explicit on what he wants the Muslims to do now. Surrender the site? After the Demolition?

Mr. Fazal's knowledge of the Holy Prophet's life is terribly inadequate. The Treaty of Hodaibiya was between the Holy Prophet and the Quraish of Mecca, who were not Jews. Has he read the Treaty? Hodaibiya does not mean surrender but patience and foresight.

[Mohd. Fazal is a former Member of Planning Commission and presently Governor of Goa. His article appeared in The Times of India].

Shahabuddin's Letter to Lt. Governor of Delhi, 12 June, 2000

The current Delhi Police drive to detect and deport illegal immigrants of Bangladeshi origin is causing harassment to genuine Indian citizens who speak Bengali or come from West Bengal and are, therefore, in a sense, indistinguishable from the Bangladeshi immigrants.

I do not know the criteria the Delhi Police applies to sift grain from the chaff. Perhaps it presumes that the people of a particular persuasion living in a particular area are all Bangladeshis.

In an earlier drive, there were mid-night knocks and people were lined up **by religion** and then those of a particular persuasion were taken away. This is entirely against the rule of law.

I would suggest a humane approach. A magistrate may be deputed to question the suspects before being detained by the police and the statements on those who claim to be Indian citizens on the basis of their domicile should be checked by reference to the local authorities, before further action is taken.

As you are aware the PUCL has suggested notification of IM(DT) Act in Delhi and setting up of Tribunals which should process such cases.

L.G's Reply, 19 June, 2000

... Delhi Police has been directed to undertake identification of Bangladeshi nationals strictly as per the procedure laid down. That entails a verification of the nationality and residence details that are furnished by the individual. The process of verification is thus non-discriminatory and no religious bias has any place in it. We shall keep a constant watch on the process and shall ensure that it remains focussed on deportation of foreign nationals without any discrimination based on their religious persuasion.

Shahabuddin's Response, 25 June, 2000

I thank you for your letter dated 20 June, 2000 regarding the identification of illegal migrants of Bangladesh origin.

The problems lies in the fact that the action of the police is not always in consonance with the letter and spirit of the directions or even in accordance with the law. It has been observed in the press that the people were lined up by religion and that the various documents presented to them by the suspects were torn down. It is, therefore, necessary to have an independent watch on the process of identification.

Even after an illegal migrant of Bangladesh origin is well identified after verification of his claim domicile etc. I imagine it is very difficult and time consuming to deport him to Bangladesh because to the best of my knowledge there is no agreement between the two governments. I would, therefore, like to know whether such persons will be kept in detention till they are accepted by the Bangladesh.

All India Muslim Majlis-e-Mushawarat

Programme of Action Adopted by the Central Working Committee, 29 July, 2000

The Amla decided to monitor the progress of the **review of the working of the Constitution** by the **National Commission** and to submit its considered views to the Commission at the appropriate time both to project the aspirations of the Muslim community and to counter any adverse proposal before the Commission. It also decided to take due steps to ensure that all leading Muslim organisations in particular, the AIMPLB, AIMC, JUH and JIH, place convergent views before the Commission to safeguard the interest of the Secular Order and of the religious minorities.

The Amla decided that the Mushawarat should approach the secular parties for ensuring **adequate and proper representation of the Muslim community in the power structure** i.e. the legislatures, the governments and the administration so that it may develop a sense of participation in governance and share power, both at the Central and in the State

The Amla requested Mr. Ahmad Rashid Sherwani to resume his endeavour for **Hindu-Muslim dialogue** at a high level.

The Amla decided to raise the question of **restoration of Wakfs** and, in particular, of the **occupied and protected Masjids** throughout the country.

The Amla welcomed the proposed **cease-fire in J&K** and called upon the Central Government to enter into unconditional talks with all political elements in the State with a view to ensure Peace with Honour for the long-suffering people of Kashmir.

The Amla asked the Central Government to **stop the proposed Rath Yatra** to be launched by the VHP in October, 2000, and the formation of Gram Suraksha Vahinis by the Bajrang Dal.

The Amla condemned the spate of **violence against the Christian community** and expressed its solidarity with them, called upon the Government to identify the culprits as well as put a stop to the **hate campaign** launched by the Sangh Parivar against the religious minorities, in general, and the Christians in particular.

The Amla requested the President to return the **UP Religious Places Bill** and condemned the gifts of government land by the UP Government to the Sangh Parivar.

The Amla supported the **PLO's stand on the status of Jerusalem**, the refugees and the Occupied Arab land in its recent negotiations with Israel.

The Amla also decided to promote and protect the

status of Urdu as medium of primary instruction and its place **as the First Language in the Three-Language Formula** for the students whose Mother Tongue is Urdu, in cooperation with Urdu organisations.

The Amla called for **reservation of 75 per cent seats** at all points of entry for admission of Muslim students, on basis of inter se merit, in the Aligarh Muslim University, the Jamia Millia Islamia, the Jamia Hamdard and all general or professional degree colleges established by the Muslim community.

The Amla also called upon the Muslim organisations to establish a **Central Muslim Education Fund** to support Muslim students of modest means in professional and technological courses at the degree and postgraduate level.

The Amla called upon the government to enact at the earliest **new Haj Committee Act**, as repeatedly assured to the Supreme Court and the Parliament.

The Amla took note of the recent decisions of the Calcutta and Bombay High Courts on Muslim personal law misinterpreting the MW (PRD) Act, 1986 to extend the period for the payment of **maintenance and provision** to the Muslim divorcee, **beyond the Iddat upto remarriage** and supported the decision of the AIMPLB to challenge the legal validity of these decisions.

The Amla **condemned the move by the Central Government to enact TADA II** and demanded the withdrawal of pending cases against those detained under TADA, either still in detention or enlarged on bail, against whom no charges had been framed so far, as well as their release and to expedite the trial of the others.

The Amla took note of the production and marketing problems faced by **the handloom weavers** and handicraft workers and called upon the Central and State Governments to take adequate and appropriate measures for the rehabilitation and growth of the handloom and handicraft industry. □

All India Muslim Majlis-e-Mushawarat
Address of the Central Office

Flat No. 3,
N-44, Abul Fazal Enclave,
Jamia Nagar,
New Delhi - 110 025

Contact Phone: 271 1354

631 1401, 326 1369

Judicial Verdict has to be Accepted in a Democracy But Mutual Settlement Desirable for Future Relations

RSS Chief Stresses Settlement Through Negotiation, Legislation or Unilateral Concession

Sudarshan's Reply, 7 August, 2000 to Shahabuddin's Letter of 8 July, 2000

I am in receipt of your letter dated 8 July, 2000 regarding my statement on the Babari Masjid dispute. In this respect, I would like to make the following observations for your kind perusal.

You would kindly agree with me that the Hon'ble Supreme Court of India has not debarred mutual settlement amongst the parties whereby a part of the acquired land on which the disputed structure stood could be transferred. This would equally imply out of court settlement which would, in any case, be acceptable to the Special Bench of the Allahabad High Court. The second option of legislation by the Parliament is equally valid as the Parliament is the supreme body and keeping in view the Shah Bano case, its decision for the transfer of the site of the disputed structure for the construction of the temple will be well within its competence. It is important to observe that the White paper issued by the Government of India has always used the term 'Disputed Structure' rather than a 'Masjid'. In true sense of the word, it could never be reckoned as 'Masjid' when no namaz was ever offered at this site since 1934-36.

The third option for the voluntary relinquishment of the claim of the Muslims of the disputed site is much more feasible and pragmatic solution, especially when it is known from the revenue documents of the late 19th/20th century that the plot of land on which the disputed structure stood was never under Wakf. In fact, it has never been a Wakf land. At the same time, the present existence of the makeshift temple on this site since December 6, 1992 has also the judicial sanction wide the judgement by Justice H.N. Tilhari dated 1st January, 1993.

Lastly, it must be mentioned that the offer of the Babari Masjid Action Committee/Babari Masjid Movement Coordination Committee to transfer the site of the disputed structure to the Vishwa Hindu Parishad provided it was proved that the so-called Babari Masjid was constructed on the site of the erstwhile Janamsthan temple was never denied or rejected by the Vishwa Hindu Parishad. Vast evidence comprising both the archaeological and literary sources has been furnished which confirms the fact that the so-called Babari Masjid was constructed during the reign of Babur, the first Mughal monarch after demolition of the Janamsthan temple. It can also be well ascertained that the mutual

dialogue between the Babari Masjid Action Committee and the Vishwa Hindu Parishad was sabotaged by the Babari Masjid Action Committee in November 1992, much before the demolition of the structure on 6 December, 1992. The Babari Masjid action Committee withdrew from the mutual dialogue simply on the plea that the Vishwa Hindu Parishad was undertaking another Kar Seva Operation, which in fact, would not have affected the disputed structure itself. Whatever the nature of the event of the demolition of the disputed structure on 6th December, 1992, regrettable or otherwise, it cannot be denied that from the historical viewpoint, it was an act of mob violence. At the same time, after the demolition of the disputed structure, fresh archaeological evidence covering the foundation stone inscriptions of the earlier temple, which was destroyed in the 16th century for building the so-called mosque on it, was discovered. This is rather unchallengeable evidence for the prior existence of the temple on the disputed site.

Your benign assertion that the proof of the earlier existence on the disputed site should be to the satisfaction of eminent historians, is a highly controversial statement. It is difficult to satisfy the eminent historians if they deliberately refuse to see the truth. After all, apart from the Ayodhya temple, there were other temples like the Mathura or the Banaras etc. for which there has been no controversy about the fact that the mosques were constructed on those site in 17th century during the reign of Aurangzeb. If the act of the parliament had not protected these monuments from any further controversy about their transfer, the so-called eminent historians of the Babari Masjid Action Committee would have equally offered half baked arguments/excuses to the effect that the 17th century mosques had not been constructed on the sites of the earlier demolished temples. As such, the words 'satisfaction' of eminent historians is rather a questionable term when the historians are unwilling to accept the broad daylight historical fact.

There is no denying the fact that **in a democratic society we have all to accept the judicial verdict.** But at the same time, for the present and future amicable relations between the two communities, it is most desirable to arrive at a mutual settlement on the basis of any of the options offered by me in the earlier settlement. □

Honourable Solution Through Negotiations, Yes, Surrender of Masjid Site Under Coercion, No

Shahabuddin Revives Earlier Offer of Adjacent Land to Build Ram Mandir

Shahabuddin's Reply of 11 August, 2000 to RSS Chief Sudarshan

I thank you for your letter of 7 August, 2000, on the Babari Masjid Question.

Let me first express my deep appreciation for your forthright statement that **'There is no denying the fact that in a democratic society we have all to accept the judicial verdict'**.

The option of negotiation is certainly ever available in the larger interest of amicable relations between the two communities, indeed of the nation. But negotiations must be free of coercion, on terms of equality and on the basis of mutual understanding of the essentials of the question, as perceived by the two sides.

However, keeping in view the basic philosophy and structure of the Constitution, in our view, a particularised piece of legislation to acquire and then to hand over the site of a Masjid for the construction of a Mandir, or vice versa, would be unconstitutional. The parallel of the Shah Bano Case does not apply because in that case the question at issue was the misinterpretation of the law by the Supreme Court, which had to be corrected by legislative action. In the Babari Masjid case, if the title suit for the Masjid site is finally decided by the judiciary in favour of the Muslim community, the Parliament has no jurisdiction to nullify a fact as established by the judicial verdict, because that will not only amount to usurpation of property but also a clear deviation from the principle of equality.

Whatever the manner of description of the Babari Masjid in the government documents or otherwise, even you accept that it was a functional Masjid until 1934-36. In fact it was a functional Masjid right upto the night of 22-23 December, 1949 when through the unlawful introduction of Ram Lalla idols a dispute was engineered. How can a deliberately created dispute change the nature of the structure or the title to the property?

In elaborating the third option of voluntary relinquishment of claim by Muslims on the Masjid site, you have gone into considerable details. But may I point out that a Masjid, which stood for nearly 500 years, and its site, under the Indian law, is *prima facie* Wakf.

Justice Tilhari's order of 1.1.1993 merely records a *de facto* situation and cannot override the final judicial verdict on the question of title.

The Babari Masjid Movement never offered to 'transfer the Masjid site to the VHP'; it offered to advise the Muslim community to agree to the Masjid being handed over to the Hindu community if it was proved that **a standing Mandir, commemorating the birthsite**

of Shri Ram Chandrajai stood on the site in 1528 and was demolished to construct the Babari Masjid on its place.

I am not aware of what transpired during the Babari Masjid Action Committee - Vishwa Hindu Parishad negotiations but the Babari Masjid Movement Coordination Committee had independently endorsed the proposal of Justice V.S. Krishna Iyer and his colleagues, submitted to then P.M. Chandra Shekhar, for the appointment of a Commission consisting of retired Supreme Court Judges to go into the above question of fact, provided the VHP stops all agitation, commits itself to accept the verdict of the Commission and does not treat this as a precedent to lay claim to other Masjids. I do not know whether the proposal, which was also endorsed by the Congress President Rajiv Gandhi, with some modifications, was considered and accepted or rejected by the VHP.

Whatever pre or post-demolition archaeological evidence may be there, it is still there. Experts have questioned their relevance and authenticity. The Archaeological Survey of India found no trace of human habitation in Ayodhya earlier than the 6th Century BC, thus indirectly delinking modern Ayodhya with Shri Ram Chandrajai of the Ramayana.

I agree with you that eminent historians can disagree. That is why we had suggested a judicial forum. Yet, the VHP contention on Babari Masjid cannot be accepted **only** on the ground that other temples are known to have been destroyed by some Muslim rulers. Every event has to be considered in the light of its circumstances in time and space.

May I add that the essential issue relates to the site of the Masjid proper, not to the whole of the disputed area, about 6.5 acres, or even to the whole of its compound which had the Ram Chabootra in its South-east corner. We had, as you may know, offered as much of this disputed land and the compound as may be needed for the construction of the proposed Ram Janambhoomi Mandir. in the immediate vicinity of the Babari Masjid, **so long as the Masjid site (plinth area about 60' X 60') was left untouched.** Do you think that this offer deserved unceremonious rejection?

Once again I thank you for your kind response to my letter. Let me assure you that the Muslim community is eager for an honourable solution but it is not prepared to surrender to coercion and humiliation. □

Kalyan Singh Was no Scapegoat **Editorial, The Statesman, 21 July, 2000**

The (RSS) seems inordinately fond of the word conspiracy, it is used willy-nilly to account for anything that happens in the country and for which they want to avoid responsibility... The same conspiracy bug has hit Kalyan Singh — after all his background is steeped in RSS doctrine — but this time those accused of hatching the conspiracy are BJP and RSS leaders. In his new avatar as leader of the Rashtriya Kranti Party, Kalyan Singh finds himself isolated with only the backwards as a potential vote bank. The backward vote in many areas can be a decisive factor in elections, or it can eat into the votes of other parties, but alone, it cannot win elections. Kalyan Singh is well aware of this and has been trying to make new friends without too much success. He is also keen to wean away other castes and communities to his RKP, and to this end his latest targets are Muslims whom he is wooing with “conspiracy” theories.

Kalyan Singh is projecting himself as an innocent used by the BJP and RSS leaders to be the fall guy for the demolition of the Babari Masjid. If we are to believe Kalyan Singh's version, he had nothing to do with the planning or execution of the demolition; he was kept in the dark by the top BJP leaders who hatched the conspiracy. How can he be believed? The Ram Mandir issue was part of the election plank on which he came to power in 1991; he accepted all the praise showered on him by the VHP as the strongman who had the courage to bring down the Babari Masjid; and in the post-92 elections he flaunted his role in the demolition to return to power? His parting with the BJP is no reason to forget his past...

No Surrender, **No legitimisation of Vandalism** **Shahabuddin to The Pioneer, 18 July, 2000**

Ms. Sandhya Jain in her article on Ayodhya (18 July, 2000) asks (indeed threatens) the Muslims ‘to end the negativism over Ayodhya’ (because) ‘the unused mosque cannot be restored. But a new temple can be built’.

In other words, she wants the Muslims to legitimise the act of vandalism committed in the full glare of history, with the entire world as its witness, in defiance of the Constitution and the Rule of Law. I do not know why the demolition squad, she represents, is so anxious to get the seal of approval from the Muslim community!

The Muslims have never opposed the construction of yet another Ram Mandir in Ayodhya. But no one has yet explained why it must be built over the sites of the Babari Masjid. Why can't be built by its side? Can the birthsite of Ram Chandrajai be pinpointed with such precision?

Scuttling a Probe **Editorial, The Hindustan Times, 22 July, 2000**

The nation is entitled to wonder why judicial probes are at all set up ... since they often receive short shrift from those who matter. This certainly appears to be the case with the Liberhan Commission, instituted to delve into ... the demolition of the Babari Masjid, by any reckoning a watershed development in our political and social life. Most people may fairly expect that all those connected with such a shocking episode will automatically queue up to tender evidence before a judicial commission... But from experience we know that this usually remains a fond hope.

Thus, Kalyan Singh, who was the Chief Minister of Uttar Pradesh when the demolition occurred, fails to show up before the Commission, using excuses which seem barely credible, although he has alleged a Sangh Parivar conspiracy to bring down the mosque. Among those who were distinctly unenthusiastic about offering evidence before the Commission is Prabhat Kumar, currently Union Cabinet Secretary, who was Principal Secretary (Home) in Lucknow in December 1992. The seniormost civil servant of the land did finally appear before the inquiry only after he was threatened with arrest! This will hardly cause surprise, for important political functionaries are still to share with the Commission what they know. In this category are P.V. Narasimha Rao, Prime Minister at the time of the demolition, his Home Minister S.B. Chavan, not to mention L.K. Advani, Murli Manohar Joshi, Uma Bharati and others who were present on the scene... On the whole, there appears to be an unseen but conscious effort to impede the progress of the investigation...

As for the ‘unused’ Masjid it was used right upto the night of 22-23 December, 1949. If it remained unused since then till its demolition, this was on account of the fact that first a dispute was created and then a status quo order was obtained and the Muslims respected the order. How does respect for law erode or dilute their legal rights?

Under the law of the land, after the demolition, the Muslims could have insisted on the restoration of the status quo ante, before the title suit proceeded further. They did not, because they want an expeditious verdict. And while they have repeatedly reiterated their commitment to accept the final judicial verdict, whatever it may be, the other side continues to emit fire and brimstone and challenge the constitutional status of the Judiciary and declare from the roof top at the top of its voice that law or no law, the Mandir shall be constructed on the Masjid site. This is the worst possible manifestation of Majoritarianism. □

Vidya Subrahmaniam on Trifurcation

... Today everyone agrees that Kashmir cannot be resolved without involving the militants... Who is really behind the peace offensive? Has Pakistan made the move voluntarily, realising the high costs of nurturing militancy in the Valley? Or, is the US once again pushing Pakistan and India into talking peace? The first is the most favoured scenario with our security establishment: Post-Kargil, Pakistan is so bankrupt that it must sue for peace or fail as a state...

There's a problem with this line, though. Pakistan will never approach India from a position of weakness. On the contrary, the public posture of Pakistani decision-makers even today is that India is militarily vulnerable.

So, it is clear that India and Pakistan are being nudged to the negotiating table by the US. This is not mere speculation, but a surmise based on hard evidence. The Hurriyat leaders say they were released under US pressure. They also admit to considering various formulae put forward by US-based intermediaries, including the Kashmiri Study Group... The Hizbul's political leadership has also been involved in meetings with American intermediaries both in Washington and Islamabad. Even more significantly, the government's response comes within a day of Principal Secretary Brajesh Mishra's return from the US.

What is so very wrong with all this?... We just have to go back to the Lahore bus trip to understand the dangers of forced diplomacy... If we pursue the US line once again, without genuinely working for a broader consensus, the illusory peace will surely give way to more violence. The opposition from almost the entire spectrum of militancy to the Hizbul offer tells us that we have not even managed a minimum consensus on the issue.

For India, there is another, bigger worry. And this has to do with the kind of solutions doing the rounds in Srinagar. Almost all of them envisage the separation of the Kashmir Valley from Jammu and Ladakh on communal lines... Sometime ago, an RSS functionary publicly mooted the trifurcation of Jammu and Kashmir. In recent weeks, several Hindu organisations have sprung up, with the trifurcation of J&K as their main demand. In its regional autonomy report, the Farooq Abdullah government, too, suggests eight communal divisions for the state.

Communal division of the state and handing over the Valley to Pakistan may look like two different things, but one will definitely lead to the other... The US may bring together the Hindu right and the Muslim right, but not the rest of the country.

(Source: The Times of India, 30 July, 2000)

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AIMMM Condemns Massacre by Militants New Delhi, 5 August, 2000

"The All India Muslim Majlis-e-Mushawarat (AIMMM) is deeply shocked by the sudden upsurge of militant violence in the State of Jammu & Kashmir and the resulting loss of over 100 innocent lives including those of some Amarnath pilgrims. It conveys its sincere condolences to the next-of-the-kin of those killed.

The AIMMM unreservedly condemns violence against innocent persons as anti-Islamic, inhuman and contrary to the internationally accepted humanitarian laws. It, therefore, calls upon the militant groups to abjure the path of senseless violence and join the current cease-fire between the Hizbul Mujahideen and the security forces to create an environment conducive for peaceful negotiations.

The AIMMM also reiterates its call for meaningful and unconditional talks between the Government of India, on one hand, and all political elements and militant groups operating in the State, on the other, with a view first to stabilise peace and then to settle the problem and fulfill the longing of the long-suffering people for Peace with Honour."

CPI(M): Central Committee Communique, 29 July, 2000

The Central Committee of the CPI(M) welcomed the proposal to conduct talks on the Kashmir issue by ceasing hostilities and creating an atmosphere for dialogue. The cease-fire declared by Hizbul Mujahideen is a step in this direction. The prime Minister has responded positively to the offer...

The CPI(M) reiterates that no outside intervention should be allowed.

The Central Committee of the CPI(M) discussed the question of autonomy for Jammu and Kashmir. The Party has always stood for providing maximum autonomy for the state of Jammu and Kashmir within the ambit of Article 370. Within this framework, regional autonomy should be given to the regions of Jammu and Ladakh.

(Source: The People's Democracy, 6 August, 2000)

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Ajoy Bose

On Nursing Kashmir's Bruised Psyche

Ultimately, it is the human face of the tragedy of Srinagar and elsewhere in the Kashmir Valley that matters. Constitutional proprieties, Pakistan's perfidy, the Centre's bangles, Farooq's follies, the Hurriyat's ... machinations these are all roadblocks on the way to a solution for Kashmir. But the central issue today in the Valley is the loss of the people's faith in not only everyone else but even themselves.

The problem is compounded by the present national mood which wants quick results in Kashmir and is clearly impatient with talk about the bruised psyche of its people... This is not exactly the best time to persuade the rest of the country about the need to nurse back to life a dying limb of the nation.

Yet, if Indian democracy is to be justifiably proud of its otherwise remarkable achievements, it cannot afford to ignore the failure to involve the people of the Valley in the national mainstream. Regardless of the fate of the present peace initiative, efforts must continue to remove this darkening stain, even if only on a corner of the national map, before it gets too late.

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

Iffat Khan's Appeal to Maneka Gandhi Show as much Sympathy for Human as for Dogs

... Maneka Gandhi had shot off a fiery letter to George Fernandes when she was informed about the killing of a dog by an army major in Poonch sector for the anti-national act of having barked at the army men instead of militants. "it would only be a Pakistani who could bark at us", the major was reported to have yelled before pressing the trigger. Though this incident and Maneka's outburst were carried in detail, by a newspaper from Delhi, all others blacked it out in the supreme national interest. The reason for that is obvious, as Mrs. Gandhi widow had raised the question, "if this could be done to a dog, I can understand why the security forces are hated by Kashmiris".

There is no news of further shooting down of dogs ever since. But, innocent killings of men, women and children seems to have undergone a manifold increase during the period. It is in this context that the special session of the State Assembly should include the subject of human rights in the autonomy package that it is likely to deliver. Animal rights for the Muslims of the state could be included in the last schedule of the constitution of J&K as a leap forward in securing their future. How great if they could be granted a more merciful end...

... In our world ... Maneka Gandhi, a minister ... could hear of human beings in Kashmir only through the reverberations of a dog's death pangs... My advice to (dogs) would be: Beware of Kashmir, my dear dogs, you could die a man's death here...

(Source: The Greater Kashmir, 21 June, 2000)

Muchkund Dubey on J&K Autonomy

A very small proportion of the people in Kashmir is for India. There are not many for Pakistan either. The overwhelming majority is for Azadi. But Azadi for them means cessation of atrocities and humiliation by the Indian state, and not being at the mercy of India in shaping their destiny. If these conditions are met under any other rubric, say autonomy, there is a fair chance of their taking it as Azadi. There would still remain some groups ... who will raise pro-Pakistani slogans from time to time, but we will have to live with them... A democracy must tolerate dissent, even if at times it goes against the very ethos of the nation.

The uppermost thought of the ordinary Kashmiri is to find deliverance from the present fear and insecurity. A Kashmiri constantly lives under the fear of security personnel entering his house and carrying out a search. He is afraid that he or his relative might be the next one to be picked up and never be heard of again. Custodial deaths for the rest of India are a matter of contested statistics. For a Kashmiri, it is associated with the name of a dear friend or colleague or a close relative. A Kashmiri feels threatened by the omnipresent bunkers ... in the heart of the residential area. Practically every family has lost lives. Business is disrupted. A large part of the social and physical infrastructure is a shambles. The economy is shattered. A Kashmiri sees the Indian State arrayed against him at every step.

There was a real window of opportunity in 1996 when the National Conference under Dr. Farooq Abdullah came to power on the autonomy slogan. If the State and the Central Governments had together worked out an autonomy package then there would have been a qualitative change in the situation. The emotional integration of Kashmiris with the rest of the country would have begun, Pakistan's proxy war would have been rendered ineffective and, perhaps, the Kargil tragedy would have been avoided. Above all, the Kashmiris would have been a happy people...

But that was not to be, mainly because of the opportunism and lack of vision of our politicians. Dr. Abdullah set up a committee on autonomy for Jammu and Kashmir and another one on autonomy within the State, and forgot all about them for about two years. But he alone cannot be held responsible for missing the historic opportunity. Successive Governments at the Centre also did not bestir themselves while the window of opportunity was still open. Dr. Abdullah got the State autonomy report completed and sprang it on the nation in April, 1999.

Dr. Abdullah's recent action to get the report approved by the J&K Assembly and transmit it to the Centre for implementation raised protests from all the political parties except the leftists... Whatever his failures,

Dr. Abdullah has a feel of the pulse of his people. That is why he has fallen back on the autonomy slogan. But his steadfastness to the autonomy route cannot be taken for granted.

... After Kargil ... the window of opportunity for bringing the Kashmiris back into our fold has opened once again. The Kashmiris have turned further away from Pakistan after the latest instance of the trampling of democracy in that country. Besides, they cannot but take note of the fact that India has demonstrated once again in Kargil that it is prepared to make any sacrifice to retain every inch of territory on its side of the Line of Control. Finally ... the fatigue from violence that set in the mid-1990s still persists.

It is, therefore, extremely important to take a bold new initiative to take advantage of the opportunity available in Kashmir. And autonomy provides the minimum practicable basis for such an initiative... Today we need (a) unique political contract for the emotional integration of the Kashmiri people into Indian nationalism. This is a supreme political imperative and not a matter of legal or constitutional quibbling...

The argument that autonomy for Kashmir will give rise to similar demands from other States and lead to disintegration is a red herring to divert attention from the main issue... Pluralistic societies everywhere, particularly in the Third World, are under pressure. They can survive only if they devise new, ingenious and differentiated means to satisfy ethnic aspirations. This may call for different modes of association of different ethnic entities. If we do not reach a settlement on Kashmir on the basis of autonomy, we will soon be forced to go in for a superimposed artificial solution...

There are reports that the Government might stumble upon a political fix such as the trifurcation of Jammu and Kashmir based on religion. There seems to be an unholy alliance of the RSS, the Hurriyat, Pakistan and outside forces in support of this artificial solution.

... Trifurcation ... may be seen as leading to greater homogenisation of India towards the Hindutva ideology. But this will not prove to be so. Besides, this will have dangerous implications for the unity and survival of the country.

The Centre's position on trifurcation is not clear. The fact that it has not so far denied any such move is matter of concern... Besides, since the Government has summarily rejected autonomy and since it cannot openly accept azaadi for Kashmir or its accession to Pakistan one wonders what is the basis on which it is engaged in informal talks with the Hurriyat Conference.

(Source: The Hindu, 29 July, 2000)

[Muchkund Dubey is former Foreign Secretary]

Karan Singh on Multiple Dimensions of Problem

... The Autonomy Committee Report unleashed a virtual avalanche of press comment, and the overwhelming opinion in the country is clearly against reversion to 1953... There are three distinct dimensions to the entire matter which have to be handled separately though in a coordinated fashion...

The first dimension is the conflict with Pakistan... One half of the original area of (their) State, which was over 84,000 square miles, is not under our control at all — roughly 32,000 sq. miles (is) under Pakistan ... and 10,000 sq. miles (under) China...

The Pakistan factor cannot, therefore, be ignored because as over the last half century, that country has been making repeated attempts to break the Kashmir Valley away from India...

In the final analysis, with both countries now equipped with nuclear weapons which Pakistani spokesmen from time to time threaten to use, it is essential that sincere efforts be made to come to a negotiated settlement. As Kennedy said, "Let us never negotiate out of fear, but let us never fear to negotiate." The argument that we should not talk to ... a military dictator does not hold water. On this front, therefore, bilateral talks should begin soon.

... India's destiny as a truly great nation can unfurl only when we have a strong SAARC and have succeeded in sorting out our regional problems...

The next dimension is the ... question of the relationship between Jammu and Kashmir and the rest of India... The facts are that ... the Instrument of Accession ... was identical with those signed by other princes, the ... merger (of the State) did not take place...

The State already has a separate Constitution, a separate flag and a special dispensation under Article 370 of the Indian Constitution. What has happened is that under the constitutional provisions, a large number of Central Acts have been extended to Jammu and Kashmir over the last half century. It is this process that the State Autonomy Committee seeks to reverse by going back to the pre-1953 position...

Whether it is constitutionally, legally, administratively, financially or politically possible to turn the clock back by half a century is a moot point. But it should be recalled that ... in 1956 ... the J&K Constitution (was signed) into law. In 1953 that Constitution did not exist... The Sheikh Abdullah-Indira Gandhi Agreement in 1975 along with the Sarkaria Committee Report provides a more viable starting point for negotiations.

Then there is the third dimension revolving around the multi-regional nature of the State... There were the vast northern areas of Gilgit and Baltistan, which are now directly administered by Islamabad; the predominantly Punjabi Muslim strip on the western side which we call PoK; the huge, sprawling region of Ladakh with its Tibetan and Central Asian cultural influences; the Jammu

region and, finally, the glorious Kashmir Valley with its unique cultural and historical heritage.

Two of these five regions, as I have mentioned, have been under Pakistan control for over half a century (so is a larger part of Ladakh under Union), although our legal claim over them ... need to be reiterated. This leaves three clearly demarcated regions of Kashmir, Jammu and Ladakh which are very different in their cultural, linguistic and geographical situations.

The problem of Jammu and Ladakh was studied in depth by the Gajendragadkar Commission (1967) and the Sikri Commission (1977), both headed by retired Chief Justices of the Supreme Court. Unfortunately, their recommendations were never properly implemented and seem to have faded from public memory.

These regions are not based on re(li)gion. Ladakh is 50 per cent Muslim and Jammu around 35 per cent Muslim. In the Valley also, there was a five per cent Pandit population which has left en masse, but should one day be able to return. However, it must be recognised that the political aspirations of the majority of the people in these three areas are sharply divergent ... and these will have to be addressed in the context of our well-established democratic traditions.

The idea that the present status quo is satisfactory is erroneous, and a reversion to the status quo (ante) is also unrealistic. Now that the State Autonomy Committee has opened the mythical Pandora's box, the task is to seek a new dispensation for all the people of the State keeping in view demographic, linguistic, geographical and political factors. The recommendation of the lesser publicised Regional Autonomy Committee Report to subdivide Ladakh into two and Jammu into three regions, virtually on religious lines, has added to the widespread concern and resentment there and has led to growing demands for separate status.

What is needed is a mature and sober consideration of the entire matter in an integrated and dynamic framework. Unfortunately, such a framework does not seem to exist. The way in which the autonomy resolution was bulldozed through the State Assembly and then unceremoniously rejected by the Union Cabinet does not speak of any great political wisdom on either side.

The position as of now is that on all the three levels, new possibilities have opened up which need to be thoroughly explored in a calm and non-confrontational manner in the broader national interest, and in the interests of (the people of) J&K who have been going through a baptism by fire now for over a decade.

The wounds inflicted as a result of militancy and anti-insurgency operations will take years to heal, but the sooner the process starts the better it will be for the nation.

(Source: The Hindustan Times, 31 July, 2000)

[Karan Singh is MP and former Sadar-c-Riyasat]

Neerja Chowdhury on Impact of Trifurcation

The idea of trifurcating Jammu and Kashmir as a solution to the Kashmir tangle has insidiously entered the discussion circuits in the capital. Officially, the BJP has stated that vivisection of the state is not part of the party's agenda. But the RSS leader who publicly advocated the idea weeks ago was obviously floating a trial balloon.

There is a growing feeling in the *Sangh Parivar* that one way out could be to give Jammu statehood and Ladakh Union Territory status. Once they are integrated more strongly with the rest of India, negotiations can be held more effectively with the Valley to confer it a more acceptable autonomous status within the Indian Union. Underlying this view is the belief that Kashmir has cost India dearly and the time has come to settle the issue.

The J&K Government's report on regional autonomy, as opposed to the one on greater autonomy for the state which has stirred a hornet's nest, is one more incarnation of the same idea. Farooq Abdullah has used it to play the Muslim card, keeping in mind the 2002 polls.

The report makes a case for a 'Vishal' Valley, recommending the creation of eight regions, ostensibly on the grounds of ethnicity, six of which will be Muslim-dominated. Three of them will be in the Valley, two in Jammu (by clubbing together Rajouri and Poonch and Doda and Mahore tehsils), and the sixth will be Kargil to be carved out of Ladakh. Only Jammu, Udhampur (minus Mahore) and Kathua are to be constituted as a region. Leh will be Hindu or Buddhist-dominated.

The seeds of the trifurcation idea are also present in the February 2000 report on Kashmir prepared by the Kashmir Study Group in the US, which ... many in the Hurriyat are inclined to consider. It too talks about reorganising "a portion" of the former princely state of J&K, without spelling out which portion. But the arrangement it advocates — either one "sovereign" Kashmir "without an international personality", or two such states on either side of the LOC, with soft borders between them, looking after everything barring foreign affairs and defence and having a special relationship with India and Pakistan — **will not be acceptable to Jammu or Ladakh.**

The idea of creating a state on the basis of religion, which reinforces the two-nation theory rejected by India at the time of independence, goes against the very fundamentals of the Indian nation — that it is possible for people of different faiths, tongues, regions and ethnicity to live alongside each other in harmony, respecting each others' beliefs. From that tolerance of each others' differences flows India's secularism, and its unity in diversity... Therein lies the secret also of its democracy, of a consensual approach, which for all its imperfections has lasted 50 years.

An extension of the argument of conceding the Valley as a separate state because it has a Muslim majority has horrifying consequences for India. It has the potential to encourage Hindu fundamentalists. They may turn around and say that if religion is the basis of statehood or nationhood, why should 150 million Muslims continue to live in India as they are doing today. Throw them out or create ghettos for them. It will spell the end of everything India has stood for. If differences become the basis for separation, there is no end to this process. It could lead to the country breaking up into hundreds of Bosnias...

What has happened in J&K in the last 50 years is all the more painful because the state represented the pluralistic ethos of India better than many others...

The *Sangh Parivar*, and others, may flirt with the idea of amputation as a solution, but it will jeopardise the very logic of India. For India is not fighting in Kashmir just to retain a piece of territory. It is fighting to retain its heritage, its beliefs, and its multi-religious mosaic welded by history. India is not fighting in Kashmir just to retain a piece of territory (Source: The Indian Express, 24 July, 2000) [Neerja Chowdhury is Executive Editor of The Indian Express and a regular Columnist]

Shahabuddin's Response

Letter to The Indian Express, 28 July, 2000

Much as I find myself in tune with the ideological wave length of Neerja Chowdhury's "At Stake is the Idea of India" (Indian Express, 24 July), I feel compelled to point out the omission and exaggeration in her analysis.

The US-based Kashmir Study Group Report does demarcate the part of the State which should have 'sovereignty without international personality'. Basically it is the same as the Vishal Valley propounded by the Regional Autonomy Report. Of course, there is another version which tags on a part of the POK to 'Kashmir'. All this is supposed to be based on Kashmiriyat i.e. Kashmiri language and Culture i.e. ethnicity. Of course, 90% of the Kashmiris are Muslim. So there is a religious dimension. But the same applies to Punjabyat and Bengaliyat on the basis of which Punjab and Bengal were also partitioned in 1947 so that parts thereof with Hindu-Sikh majority may be incorporated in the Union.

Secondly, as a Muslim Indian, let me assure Neerja Chowdhury that whatever may happen to Kashmir, no one can throw us out or force us into ghettos. Stop.

As for trifurcation, this idea is as old as the Kashmir dispute, the Dixon Plan sowed the seeds and India was prepared to go along. For inexplicable reasons Pakistan backed out. Even now, the three regions are unable to get along. It is for the Kashmiri leadership and the J&K Government to offer reasonable and generous terms for Jammu and Ladakh to stay in but if no modus vivendi can

(Contd. on Page 417)

Shekhar Gupta on International Intervention for Durable Solution

... These are interesting straws in the wind. Little signals that finally we are beginning to understand and appreciate our standing in the world in a changing, post-Cold War light. Not long ago, we had gone ballistic when the same US president had committed the crime of merely mentioning the K-Word at the United Nations General Assembly. In what was no more, perhaps, than a speechwriter's alliterative flourish, he had spoken of the need to douse the fires that burn from the Caucasus to Kashmir. But such was our neurosis at that time that we thought finally Robin Raphel had succeeded in getting her president to "intervene". Now, we seem to celebrate each time he talks of the need to resolve the Kashmir issue.

From the Caucasus to Kashmir to Kargil, we have already come a long way in terms of our post-Cold War worldview, and of our own stature and relevance in the world. Similarly, there has been a complete turnaround in the way the world looks at us...

For half a century we've been paranoid at the thought of international intervention, interference, even interest, in the Kashmir issue and the fear wasn't entirely irrational. We had defied the UN resolutions on a plebiscite; we had consistently and calculatedly diluted the autonomy promised to Kashmir under the Instrument of Accession and Article 370; and although the Shimla agreement, and Pakistan's own stupidity in attacking Kashmir in 1965, gave us pretty good arguments, we were never really sure the world, by and large, accepted the legitimacy of our control over Kashmir. Even at the end of the Cold War that situation had not altered too radically. But the past year has seen a clear change. It could have been partly because of Kargil, when one country was seen internationally as reasonable, rational yet firm and the other as adventurous, aggressive, even silly and unreliable. It could have also been because of the impact Indians have made in high-tech industry worldwide.

Or, perhaps, it is a combination of both these along with the opening up of Indian markets. But the fact is that today no nation in the world backs Pakistan's dream of changing the cartography of the region. Implicit in that is the world's acceptance of India's sovereignty over Kashmir, though only what lies on our side of the LoC. If that is also our final objective, if we have by now got over the nostalgia of reclaiming not just Muzaffarabad and Mirpur but Gilgit and Hunza, we have to look carefully at how we could engage the world, particularly the big powers, to further that objective. This would imply reassessing the very idea of bilateralism in the India-Pakistan context.

Even in the past, bilateralism was a highly imperfect philosophy though it was seen as the Great Gain of Shimla simply because we believed that the UN and other multilateral groupings and the big powers had still not accepted our ownership of Kashmir as granted by the Instrument of Accession. Today, the very concept is outdated and shortsighted. To what extent can we trust an agreement signed by a dictator who is, at least for the

record, around only till 2003 and may be replaced by someone who spends his first few months in power renouncing his legacy? Or, will any agreement signed with an elected Pakistani leader with curtailed powers deliver us more peace and stability than the Shimla agreement?

If this is the season for negotiations and if the acceptance of the LoC as the international border is a good enough objective, it is time to reach out to the world and invite it to help broker, sanctify and implement a final solution for Kashmir. It would be a grave mistake now to trust Pakistan with a purely bilateral agreement. Any new settlement must be internationally underwritten for it to have any legitimacy in what could only be a very unstable political future in Pakistan.

The fundamental problem with bilateralism is that it can only work between equals. Two nations do not necessarily need to be of the same size but they have to have political and constitutional systems that are comparable in their stability and consistency. We have waited far too long for such a perfect situation to emerge in Pakistan and there is no reason to believe the country is even moving in that direction. What should we, meanwhile, do? ... Wait for the Pakistanis to really discover the merits of democracy and elected leaders who would be more trustworthy than Benazir or Nawaz? Or move ahead with the international community, not just Bill Clinton, on our side and find a solution? If it works, the gains for our children will be tremendous. If it doesn't, what is to stop us, indeed, from ... fighting and waiting?

(Source: The Indian Express, 6 August, 2000)

[Shekhar Gupta is the Editor-in-Chief of the Indian Express]

Ram Dhamija on Present and Future Goal of Indo-Pakistan Hostility

... Pakistan ... bases (its) claim on the rationale of Partition. India ... refutes this claim by Pakistan and forwards its own constitutional and legal claims on Kashmir...

Both sides sweep aside the long history of Kashmir and its neighbouring regions. Both the borders and society in Kashmir have kept changing through the different periods. This was partly a result of invasions, occupation and migrations. In history there is nothing sacred about such changes. And changes could be brought about today also though the means and methods of discussion and through a process of give and take, allowing for factors on the ground; including the aspirations of the people now resident in Kashmir.

It is necessary for all the parties concerned to keep in mind the appalling costs over Kashmir so far in resources and in human live, ... the astronomical costs of the wars between India and Pakistan. Both the countries have limited resources. There is also the fact that the violence between the two countries has become a potent brutalizing factor for the people of both. It is a cost which the present generation on both sides should not bequeath to the coming generation.

(Source: The Pioneer, 17 July, 2000)

Fraud on Dalits or the Constitution?**Editorial, The Indian Currents, 21 May, 2000**

... (The Bill) intended to achieve two birds with one shot: to prove BJP one up above other political parties patronizing the causes of the weaker sections ... and at the same time to further the Sangh Parivar's declared objective of murdering the constitutional principle of reservation in favour of these groups. The first one was understood by other political parties and each tried to outshine others in supporting the Bill without even considering the real implication so the same. The second bird is hidden well underneath but at the centre itself... For the first time the Constitution has incorporated the ceiling of 50 per cent as a constitutional concept. In the very words of Law Minister till now 50 per cent ceiling was only an obiter dictum pronounced by the Supreme Court. Now creating an exemption to the said rule, the rule has been brought into Constitution, and given the status of a constitutional bench of the Supreme Court ... would be unable to undo the dictum of 50 per cent ceiling...

... Clause (4B) added to Article 16 says "Nothing in this Article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under Clause (4) or Clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for the determination the ceiling of 50 per cent reservation on total number of vacancies of that year"...

The Supreme Court had recently murdered the positive content available in the constitutional provisions for reservation through a proactive 'legisputational' judicial activism by three consecutive constitutional bench decisions... Without touching any of these major issues, the BJP through the ingenuity of the Law Minister brought in a very sinister amendment which the MPs of other political parties did not have the time or expertise to understand and counter. The rule of 50 per cent ceiling has really played havoc in relation to the very policy of reservation. Its logic killed the applicability of reservation in single post cadres as propounded by the Savarna dominated Supreme Court. Another Constitution bench ruled that reserved candidates will not enjoy the benefit of seniority if they get it as a result of reservation. Another declared that reservation ought to be excluded from admissions to specialties. Without remedying the harm done by these decisions and without moving amendments to the Constitution to cure the mischief created by the said decisions, the BJP-led coalition decided to bring in such an absurd amendment, only to ridicule the Dalits and the Constitution at the same time. In addition to this they have

(Contd. on Page 417)

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Government Statement On Revision of Textbooks

Following the National Policy on Education (NPE) 1986, the National Council of Educational Research and Training (NCERT) had brought out the "National Curriculum for Elementary and Secondary Education – A Framework". The NPE was updated in 1992, and the programme of action, 1992, required the NCERT to modify the curriculum framework. As a part of the 9th Plan the NCERT had been given the task of revising the curriculum of school education... The NCERT has recently prepared a "Discussion Document" on the "National Curriculum Framework for School Education" and released it in January, 2000 for public debate. The document is being discussed and debated at national and state levels... (Source: LSUQ No. 4679 /25.4.2000 by S.M. Dev)

Muslim Schools Affiliated with Central Board of Secondary Education (As on 31.3.1995)

[Managements are requested to bring necessary addition or deletion to our notice to make the list uptodate and accurate - Editor]

I - Independent Schools

1. St. Farid Public School, Patiala, Punjab
2. Sultan-ul-Uloom Public School, Hyderabad, AP
3. Azra Public School, Hyderabad, AP
4. Al-Ameen Public School, Cochin, Kerala
5. Jamia Hassania Public School, Alwaye, Kerala
6. Ansar English School, Trichur, Kerala
7. Saadiya English School, Kasavagod, Kerala
8. Markazul Uloom English Medium School, Kondotty, Kerala
9. Jamia Salafiya English School, Pulikkal, Kerala
10. Darul Uloom English School, Palghat, Kerala
11. Darrus Salam English Medium School, Malappuram, Kerala
12. Farook English Medium School, Kottakkal, Kerala
13. Dr. N.K. Mohammed Memorial Mes Central School, Valendchery, Kerala
14. The Islamic English School, Trichur, Kerala
15. Samad Higher Second. School, Tirchirappalli, (TN).
16. Zakir Hussain Model Sr. Sec. School, Aligarh, UP
17. Fatima School, Gonda, UP
18. Rabea Girls Public School, Ballimaran, Delhi

II - Government-aided Schools

19. Shafiq Memorial Senior Secondary School, Bara Hindu Rao, Delhi
20. Anglo Arabic Sr. Second. School, Ajmeri Gate, Delhi
21. Mazharul Islam Second. School, Farash Khana, Delhi
22. Qaumi Sr. Secondary School, Idgah, Delhi
23. Fatehpuri Muslim Sr. Secon. School, Fatehpuri, Delhi.
24. Hakim Ajmal Khan Girls School, Darya Ganj, Delhi.

Courses in Karamkand & Vedic Astrology Shahabuddin's Letter to M/HR, 29 July, 2000

According to the press report, the University Grants Commission (UGC) has decided to introduce undergraduate and post-graduate courses in Karamkand and Vedic Astrology.

The idea is too bizarre for words for a state whose Constitution prescribes cultivation of scientific temper as a Fundamental Duty.

There are already many Sanskrit Universities in the country they must have courses in Vedic Studies. I suggest that before going any further, the UGC may ask those universities to modify their curriculum and syllabus in a manner so as to cater to the growing world market for performance of Hindu Rituals and practice of Vedic Astrology.

Ancient Wisdom

Editorial, The Statesman, 4 June, 2000

The RSS is no doubt happy to learn that the last census recorded almost 50,000 people who claimed Sanskrit as their mother-tongue. Another man who should be delighted is Murli Manohar Joshi whose... vision on education is capable of providing the public with not inconsiderable doses of comic relief. Joshi and his cohorts can now envisage a pristine regime of gurukuls where adequately sanitised Brahmin-types will impart the correct education in a hallowed language...

The syllabus will no doubt draw on the rich content of the Vedas, which everybody knows is the repository of all wisdom. The marvels of science and technology that the Vedic age pioneered is well known. The first aircraft, submarines, formulae for nuclear power are all there. That was the pre-eminent reason why the West made its way to India – to shamelessly plagiarise the knowledge of the Vedic world.

It is also suspected that the discipline of economics was expounded faultlessly in one of the Vedas. Joshi could ask ... Yashwant Sinha to go ...back to the Vedas. Diligent studies will enable Sinha to conjure away the budget deficit, arrest the slide of the rupee, solve the unemployment problem and, ultimately, eradicate poverty from the original land of milk and honey. That will be the first stage on the road to Ramrajya.

L.K. Advani can take a lesson or two from the Vedas in conjunction with the Arthashastra – even though the Chanakya label has been claimed by the man with the soft Hindutva pout.

It would help if Joshi can prevail upon Prasar Bharati to increase the number of Sanskrit news bulletins on Doordarshan (to cope with) the growing currency of Sanskrit (in a) perfectly sensible strategy. □

Anjuman Hami-e-Muslimeen, Bhatkal

The Anjuman Hami-e-Muslimeen, Bhatkal, saw the light of the day in 1919... Bhatkal, a prospering little town situated on the west coast in Karnataka, is known for Navayaths, a group of Muslims tracing their (origin) to the Arabs, traders of the medieval world...

The Anjuman ... provides education for the masses without distinction of caste, creed or community. It is no exaggeration to observe that this towering Anjuman is deeply beholden to the sacrifices of some great men who worked hard to make the Anjuman what it is today. Mention can be made of Messrs. M.M. Siddiqui, I.H. Siddiqui, J.H. Shamsuddin, Hasan Shabandri, S.M. Yahya, M.A. Ghani, D.H. Shabbar among the array of great savants whose untiring perseverance paved the way for the birth and growth of this great seat of learning... Trust has been rendering yeoman's service, catering to the education of the communities.

...As of now, it manages 15 institutions including professional colleges in engineering and management (with) a total strength of over 6,000 students who are (taught) by a competent faculty...The Anjuman Engineering College attracts students from every corner of India and it is equipped with state-of-art computer centre... (Its) Arts, Science and Commerce college, the Islamia Anglo-Urdu High School and the Girls High School have carved a niche for imparting quality education... The campus stands on a hillock, overlooking the azure Arabian Sea, on one side and the majestic Sahyadri mountains... The alumni of this seat of learning, are now spread all over the world now... To celebrate its 80 years of fruitful existence ... memorial lectures will be organised every month beginning May 13 till September... An All-India Muslim Education Conference will be held at Bhatkal in November ... to deliberate on the state of education among Muslims and recommend remedial measures... The inauguration will be marked by cultural events, an All India Mushaira and release of a souvenir...

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

50% Qualifying Mark for Admission to M.A. /M.Sc.

Editorial, The India Today, 12 June, 2000

Uttar Pradesh ... higher education minister has proposed a 50% qualifying mark for admission into postgraduate courses. In one stroke this will halve the postgraduate student population, make teaching in the classroom that much more focused and meaningful, rid campuses of ... parasites and save the state some of the thoroughly undeserved subsidy it provides higher education. With premier institutions in Allahabad, Banaras and Lucknow, UP was once the educational mecca of northern India. Today, it has 17 universities and an astounding 636 postgraduate colleges. They churn out

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Shahabuddin-Bhabhra Dialogue on Composite Culture

I – H.S. Bhabhra's Letter to Shahabuddin, 18 January, 2000

While thanking for your letter dated 15.11.99, I am amazed to learn that you are not conversant with Hindi... One would obviously infer ... that you are one of those who for no reasons hate Hindi. Urdu, which you prefer heartily, is also nothing but a derivation from Hindi written in Arabic script with Arabic and Persian words here and there... Urdu is a language as close to Hindi as all other provincial languages like Gujarati, Marathi, Panjabi etc.

However, for your convenience I am ... translating my earlier letter in Hindi... The Indian culture is not only ancient but also one of the oldest and that always has been the binding force behind its people. India has never been one political entity earlier but inspite of that its culture stood firm against all external attacks and attempts to destroy it. Only Indian culture has this unique power... Culture is an evolution of civilization which perennially enriches itself over the period. Obviously it is influenced by events of history from time to time. Culture creates a hidden instinct in a mind that makes it react instantaneously to a situation. This factor which Indian culture has imbibed from the time of VEDAS still remains intact and compact. This core part of culture never got influenced.

The word 'composite culture' you have used a questioner, culture of a country is a close knit fabric. It cannot be composition of two pieces. If that happens, such a country cannot remain united. The very idea of calling Indian culture a 'composite culture' is anti-national and communal. This was the idea that mainly divided this country earlier. It seems such forces are again trying to further disintegrate this nation. India has one culture and it is one country based on it. Indian Muslims inspite of shifting their religious faith to Islam remained firmly a product of Indian culture... An Indian Muslim has the same instinct as that of an Indian Hindu. Indian culture is deep rooted in the minds of all the followers of different faiths...

Indian culture has unique parameters. It absorbed various faiths; it has different languages. Consists of many castes and creeds but still it is conspicuous ...and clearly reflects its character. The Muslim in India cannot be taken away from this culture. Any communal attempts to impose any superficial and artificial idea of composite culture on them would destroy the entire country... So, for Gods sake do not try to separate them in the name of composite culture. Please don't try to divide the people of this country once again.

II – Shahabuddin's Response, 23 February, 2000

Thank you for your letter of 15 January, 2000 which is the translation of your earlier letter of 15 November, 1999 in Hindi.

First, let me put your mind at ease. I do **NOT** hate Hindi but I do not know it well enough to carry on a correspondence on a sensitive subject. My mother tongue is Urdu, which I love as any one should love his mother tongue. Urdu is indeed very close to Hindi but it is not derived from Hindi. Both Urdu and Hindi have a common origin in Khariboli of the Doaba. Thus they are sister languages born of a common mother. Urdu and Hindi have a vast vocabulary in common. Urdu has accepted words freely from all languages including English.

Incidentally, Gujarati etc. are not 'provincial languages'. They are all NATIONAL LANGUAGES like Hindi and Urdu. Hindi, of course, has a special status as the Official Language of the UNION and as the principal language of six States and as the Mother Tongue of a larger number of people than any other national language.

Urdu is not written in the Arabic or the Persian scripts. Urdu is written in the Urdu script which is phonetically much more comprehensive than either of them or even Hindi.

Regarding Culture, you yourself concede that it is ever-evolving. In that case, the Indian Culture **today** is not the Indian Culture of yesterday, nor will the Indian Culture of tomorrow be the Indian culture of **today**. All one can say is that the core of the Indian Culture is the ancient Hindu Culture. But Indian Culture was not frozen in the Gupta age; it kept on evolving and changing through harmonisation with all new cultures that entered the Sub-continent since the Aryans. Indeed, the Indian Culture retains the influence of the pre-Aryan cultures, as well.

Permit me to disagree with you that the phrase 'composite culture' is a misnomer. Our culture is composite in the sense that it is multi-dimensional, shows a historical influence of many cultures throughout history and contemporary diversity.

Under the common umbrella of our composite culture live many cultural groups who have their own manners and customs and way of life. There is no homogenous Indian Culture and the composite culture recognises the existence of many sub-cultures, which are also as legitimately Indian as any other.

Recently your leader L.K. Advani himself used the phrase composite culture in the Lok Sabha. Is he also "anti-national"? Presidents after Presidents, Prime Ministers after Prime Ministers have used this term to qualify Indian Culture. Were they all anti-national and 'communal', as you say? In my view, anyone who identifies the Indian Culture with Hindu Culture or Islamic Culture is not a nationalist. And so is anyone who equates

India with Hinduism, or Indian History with the history of the Hindus – to the marginalisation or degradation of other religious and cultural groups. It is this narrow-minded exclusivism or quest of assimilation, which may break up our country. Recognition of all religions, all races, all cultures, all languages that compose our national diversity will keep the country together.

Muslim Indians, themselves, do not have an 'Islamic' Culture, even one common culture. In Bengal their culture is largely Bengali, in Kerala it is largely Malayali and so on. Even then there are clear differences in their way of life; in their birth, marriage and death rites; in their religious practices. This does not amount to separatism.

The cultural problem is to a large extent the problem of the Hindi-speaking region. It arises out of Hindi-Urdu relationship. There is no point in blaming each other or reversing the flow of history or coercing people into uniformity. That is why Gandhiji wanted Hindustani as the National Language, with two scripts Devanagiri and Urdu.

We have to accept that in the age of ethnicity, when all self-conscious groups all over the world, are seeking recognition of their specific identity, we cannot force a uniform identity on all Indians. We have to live with our diversity to keep our common motherland united and work together take it forward towards its glorious destiny.

To put it in a nutshell, the Muslim Indians are basically Indians as the Hindu Indians are but they are not Hindu, exactly as the Hindu Indians are not Muslim. But they are the sons and servants of the same motherland.

Historian Mushirul Hasan on Evolution of Composite Culture

... In the last couple of hundred years of the syncretistic tradition and perception have been challenged and undermined at times by various contesting ideologies. First, the 'orientalist' scholarship ... constructed and helped to perpetuate exclusive and competing, if not conflicting, models of religious-cultural traditions in the region... The second serious challenge came, at a somewhat later stage, from the Islamic 'essentialists' and the champions of Muslim separatism. The third, which emerged and almost ran parallel to that of the Muslim separatists, is represented by the proponents of Hindu nationalism (which) has gained political momentum and stakes in India.

... The colonial context of the imperialists' denigration and opposition to Indian nationalism, prior to the internal challenge and direct intervention on a serious scale, provided a congenial political climate for the persistence and growth of the 'composite culture' as reflected in the shared experiences of millions of Indians. Many nationalist leaders, writers and thinkers as well have contributed to rearing the edifice of this culture:

... It is not surprising that the year before Indian Partition saw the publication, in 1946, of powerful expositions and defence of the composite culture by Jawaharlal Nehru, Rajendra Prasad, Asok Mehta and Achyut Patwardhan and Humayun Kabir. After a brief lull

Government Statement On National Culture Fund

The National Culture Fund is not intended to duplicate the existing schemes of the Department... Instead it is intended to promote private-public partnership for mobilisation of extra budgetary resources, conceptualization and implementation of projects for conservation of the rich cultural heritage of the country. Among the projects undertaken are:

- i) Upgradation of the environs of the Humayun's Tomb Complex, in collaboration with Agha Khan Trust for Culture.
- ii) Restoration ... of environs of Shaniwarwada, Pune in collaboration with Pune Municipal Corporation, Maharashtra State Tourism Development and Pune Industrialists.
- iii) Child City, Durgapur in collaboration with Children's Academy, Durgapur.
- iv) Preservation of Oral Heritage in partnership with Jnana Pravaha Trust, Varanasi; and
- v) Preservation of Aneundi Village, Karnataka, as a living heritage village in partnership with the Kishkinda Trust.

The Indian Oil Corporation is setting up a Foundation, with a corpus of Rs.25 crores, to collaborate with the National Culture Fund for conservation of monuments and development of infrastructure. To begin with, eight monuments have been identified for conservation and development. (Source: LSUQ No.4198 /20.4.2000 by K. Yerrannaidu)

in the wake of the stunning reality of the Partition, the debate was revived in the early 1960s as a part of the struggle against the communal uses of history from both the Hindu and Muslim viewpoints...

The concept of the 'composite culture' ... has been politicised all around. The liberal and Marxist critique, has found it expedient to use it politically to combat communalism and other forms of sectarian strife, while the Muslim separatists and the champions of political Islam as well as their saffron-robed counterparts of 'Hindutva' or political Hinduism have targeted it to undermine this notion for their own political reasons... The argument of 'pseudo-secularism' has been deployed by them to sap the foundation of a multi-cultural state. They have appropriated the British divide-and-rule paradigm of Hindus and Muslims as separate civilisational entities that cannot survive together in peace. Also, doubts have already been expressed in these circles concerning the historical legitimacy of the syncretistic process in the making of India's 'composite culture', with the corresponding claim made for are constructed and exclusive Hindutva...

... The making and development of the 'composite culture', from ancient through medieval to modern and contemporary times, and the nature, form, content.

(Contd. on Page 413)

Bader Sayeed on Need for Codification

... The Uniform Civil Code is a "Damocles Sword," dangling over the heads of all religious denominations. With least provocation, credible or otherwise, the minorities are threatened with the possible imposition of the Uniform Civil Code.

Multi-religious, pluralistic and secular democratic societies follow their individual personal laws, and are entitled to practice the same, within the freedoms encompassed and enshrined in our Constitution. Some amongst us may or may not be content to be governed by a personal law, but telling each one of us that our personal laws vitiate the functioning of a secular society, in reality provokes the ire of some integral components of these groups.

Currently women of all religious groups only wish that their own personal laws were enshrined by way of codification and put in proper perspective...

In this historical backdrop, the relevance of Article 44 is not too clear. In the area of forensic application, it has not been the major focus of discussion...

With today's clamour for cultural identity, and a section of the society deep in pathos, disillusionment and mistrust, vigorous effort needs to be made to set the situation right.

Article 44, though vestigial, in today's scenario has assumed the role of an instrument for exploitation. Deletion of Article 44 would remarkably help in restoring the faith of the minorities... Today each religious denomination has its own personal laws to pursue. Curiously, except the Muslim minority all religious groups have their personal laws codified, documented, paragraphs ... to be utilised in interpretation by the judicial process. Unfortunately Muslims have no codified law, and the same is therefore subject to several interpretations, amendments, alterations or discord by the powers that be. The brunt of such lack of codification is borne by the marginalised illiterate socially backward Muslim women...

Misconception prevails among certain quarters as to the exact scope and content of codification of any personal law and specifically the "Muslim Personal Law."

... Unlike other personal law, the Muslim Personal law derives interpretation from the Holy Quran and the Shariat which is what it should be, but lacks codification in the form of a legally pursuable document...

The powers that be render various interpretations arising from the lack of numbered statutes. Such interpretations are termed as interference in the laws. To prevent such situations, the Muslim personal law needs documentation in the shape of codified ... statutes.

Codification, in its simplest form, implies itemising the rules as outlined in the Holy Quran and the Shariat. Dispersed injunction throughout the Holy Quran

and the Shariat should be brought under one statute to facilitate reference and interpretation in a form that is easily understandable to the average citizen...

It may not be out of place to state that, it is the responsibility of the state to protect every individual against social injustice as is envisaged under Articles 38 and 39 of the Constitution. The Constitutional Objectives could be achieved by the codification of personal laws by the community themselves, whose constituents are aggrieved, rather than discipline them under the threat of the imposition of a Uniform Civil Code.

This threat perception in the minds of the minority community has caused havoc and instilled in them the fear of being categorised as second class citizens, and of being denied the right to practise their faith. Also they feel that being governed by their own personal laws would only alienate them from the mainstream of society.

It will also retard the growth of the individual and the country's growth and development, a situation which every government and right thinking citizen would want to avoid. It is obvious that Article 44 has served no useful purpose and it has in fact proved counter productive in cementing the relations between persons of different communities and therefore should be repeated...

The Supreme court has time and again reinforced the concept that it is the people of India who are the authors of the Constitution and, it is the people of India whose dignity and honour and right to practise a religion of their choice has to be assured and ensured. Article 44 jeopardises these sacrosanct rights.

With the hope of promoting amity among all multi-religious secular citizens of our country ... the Constitution Review Committee (should) consider seriously repealing Article 44 at this historic moment. This ... will prevent disharmony among the various religious groups and in turn ensure the progress and development of the women of this country who ultimately are the victims of backlash, both in private and public spheres arising out of threats of intervention in their personal laws...

(Source: The Hindu, 25 July, 2000)

[Bader Sayeed is former Chairman of Tamil Nadu Minorities Commission]

(Contd. from Page 412)

meaning and symbolism of the syncretistic traditions at the elite, popular and regional levels... The historical relationship between the syncretistic and other rival traditions in the pre-colonial, colonial and post-colonial stages (and) the critical relationship between India's cultural formulation and its political future, with particular reference to democracy and federalism, must command our immediate attention.

(Source: The Indian Express, 26 July, 2000)

[Mushirul Hasan is Professor of History at Jamia Millia Islamia]

Supreme Court on Prompt Consideration of Inquiry Commission Reports

Fazalur Rehman and Others, Petitioners vs State of UP and Others, Respondents.

DR. A.S. ANAND, CJ, S. RAJENDRA BABU AND R.C. LAHOTI, JJ.

Commission of Inquiry Act, 1952 – Section 3 – when in a matter of “definite public importance” a Commission of Inquiry is appointed under the act, held, State Government should examine the report expeditiously and decide promptly what action, if any, is required to be taken on the party...

In September 1982 there were terrible riots in Meerut, UP, resulting in death, misery and loss of property affecting thousands of people. A Commission of Inquiry was appointed to enquire into the causes. The Commission (C.D. Parekh) Report was submitted in November 1988. Ten years later, the UP Cabinet considered the Report and deciding not to take any action “in order to maintain the religious and political harmony established by the present Government in Meerut City and also to avert any flare up in any particular class or community”, disapproved the Report and consigned it to records. This information was given to the Supreme Court by the Secretary, Home Department of UP on affidavit.

Find that the writ petition did not require further consideration and consigning it to records, the Supreme Court.

It has taken more than a decade for the State Government to take notice of the Report of the Commission of Inquiry headed by a former Judge of the High Court. On account of such inaction for a long period of time, the very purpose of the constitution of a Commission of Inquiry under the Commissions of Inquiry Act, 1952 gets frustrated and the argument that such Commissions are appointed under the Act only as an eyewash acquires credibility.

It is appropriate that when in a matter of “definite public importance”, a Commission of Inquiry is appointed under the Commissions of Inquiry Act, 1952, the State Government should examine the report expeditiously and decide what action, if any, is required to be taken on that report promptly. To keep a report pending for years together and, as in this case, for a decade, does no credit to anybody. Reports of Commissions of Inquiry should not be allowed to gather dust for years...

In this particular case, between the period when the riots took place in September, 1982 and the final decision taken by the Cabinet in 1998, a number of Governments had changed in the State of UP...

Order

... It transpires that the Parekh Commission Report, which was submitted as early as in 1988, relating to the riots, which took place in Meerut in September, 1982 was considered by the State Cabinet and the following decisions were taken by it:

“i) The Report of the Commission be tabled on the floor

of the House...

ii) The Report relating to the incident of 20.9.1982 was received by the State Government in November, 1988. Since then up till now no former Government considered it proper to take any decision. The Commission did not find any particular person responsible and in spite of expressing the opinion that the local administration did not apply proper discretion to control the riots in several places; it did not recommend to punish any particular official. In order to maintain the religious and political harmony established by the present Government in Meerut city and also to avert any flare-up in any particular class or community any action on the Report of the Commission has not been found expedient in public interest.

iii) The Report of the Commission is disapproved and it be consigned to record”.

... The State Government having considered the Report and taken a decision, this writ petition does not require any further consideration and we direct that it be consigned to records.

However, before parting with this case, we would like to express our anguish at the manner in which reports of the Commissions of Inquiry are being treated by the States. In this case, it has taken more than a decade for the State Government to take notice of the Report of the Commission of Inquiry headed by a former Judge of the High Court. On account of such inaction for a long period of time, the very purpose of the constitution of a Commission of Inquiry under the Commissions of Inquiry Act, 1952 gets frustrated and the argument that such Commissions are appointed under the Act only as an eyewash acquires credibility.

It is appropriate that ... the State Government should examine the report expeditiously and decide what action, if any, is required to be taken on that report promptly. To keep a report pending for years together and, as in this case, for a decade, does no credit to anybody. Reports of Commissions of Inquiry should not be allowed to gather dust for years together as it reflects adversely on the utility of such Commissions and would affect the credibility of the entire exercise.

... The fact remains that prompt notice of the Report which was expected to be taken was not taken. This is not a healthy trend and delay gives rise to avoidable suspicions about the motives for delay. It is best avoided... A copy of this order shall be sent to the Home Secretary, Union of India, with a request to bring the above observations to the notice of all the State Governments/Union Territories.

(Source: (1999) Supreme Court Cases 683)

Smita Gupta's Report On Malpura Riot, July, 2000

Kailash Mali's murder on July 10 sparked off a communal conflagration... No one, not even Mali's family, denies his involvement in the 1992 riots.

In Malpura's tense, curfew-bound bylanes, where people look down on deserted streets through chinks in their shutters, his friends and foes all agree that Mali was a man destined to die a violent death.

If for commoners, Hindus and Muslims, he was a man whose path they preferred not to cross, for the saffron contingent, Mali was a hero. Police records show he was in the Bajrang Dal, though his family insists he was just an ordinary BJP member. Till the destruction of the Babari Masjid, he had been the average history-sheeter kasbas the Hindi belt abound in. A childhood associate recalled that after Mali failed his school finals, he turned to crime, making his 'debut' at 18 with the murder of a friend.

But when he returned from Ayodhya with the halo of a karsevak and played a leading role in the riots of December 9, 1992, he entered the big league.

For BJP leaders in Tonk district, locals said, his musclepower was "useful" at election time; and with the BJP in power in Rajasthan till 1998, he had a free run. Though named as an accused in 1992, it was not till mid-1997 that he was arrested and then let out on bail soon afterwards. This hero status lies behind the carnage that followed his murder. People from both communities took their turn. Ironically, six Muslims and six Hindus were killed last week. If Hindus feel "the Muslims" wanted to kill Mali to avenge the 1992 murders, Muslims ... said this was not the case. But they also added that many had begun to feel that justice would never be done.

One fact on which almost everyone agreed is that the administration goofed... Indeed, the story of this week's communal violence in Malpura is a very Indian story: For it is about judicial delays, political patronage for history-sheeters, and administrative lapses. In the process, for the people of Malpura, the scars of 1992 have once again been opened.

(Source: The Times of India, 16 July, 2000)

Rehabilitate Displaced Muslims in Gujarat Shahabuddin to HM Advani, 8 August, 2000

May I draw your attention to the communal situation in Gujarat, particularly in Surat and Sabarkantha Districts.

Although communal violence which had been ignited by the Gujarat Bandh jointly organised by the VHP, the Bajrang Dal and the BJP on the killing of Amarnath pilgrims in J&K, has largely abated, Muslims are being reportedly threatened by the VHP-Bajrang Dal activists in Limbayat (Surat) and Lambadia (Sabarkantha) have left their houses to save their lives.

There have also been reports that the local police is virtually working under the control of the local VHP-

Collaboration between Parivar and Police in Surat

A Report in Indian Express, 7 August, 1999

A former councillor arrested for carrying arms and leading a mob of 500. Another "unofficially" charged with burning a constable's two-wheeler. The husband of yet another former councillor hacked to death for an old rivalry.

Has Surat paid the price for incompetent policing and the lawlessness of the ruling BJP members? After five deaths, countless injuries, police atrocities and damage worth of lakhs of rupees in arson and looting, the answer seems to be yes. Even the police took the law into their hands, compounding the problem.

The communal fires that broke out on August 3 in the wake of the Gujarat Bandh call given by the VHP and other Hindu organisations are yet to douse in Surat. The police did little to anticipate trouble and allowed the situation to go out of hands...

But more than the police, it is the lawlessness on part of the BJP cadre that has cost the city dearly. BJP activists even targeted police when things did not go their way. While the BJP has decided not to back former councillor Ganesh Prajapati who was caught with arms it is keeping its option open about Suresh Varodia who openly dared the police ... charged with instigating a mob that torched a constable's two-wheeler.

Surat BJP president Pravin Naik ... accuses the police being very harsh on the rioters. He unwittingly owns up the allegation that the Bandh and the subsequent riots were caused by elements sympathetic to his party. "They know all of us are branches of the same tree", he adds... What clearly points an accusing finger at the police was the incident at the Rangavdhoot Society in the Rander area... Policemen ransacked a house and beat up the residents...

The mob entered the Rangavdhoot society along with a police jeep, residents said, and pointed towards the Muslim houses.

... Commenting on the incident, Minister of State for Home Haren Pandya said: "When the climate is such, incidents occur, there is nothing special".

Most of the riot victims were innocent people who were targeted either by the police or by rioting mobs in different city areas...

Bajrang Dal leadership. This adds to the sense of insecurity of the Muslim community.

I request you to advise the Government of Gujarat to take suitable measures to restore peace and normalcy so that the displaced Muslims may return to their homes and also to compensate them suitably for loss of life, limb and property.

I also request you to make central paramilitary forces available to the State Government for posting in Muslim localities, till normalcy returns.

Bhagalpur Riot Inquiry Report on Chanderi Massacre (Extract)

This is a mixed Hindu-Muslim village having nearly 50 houses of the Muslims. Earlier, the Hindus and the Muslims lived in peace and amity. But on October 27, 1989 when the rumours of the reported killing of the Hindus, later found to be false, reached Chanderi, the situation changed. First, the Hindus protested against the Imam coming from another village Rajpur to conduct Namaz. Then people of a few houses living in the village on the periphery of Chanderi were burnt and two persons killed.

At 4.30 pm the district magistrate came to Chanderi with the ASP, Sunil Kumar, and an Army contingent under Major General P.S. Virk. The Hindu mob of Farakka, Mokalkah and other surrounding villages trying to storm Chanderi disappeared at the sight of the Army. Thinking that the situation had normalised, the district magistrate left for Bhagalpur. However, the Army remained. When Major Virk came to the village he found nearly 70 Muslims huddled together in one house. After their houses were burnt they had taken shelter in the house of Minnat Mian. At 10.30 pm, the BDO and the officer-in-charge of Sabaur police station, Kailash Chaudhary, came to the village. Major Virk later told the special ADM that he had left the village after these officers assured him that food and protection will be provided to the Muslims. It appears that the steps were taken to protect these people. The following day, around 8.30 am, they were brought out of the house on the assurance that they would be safely escorted to the Rajpur village where Muslims are in majority.

While they were going alongside a pond in the middle of the village on way to Rajpur, they were attacked from two sides. Sixty of them were killed and their bodies thrown into the pond. Others barely managed to escape. One of the persons who had a miraculous escape was Malika Begum who survived in the pond, even though one of her leg had been amputated with the sword.

She remained here till she was recovered by Major Virk the same day around 12.30 pm. Malika has stated before the Hon'ble Patna High Court that the policemen were present when the killings took place.

However, an inquiry was made by Dwivedi (SP of Bhagalpur) and Arun Kumar Jha (DM). After accepting the entire occurrence as true, they have held the police and Army under Major Virk responsible for being grossly negligent in the performance of their duty.

We have no hesitation modifying our finding and say that the conduct of the police and paramilitary forces stationed amounted them to be abettor to the massacre and

the conduct of Major Virk was absolutely irresponsible because after coming to know that the village was surrounded by massive mobs, he should have either hunted them down or rescued the Muslims collected in the house of Minnat Mian immediately and sent for further forces to effect rescue work. When he went the next morning it was too late...

(Source: The Pioneer, 20 July, 2000)

Shahabuddin's Letter to Shakeel Ahmad Khan,

Minister of Law, Bihar, 19 July, 2000

May I request you for the status of the criminal cases relating to Bhagalpur Massacre? It should not be difficult for you as Law Minister to obtain the following information.

1. Total No. of Criminal Cases filed.
No. of Accused involved.
2. Total No. of Criminal Cases decided.
No. of Accused Involved, Sentenced or Acquitted.
3. Total No. of Cases closed.
No. of Accused discharged.
4. Total No. of on-going Cases.
No. of Accused
No. of Accused on bail
No. of accused in Custody/Detention.
5. Names of Civil and police officers indicted by the Commission of Inquiry.
Names of the Officers, Prosecuted or Punished Departmentally.
6. No. of Claims for Compensation for Loss of Life.
No. of claims admitted and paid.
No. of claims pending
No. of claims rejected
7. No. of places of worship or religious shrines destroyed or damaged or adversely occupied.
No. of such places restored.
No. of such places still under adverse occupation.
No. of such places still unrepaired and rebuilt.
I would be grateful for your early reply.

**We will not treat anyone opposing Saraswati
Vandana as a son of India, or our brother.**

- K.S. Sudershan, RSS Chief

Girish Patel on State Terrorism, A Threat to Democracy

"State-sponsored terrorism is a threat to democracy", said Prime Minister Vajpayee. It was a great news. At last, it seemed, wisdom had dawned upon our rulers. But ... Vajpayee was referring to terrorism sponsored by another country and not the one supported or sponsored by us.

The greatest threat to our democracy and human rights is the increasing lawlessness and terrorism in our own so-called soft state... When we everyday see our state incarcerating, beating, maiming, torturing and killing our own struggling people, a question naturally arises – where is our state moving in the 21st Century...

But soon after independence ... our hopes, aspirations and dreams were shattered. In our craze for unity and strength, we neglected the demands and aspirations for diversity, identity and autonomy. This ultimately led to many regional, autonomy, separatist or secessionist movements. Instead of responding to them positively and constructively, we treated them as anti-national moves and suppressed (them) forcibly... We could not satisfy even the minimum needs of the masses... It led to discontent and protest struggles – non-violent protests to Naxalite movements.

Instead of trying to understand the genesis and nature of these struggles, we considered them to be law and order problems to be suppressed ruthlessly. Instead of unity in diversity our rulers want a militarily strong, unified, monolithic and authoritarian India...

...The socio-cultural revolution has been hijacked by communal forces that are championing and imposing "cultural nationalism" – the Hindutva ideology of "one people, one nation and one culture".

The result is state and social terrorism in various forms. The every expanding armed forces with modernised weapons of mass destruction, increasing budgetary allocation for defence and security, growing (size) of police and para-military forces, use and abuse of TADA and other anti-terrorist legislation, custodial violence, deaths-in-encounter, police excesses, illegalities and abuses, criminalisation of politics and the collusion of state and private armies – these are the increasing forms of state terrorism (which is) justified in the name of national security and unity...

...We see innocent Kashmiris being brutally killed by our armed forces in retaliation for the killings of Sikhs by terrorists, J&K under a repressive regime, workers being killed in police firings, demolition of slums, thousands of tribals being uprooted in the name of development, persecution of Muslims in the name of cow protection and attacks on Christians in the name of opposing forcible conversions, cultural terrorism of Hindutva forces and so on.

A state which is soft on corrupt politicians, ruthless bureaucrats, errant capitalists, defiant landlords, anti-social

contractors and buildings in ruthlessness with the common people who are struggling for their right to life – simple survival.

... Terrorism of our own state and rulers is a threat to democracy and not terrorism from outside. We will fight against the latter, but if we do not check and eliminate the former and if we do not democratise, humanise and socialise our polity, society and economy, we will perish...

(Source: The Times of India, 27 April, 2000)

(Contd. from Page 406)

be found, can they be harnessed to the demographic and, therefore, political and administrative dominance of the Valley, by force? Exactly in the same way, can the Valley be forced to accept us? Today, an average Kashmiri, whatever we might say, feels that the Union wants land, not the people.

Ethnicity will decide the future map and political contours of the world in the coming century. But multi-ethnic states will emerge because it alone shall serve the interest of the contiguous or inter-penetrating ethnicities. This is why I do not share the doomsday prophecy of Balkanization of the Sub-continent. Indeed I dream of a United States of South Asia! □

(Contd. from Page 408)

achieved the impossible of constitutionalising the concept of 50 per cent ceiling. In Rajya Sabha the Dalit MPs ... should not agree to the exemption of the 50 per cent ceiling only in back log vacancies. They should insist for the very removal of the ceiling itself. The BJP and the other manuvadis should be forced to disclose their cards and expose themselves... Even if the Rajya Sabha does not get sensitized, the President should return the bill since it indirectly makes the 50 per cent ceiling constitutional without a direct and deliberate amendment but merely relying on the obiter dicta of the Supreme Court. The fraud needs to be exposed. □

(Contd. from Page 410)

armies of mediocrities who may have an MA in English literature but would find it difficult to draft a job application. There are Ph.D. aspirants who rarely see the inside of a classroom but spend their time intriguing in the union office, 40-year-olds still busy in the crime and grime of the Hindi heartland's student politics.

The situation is scarcely different in even the national capital. The hostels of Jawaharlal Nehru University, for instance, constitute the cheapest middle-class housing colony in Delhi... For too long has lounging in colleges and universities passed off for higher education. It is time the government, in UP and elsewhere, rationalised its educational outlay – and transferred its priorities to primary schools. □

Anosh Malekar

On the Political Progress of the RSS

.. This (land) was always a Hindu rashtra, is so today, and will forever remain a Hindu rashtra, (said K.B. Hedgewar who) died in 1940. But his vision and line of action shaped a massive movement whose 'power house' is the RSS, which he founded on Vijayadashmi day in 1925 ... in Nagpur.

The RSS, which now has its shakhas (training centres) at 30,000 places all over the country, will complete 75 years on October 7, 2000. Before that the Akhil Bharatiya Pratinidhi Sabha, the supreme national representative council, will meet in Nagpur in the second week of March to elect a new general secretary in place of H.V. Seshadri, who is expected to succeed ... sarsanghachalak Rajendra Singh. Besides the Bangalore-based Seshadri, another south Indian, joint general secretary K.S. Sudarshan, is in the race for the top post... The top leaders of the RSS and its parivar (family) are in the 70-plus category, and everyone feels the need for infusing young blood...

The post of sarsanghachalak, like that of the Sankaracharya or the Pope, is for life. The chief names his successor at a time he feels appropriate... The all-important question is: will Rajendra Singh name Seshadri, who has had three three-year terms as general secretary, or choose a younger man? ...

... The promised Hindu rashtra is nowhere in sight except in Gujarat where the BJP enjoys absolute power.

Clearly, the RSS is undergoing changes while the BJP is in power... The younger swayamsevaks spend more time hobnobbing with politicians than at the shakhas.

... The RSS (may be) in a hurry to reach the 'man-moulding' target set by Hedgewar. The founder longed to see during his life time at least 3 per cent of the urban population and 1 per cent of the rural masses turn swayamsevaks. The RSS is today in a better position to achieve the target since it is no more viewed as an organisation of the upper castes.

The political organisations of the RSS have grown phenomenally over the past decade. Besides, the RSS has entered service sectors. The Vanavasi Kalyan Ashram, for instance, has established 6,500 centres in 160 of the 245 tribal districts in the country, and Vidya Bharati runs 6,000 schools and colleges. Seva Vasti projects for backward caste localities exceed 20,000. Swayamsevaks have been going abroad as missionaries of Hindutva, and the RSS Vishwa Vibhag brings out Samvad, a fortnightly circulated in 90 countries.

More than any other time in its history, the Sangh leaders are hopeful of achieving the goal of a 'resurgent and reorganised Bharat'. But RSS critics view this as a sign of impatience caused by the realisation that its brand of social engineering has hit a plateau with the BJP stuck

George Fernandes

On Sangh Parivar, Hinduism and Patriotism

... When somebody earns this undeserving profit, he can't claim to be a patriot by merely declaring that he is one, or by chanting 'Bharat mata ki jai' and Vande Mataram, or by saluting the national flag and singing national anthem. I think all that is a fraud on the country.

... Patriotism should never ever be equated with religion because there is no evidence to establish that patriotism has to do anything with religion. For, had it been so Bangladesh should not have come into existence! The basis of Pakistan's creation was Islam. But one fine day India had to go and do midwifery to help Bangladesh to come into existence...

I don't believe in Hinduism being touted as a synonym for patriotism...

... The ultimate test of your patriotism is what you do or what you don't. The Christian missionaries in India - whether they should have gone about converting people or not is a matter on which there can be an eternal debate - have done work to raise the level of consciousness of the people through education, giving a sense of dignity to the people through institutions which look after one's health needs and so on. So, providing education and health facilities, and creating good citizens can't generate anti-national feelings in the people. If anything, I believe they generate a sense of loyalty towards the nation...

(It is) not true that the ISI's cadre here is only from Muslims? ... Among the hitmen of those sitting in Dubai, Karachi or Kuala Lumpur there are as many Hindus as there are Muslims... Terrorism does not recognise religion.

I don't subscribe to the tendency to project a particular community as criminals and terrorists - Muslims as criminals, Christians as anti-nationals?... The implications are dangerous to the country whether terrorism is homegrown or exported from abroad...

(The RSS/VHP/BD) have always been there and whether one likes it or not they are going to be there. They hold on to their conviction and belief. But in all these years it was not these organisations that were attacked and it was not the government of the day that was attacked... Today the government is being attacked.

But the government is not involved in this and the attack is on it. And there is a method in that. It is to denigrate the government before the world and consequently, the whole country...

(Source: The Indian Currents, 23 July, 2000)

at 182 seats in the Lok Sabha. But as Seshadri states in his recent compilation, RSS: The fountainhead of national renaissance, "... Nothing, nothing can stop its forward march." Its next aggressive step, however, is a secret...

(Source: The Week, 20 February, 2000)

Hindu-Muslim/Indo-Pak Differences, Civilisational Conflict?

Amulya Ganguli in The Hindustan Times, 24 July, 2000

... Those in this country who frown on Track II efforts to improve mutual relations (see) perpetual enmity between the two countries, rendering anyone making friendly overtures suspect in their eyes of harbouring treacherous designs.

It is an opinion based on the conviction that the Hindu-Muslim differences represent a civilisational conflict, allowing neither a peaceful solution nor a permanent truce. It has to end in a fight to the finish, so chillingly articulated in one of Sadhvi Rithambara's blood-curdling cassettes calling for a final apocalyptic khoon-kharaba when 10 Bajrang Balis will dance on the chest of each Ali. RSS chief K.S. Sudarshan's recent prediction of an epic war between Hindus and non-Hindus is of this genre.

A former editor of The Times of India and an ardent saffronite, Girilal Jain, was among those who subscribed to the thesis of civilisational conflict...

This was, of course, the standard argument for Partition — that once Hindus had India (or three-fourths of it) and the Muslims Pakistan, they would live happily ever after. But the reality has been different... Since large numbers of Muslims stayed back in India, the earlier Hindu-Muslim problem which essentially related to a gradual evolution into a common nationhood reassumed its original context all over again in this country...

The thesis of civilisational conflict is diametrically opposed to the unity concept based on a multicultural polity... The idea that all communities must learn to live in harmony, which underlines secularism and negates the civilisational conflict theory, has not lost ground. In fact, through the experience of governance, even the BJP has learnt to appreciate it, simply because the only alternative is endless civil strife. Thus, even L.K. Advani has had to say that the "country is so heterogeneous that... an ideological party, be it the communists or the Jan Sangh, cannot hope to come to power at the Centre on its own" and that there is a need for the "transformation of an ideological party operating in a democracy into an aggregative one because of the pressure of public opinion."

It is not a view, however, which is shared by other wings of the Sangh Parivar which still harp on the irreconcilable differences between Hindus and Muslims. The opponents of Track II are in agreement with such groups. But theirs is a typically devious approach. On the face of it, they are merely calling for a hard-headed attitude towards Pakistan, arguing that even if India takes the Lahore initiative, Islamabad will stab us in the back by infiltrating into Kargil. Hence, there is no scope for sentimentalism on the basis that "we are one people" because, first, Pakistan's very formation is a negation of that concept and, secondly, its continuance as a nation-state is based on an unrelenting hostility towards India. That is what keeps Pakistan united; otherwise it will fall

apart.

Prima facie, there is something to be said for shunning the dewy-eyed attitude of the Track II enthusiasts. But their opponents have more than just Pakistan in mind. By their shrill denunciation of any softening of the Indian approach, they are actually hoping for a hardening of the domestic attitude towards the Indian Muslims as well. It is not a secret that, unfortunately, to a large number of Indians, the Indian Muslim is a hidden Pakistani. What is more, these 'children of Babur' are yet to atone for the sins of their forefathers...

... It is clear enough that views of this nature are based on an intense dislike of an entire community. They also form the basis of the Sangh Parivar's philosophy which has also recently incorporated an equally paranoid attitude towards the Christians. It is not surprising, therefore, that Track II diplomacy is anathema to such people. They may even be against a settlement with Pakistan, for the present hostility is essential for their electoral success... Europe went through such phases of animosity... By and large, Europe has overcome that tragic period in its history. South Asia, however, is yet to do so.

(Source: The Hindustan Times, 24 July, 2000)

[Amulya Ganguli is Associate Editor of The Hindustan Times and a noted commentator]

Are We too Blind to See Or Too Afraid to Respond?

Are we too blind to see that our beloved motherland is standing on the precipice of an abyss from where there is no return? Are we so completely devoid of a sense of justice and fair play that we tolerate indignities after indignities and never speak out? Are we really Hindus, Muslims, Christians, Sikhs, Buddhist etc. as we claim to be and yet condone, follow, allow ourselves to be complacent or even participate in atrocities, injustice and the propagation of hate? I have asked myself these questions many a time; my answers to these questions have left me with an empty feeling in my heart and in my soul! ...

The tentacles of fascism are invisible to only those who have their eyes shut and ears sealed. Perhaps complacency is another word for being afraid. This fear, although justified (as evidenced by the death and destruction the Hindutva Brigade can cause), however, should not paralyze the silent majority into inaction... The fact is that these people who are trying to impose their doctrine upon all of us Indians, including all those Hindus who do not subscribe to the Sangh Parivar's concept of Hindutva... Hindu Rashtra ... is not the option for India. This option was never even considered at the time of Partition! Our forefathers were wise enough to realize that a pluralistic society like India cannot be sustained as one entity if ... one group was given priority over others...

(Javed Laik in The Milli Gazette, 1-30 June, 2000)

Hindutva's Anti-Minority Hate Campaign Taps Irrationality and Plays on Insecurities, Debases all Indians

Praful Bidwai in The Frontline, 21 July, 2000

... Our top leaders are playing down the gravity of what is unfolding today: a sinister campaign, if not a series of pogroms, against religious minorities by Hindu-communal fanatics who enjoy state patronage. Those at the apex of the government have casual and indulgent attitudes to this. Their close allies in the Sangh Parivar actually rationalise such barbarism... Going by experience, it would be a surprise if the culprits are brought to book, and the minorities made genuinely secure through a principled assertion of the law of the land.

Today, the Sangh Parivar presides over a virulent anti-minority hate campaign. The government has failed to clamp down on it. Such top-level indulgence of communalism alone explains the impunity with which Vishwa Hindu Parishad (VHP) vice-president Giriraj Kishore can malign all Christians and Muslims as "anti-Hindu": "This (Christian) community is worse than Muslims... Muslims breed too much. But Christians go around desecrating Hindu gods and asking tribals to accept Jesus"... Clearly, these elements feel emboldened only because of the signals emanating from the top that hate speech is kosher; and any vicious anti-minority barrage can pass muster in the name of "nationalism". Plainly, there is a casual connection between the cynically casual attitude of our seniormost Ministers towards this poisonous anti-minority campaign, on the one hand, and the activities of the Dara Singhs and the Giriraj Kishores, on the other. Even Vajpayee is no exception to this. His fiery past speeches against religious conversion, and his outrageously smug recent statement that "all minorities are safe in India", bear this out. As does his proforma, unconvincing promise to punish those running the anti-minority campaign.

All members of the Sangh Parivar share some deeply irrational beliefs. First, they imagine that India's primary, quintessential, identity is Hindu. Christianity and Islam are alien to India. Hence, Hindu "assertion" is only fair, even "natural". Second, they imagine that Islam and Christianity were promoted in India solely by force and that there is a Christian conspiracy today to proselytize Indians on a mass scale...

And third, they believe that conversion is not only illegal, but so immoral that it must be prevented and punished no matter by what means. A poorly concealed rationalisation for violent means to do so is offered by Arun Shourie: "Society is too disorganised to act in an orderly manner. Inundated by infiltrators, people cannot get to the authorities to Bangladesh, they will get at their neighbour in the adjoining slum. Incensed by mounting conversions, they cannot get to the Pope in Rome ... they will leap at the poor convert next door."

All three premises offered by Parivar are dangerously false. Within our Constitutional framework, Indians have

no "primary" identity, least of all one defined religiously. Nor is Christianity or Islam "alien" or new. Indian Christianity goes back to 52 AD – eight centuries before anything resembling Hinduism as we know it today was consolidated here. Christianity is much older in India than in Europe, today considered its "home". Islam in India too goes back more than a thousand years. It evolved organically here, as part of this soil. Historians such as Romila Thapar argue that India has always been plural and multi-religious.

Secondly, it is doubtful if most Christians or Muslims in India were "forcibly" converted. The operative identities of Indian rulers in the Middle Ages were more ethnic – Cholas, Yadavas, Rashtrakutas, Yavanas, Kushans, Shakas, Tajikas and so on – than religious. Even the Delhi Sultans and the Mughals recognised the political limits of how far they could push proselytisation. Had there been mass-scale forcible conversion – as distinct from a willful change of faith by, say, Dalits, to escape caste oppression – India would not have had a fairly well-dispersed population of Muslims or Christians in most of India (barring the northeastern region). In Goa, ruled for 400 years by "Christian" Portugal, the majority population remains Hindu.

Even assuming that there was coercion in the past, it does not follow that there will be conversion "conspiracies" in the future... There are enough social and legal safeguards in India to prevent coercive conversion. You need a theocratic state to bring that about. Mercifully, the state in India is not even remotely theocratic.

The right to religious conversion is a fundamental Constitutional right. Article 25 guarantees the right to "practise" and "propagate" religion. There is nothing immoral about conversion either. Some faiths are based on historical belief in the actual existence of prophets and revealed knowledge. They demand such adherence from their followers. This does not make them inferior to non-prophetic faiths – these faiths are only different from one another. Constitutionally, the adherents of a faith must have the liberty to practise, preach and convert. To argue, as Shourie does, that "Society is too disorganised to act in an orderly manner" and hence that devout Hindus will naturally "leap at the poor convert next door" is to inflame passions and rationalise fascist pogroms.

Deep down, such attitudes betray a profound irrationality which drives fantastic myth-making about imagined monsters and promotes fanatical intolerance and pigheadedness in understanding history and politics. It is precisely through the construction of terrible myths and gross misreading of history – for example, seen as a series of "repeated invasions" – that intense hatred can be mobilised to perpetrate mindless, barbaric, violence.

J. Marianus Kujur on Hate Campaign against Non-Hindus

... Hindutva is not Hinduism; it is only an aberration of Hinduism... Only a handful of fundamental, intolerant elements indulge in activities of arson and rioting, burning the innocent, raping the helpless, torching the Holy Books, attacking the Churches, and killing the priests. Their ideology of "Hate thy Neighbour" is crystal clear. The methodology they use is scientific. A lot of research simultaneously goes on to find out the loopholes in the Church doctrines and practices. Fundamentalists scholars are working on a war footing in the research institutes to study the missionary literature and their style of functioning. Programmes are chalked out meticulously to check the growth of missionary activities... All modern sophisticated tools and techniques are at their disposal to further their vested interest. One of the main methods to meet their end is the 'hate' campaign through provocative statements and literature, and malicious propaganda against the minorities. The sinister designs of the Hindutva forces lie exposed even as the Government finds ISI hands in the recent attacks on the churches and missionary institutions.

... Earlier it was a 'fashion' to accuse the foreign hand for every political disturbance. Now there is a shift in the Hindutva methodology. Accusation of the foreign hand has now become a 'strategy' to further the evil designs of the Hindutva forces.

It is not necessary for all the attacks to be preplanned but the lethargy and the 'doublespeak' of the Government has allowed an atmosphere to prevail where Hindutva forces, hand-in-glove with the criminal and anti-social elements are on prowl, waiting for the prey. They are confident of protection by the powers that be.

What is saddening is the hate campaign by the Sangh Parivar against the Christian minority is escalating. For the time being campaign against Muslims has taken a back seat. This is obviously a (tactical) retreat. Lots of hate literatures are available teaching, preaching and spreading hatred and violence...

... Hate campaign is not a recent phenomenon but a long-term goal which started long ago and which has been bearing fruit now resulting in rampant attacks on Christians.

... Hindutva forces (are trying to) inculcate the spirit of false nationalism and anti-minorityism. There is a deliberate attempt to confuse nationalism with Hindutva. The implication is that if one claims to be a true national or Indian s/he should abhor Christians and Muslims alike. Hence, there is no space for the latter in the imagination of the self-styled nationalists. Not that they had any part in the freedom movement. On the contrary, they even played a dubious role during the freedom struggle.

Those indulging in the hate campaign selectively pick up the references out of context to suit their purpose...

Efforts are also being made by the so-called

Hindutva's Bible scholars to enter into the doctrinal issues of the Church...

Hundreds of cheaply available books, booklets, pamphlets, documents and handouts are being printed day in and day out. The only aim of all of them is to poison the minds of the Indians, to misinform the public, to bring division among people in the name of ... creed. Christian Missionaries are held responsible for tribal movements for self-assertion. Christian Minorities are branded as anti-nationals and outside the national mainstream. Tribals are identified with Hindus. They surely have an eye on the vote-bank: Turning the tribes against the Christian minority serves their purpose best. 'Gharwapsi' (Reconversion) programme is meant to divert the attention of the country from the issues of violence, exploitation and oppression of the poor by the rich... Learned university professors and students are also under the impression that all tribal Christians are forcefully converted to Christianity. What they read in the newspaper and hear in the fiery speeches is taken to be true.

Most of the clergy is dormant. Christians are not educated to face the challenge. Too much of spiritualisation prevents them from taking to streets to counter the menace of the Hindutva forces. Meanwhile continues the strategy of RSS: approach the disgruntled elements in the Church apart from giving a call for 'moratorium on conversion' and create problems in the Church-related institutions... Dumka ... incident (is a) clear example of pre-planned disruption in the activities of the Church. Church-run schools are the heart of the Missions. Hindutva forces have strategically attacked the roots where it hurts most.

The themes of the widely circulated Hindutva literature against can be summed up:

- i) missionaries' involvement in mass conversions by incentives, deceit, allurements, coercion
- ii) denigration of Hindu deities and scriptures
- iii) atrocities and torture of Hindus by Christians
- iv) misinformation on events involving Christians,
- v) tribals being branded as 'Hindus' and 'Vanvasis'.

The thrust of the entire propaganda is to create an atmosphere of hatred and abhorrence towards Christian minority. When the common innocent man first hears of the false allegation labeled against Christians by the Hindutva forces there is a shock and disbelief. Unfortunately, repeated accusations and defensive attitude of the Church help the allegations to sink in the subconscious. Consequently, even some of the sympathizers of the Christian minority take those allegations to be true. The strategy of Hindutva forces pays off (in violence)... The perpetrators of the 'culture of violence and hatred' ceaselessly continue their campaign with a missionary zeal...

(Source: The Indian Currents, 2 July, 2000)

Syed Liaquat Ali On Polyandry in Ladakh

Buddhist women in far-flung hamlets of the Himalayan region are not shy of polyandry – an age-old custom that allows a woman to keep more than one husband... Argues sociologist Sonam Yangzes: "This was necessary mainly to protect the family land and to keep the population within limits".

She says the practice of fraternal polyandry (within one family and between blood brothers) is more common than a woman marrying outside one family. The other form of polyandry is Phorsak, a woman having relationship with men who are not brothers...

According to Ms. Yangzes, the practice of one marriage per household was meant to avoid land division. "The system is still prevalent in the remote areas of the Khalsi region", she says, adding that the custom was retained by (said) Buddhist sects...

(Polyandry) is confirmed by Janet Rizvi in her well-researched book – *Ladakh: Crossroads of High Asia*. "Within the polyandrous marriage, the paternity of the children was regarded as irrelevant: All the children were accepted as being of the eldest brother, whom they addressed as big father; the younger brothers would be little fathers"... (Source: *The Hindustan Times*, 26 June, 2000)

Witch Lynching in Chhattisgarh

A 20-year-old married woman was stripped, paraded and lynched (to death) by a superstitious mob who suspected her of practising witchcraft ... in Vijay Nagar ... on the eastern outskirts of the city.

Largely illiterate Chhattisgarhi tribals live in the densely-populated slum. A resident Yogesh Thakur's two-and-half-year-old daughter Manisha died... A tantrik ... alleged that Tikambai was a witch and had cast a fatal spell on little Manisha... A panchayat was summoned and it was decided to "punish" Tikambai for practising "sorcery"... Tikambai's husband Shyamlala (who) escaped ... with their two young children ... did not dare complain to the police...

(Source: *The Times of India*, 27 June, 2000)

Marriage of Infant Girl with Dog

(In) Karmakarpara Hamlet in (Nadia) Subol Karmakar got his four-year-old daughter Anju "married" to a two-year-old dog called Bullet in a full-fledged ceremony... Karmakar (added that) he had initially wanted a ram as his "son-in-law". "I first thought of ... a he-goat. But its owner may be tempted to sell him to a butcher later, and that would have left my daughter widowed. So I settled for a dog as the groom... This is just a ceremony to ward off the evil spirits that have got into my daughter. You (may) call this superstition ... Anju's mother... But the district administration has no such plans. "There is no law against this. And such a marriage is not valid in the eyes of the law," said Nadia District Magistrate Vivek Bharadwaj...

(Source: Jaideep Mazumdar in *The Hindustan Times*, 17 July, 2000)

Muslim Clerics' Ban On Women in Public Life

Muslim clerics in Kerala have banned women in public life, but some members of the community say Islamic Law does not allow such restriction.

The Samastha Kerala Jamiyyathul Ulema (SKJU, Supreme Council of Islamic Leaders in Kerala) issued a *fatwa* on June 12, stating that it is "illegal" and "improper" for Muslim women to enter public life.

A second *fatwa* on June 20 insisted that Muslim families "stop video and photo coverage of marriages." The orders also ban Muslim women from sharing public platform with men... According to the Indian Union of Muslim League (IUML), the Muslim community's main political party, the decree from the religious leaders stems from an "unprecedented increase" in Muslim women's entry into state politics. About 20 percent of Kerala's 30 million people are Muslims.

IUML records showed that some 300 Muslim women have become members of various "panchayat" (village council) committees in Kerala and are engaged in social and public service activities. Qamarunnisa Anwar, president of IUML women's wing, said her party planned to field some 500 women members in the panchayat elections scheduled for October. Religious leaders resented women's increasing acceptability as able leaders, she added...

(Source: *The Indian Currents*, 16 July, 2000)

Pilgrimage to Mecca on Bicycle

Jamil Ahmad, who walks with a limp since his birth, sees cycling as a medium to "reinstate" his faith... The Kanpur-based cyclist (plans a) bicycle trip to Mecca...

A street hawker by profession, he claims to have covered a distance of 2.5 lakh km, since he started cycling in 1961. He recently travelled from Kanpur to Kathmandu and back, and reached Delhi on 5 June on his cycle...

Most of his trips till now had been financed from his earnings as a "street hawker" and on donations from public-spirited people... He made a record of 139-hour nonstop cycling during the period. But, the real recognition came when he set for a 6,000 km all India tour in January 1978. The tour took him 14 months to complete... After his Mecca trip, Ahmad has ... plans for an around-the-world cycle journey.

(Source: *The Statesman*, 10.6.2000)

Muslim Teacher of Vedanta

Prof. Shamim Ahmad is the first Muslim to be appointed as a teacher of Vedanta in 59 year-old history of the Ramakrishna Mission College, Belur... Prof. Shamim, 26-year-old is well-versed in Advaita, Vedanta, Mimamsa, Sankhya, Yoga and Nyaya... He was recommended by the College Service Commission (with) first class honours in Philosophy from Presidency College, Masters from Calcutta University and appointed on merit...

(Source: *The Azad Academy, Journal*)

Noted Historian K.M. Shrimali on Fatehpur Sikri Excavation

Much has been written in these columns about recent discoveries (December, 1999) at Fatehpur Sikri (UNESCO's World Heritage site). The role of the Archaeological Survey of India (ASI) has particularly come under scrutiny, and for justifiable reasons. Its reticence at the time of the karsevak-type archaeology at Ayodhya and also during and after the demolition of the 450-year old Babari Masjid is too recent to forget.

... He is right, but only partially. This saffronisation does not begin at Fatehpur Sikri and not even perhaps from the Ayodhya imbroglio of the 1990s. Its roots are deep — perhaps going as far back as India's Independence.... The famous monograph 5,000 Years of Pakistan traces the identity of our neighbour from the days of the Harappan culture!

Indian archaeologists have, in the last 50 years, assiduously worked along a single track. The loss of the fabulous and gigantic sites such as Mohenjodaro and Harappa to Pakistan had to be compensated and the antiquity of Indian culture pushed back — surely, it must be shown to be older than 5,000 years of Pakistan. All resources of the ASI ... therefore, focused on: (a) prehistoric and proto-historic sites, and (b) locating texts comprising 'Aryan literature' such as the Rigveda, the Ramayana and the Mahabharata archaeologically.

We are being repeatedly told that the Rigveda and the two epics are the creation of the 'Aryans' who were natives of India, that the Harappan culture was their creation, and their genesis goes back to the beginning of the fifth millennium BC, which also marks the beginning of Hinduism. The matrix of this culture was the great Saraswati river whose praise has been sung in the hymns of the Rigveda and the entire culture should be redesignated as the 'Saraswati Civilisation'.

Such reconstructions are being projected through the electronic media and such political theatrics as the Sindhu Darshan... Every now and then we read about the discovery of 'Vedic' fire altars and obliteration of identities other than 'Aryan'...

It is ironical that theocratic Pakistan's archaeologists dealing with the cultural phase of comparable antiquity are refraining from establishing any religious identity but their counterparts in secular India are consciously working in that direction...

A complementary component of this discourse is the **deliberate neglect of archaeology of the 'medieval' period.** The most revered archaeologists too have shown

scant attention to the medieval strata. Thus, B.B. Lal, the famous excavator of Ayodhya in the 1970s, emphasised: "Site was again occupied around the 11th century AD... but the entire late period was devoid of any special interest" (emphases added). His zealous plea for text-aided archaeology going back to the 1950s has remained confined to seek archaeological corroboration of 'Aryan literature' and has never been extended to any 'medieval' text... Writings of historians in the last 35 years have underlined that it could be used for centuries ranging from the fourth to the 14th, or perhaps even later in some regions of the subcontinent. Most Indian archaeologists are unaware of this rethinking and have persisted with communal periodisation fostered by British imperialist historians, viz. Mahmud Ghazni and penetration of Islam marks the beginning of the medieval period.

Coming back to Fatehpur Sikri excavations, D.V. Sharma presented his findings in Delhi in early April. At

the same meeting, S.P. Gupta (who is known to have been the mastermind behind the karsevak-type archaeology at Ayodhya) also circulated a paper on these excavations which concludes: "There is ample proof of (a) the destruction of the Jain temple, (b) There is no evidence of Hindu vandalism at the site. What is the other language of this destruction if not 'demolishing temples' by the Muslims?"

It would be incisive to compare this motivated

reconstruction (of Fatehpur Sikri) with that of excavations at Khajuraho (also a World Heritage site), which took place just a few months before Sikri's diggings. Writing in the renowned journal Marg (March, 2000) about 'new discoveries' at the Bijamandal Temple in Khajuraho which were exposed in March 1999, the excavator, Phani Kant Mishra of the ASI, prefers to ponder over rather than be judgmental on the vexed question of inter-sect relations.

He says: "**Among the conspicuous sculptures found amidst the debris are figures of Saraswati, Vishnu,... Jain tirthankaras... the gigantic endeavour dragged on for many decades, albeit unsuccessfully... perhaps due to dwindling resources, the work began to flag and was finally abandoned...** The site has raised questions of whether assimilative tendencies led to the carving of Jain tirthankaras in a Shaivite temple, or whether subsequent to abandonment by the Jain community, the sanctity of the

ASI Chief on Sikri Excavation

"The two sites are not linked with each other as portrayed".

"The place from where we have unearthed the stone sculpture of standing four-armed Jaina Saraswati dates to 1010 AD and is far from the site of the palace. This clearly shows that Akbar did not destroy the temple while building his palace..."

"The sculpture, with an inscription at the pedestal, has been discovered recently by ASI from Bir Chhabili Tila, a temple site, far from the site of the palace"...

(Source: The Indian Express, 7 July, 2000)

(Contd. on Page 429)

C. Raja Mohan

Fresh Approach Towards Muslim World

India is reaching out and touching the Islamic world. (Foreign) Minister, Jaswant Singh's recent visit to Iran, and his claim that the two countries are natural partners are part of a new thrust in India's foreign policy. It is based on the belief that there is enormous scope for pragmatic and profitable engagement between India and key Islamic nations. Mr. Singh also plans to travel to Saudi Arabia... This will be the first visit by an Indian Foreign Minister to the Arabian Kingdom in nearly two decades. Meanwhile the interaction between India and other Gulf kingdoms is also beginning to grow.

The recent trips to India by Turkey's Prime Minister, Bulent Ecevit, and Indonesia's President, Abdurrahman Wahid, reflected the new possibilities for cooperation between India and leading Islamic states. Turkey and Indonesia are two major pillars of secular order in the Islamic world and are emerging as valuable interlocutors for India. For too long, India has been diffident in seeking viable strategic partnerships with major Islamic nations. India had given a virtual free-run to Pakistan in mobilising political support from these states, in the name of Islamic solidarity, in its disputes with India. Weighed down by the Pakistan factor, handicapped by flimsy economic linkages with the oil-rich nations, and overawed by the Islamic politics in the Middle East, Indian diplomacy was paralysed.

Three new factors have given India unprecedented opportunities to turn a new leaf in its relations with the Islamic world. One is the rise in religious extremism and terrorism that is threatening peace and stability within the Islamic states. Two, there is a new convergence of commercial interests with the petroleum-rich nations. And three, India's economic potential and its improving relations with the United States and other great powers are altering the perception of the relative weights of New Delhi and Islamabad.

Sensing the new opportunities, India has begun to shed its traditional inhibitions and step forward to a new engagement with the Islamic world...

The success of India's (Islamic) diplomacy is premised on a rapid economic growth... **Equally important is New Delhi's commitment and capacity to deepen the respect for the rights of religious minorities within.** Success on these two fronts will further differentiate India from Pakistan, raise the commercial interest of the Islamic world in India, and remove the few remaining irritants in the ties between the two sides. The new initiative towards the Islamic world is an important adventure in India's foreign policy and deserves strong domestic political support.

(Source: The Hindu, 25 May, 2000)

[C. Raja Mohan is Diplomatic Editor of The Hindu]

CPI(M) Supports PLO's Stand

Central Committee Communique, 29 July, 2000

The Central Committee (CC) of the CPI(M) noted with concern the refusal of Israel to concede the legitimate demands of the Palestinian people and obstructing the realisation of an independent Palestine state... The Central Committee expressed firm support to the cause of the Palestinian people and the stand of the PLO on the demand for an independent Palestinian state and having East Jerusalem as the capital.

The CC strongly denounces the shameful step taken by the Vajpayee government in withdrawing recognition to the Saharawi Arab Democratic Republic (SADR)... The CC demands that the government immediately rescind the decision and continue recognition of the SADR.

(Source: The People's Democracy, 6 August, 2000)

Israel has no Exclusive Claim on Palestine Shahabuddin Refutes Pro-Israel Thesis

Letter to The Statesman, 7 August, 2000

Shri T. Mani Chowdary in his letter "Israel's Case for Jerusalem" (6 August) omits some relevant facts.

Jerusalem was not envisaged as a part of Israel under the 1948 UN Resolution, far less as its capital. Thus Israel has no claim on it, except on ground of right of conquest which the international law today rejects.

Jerusalem is indeed holy for the Muslims, the Christians and the Jews. Either it should be internationalised and placed under the UNO with free access for the followers of all religions, indeed for all mankind, or, it should be jointly administered by Israel and Palestine, **which may both locate their capitals in that city.** Chandigarh is a working model.

I can understand Mr. Chowdhary's sympathies for Israel but I do not see the relevance of his asides into 'Islamic invaders' who destroyed Hindu temples. Jerusalem was taken by the Muslims from the Romans, not from the Jews. Yet throughout Muslim rule, the Jews always had a presence in the city and their religious places were never touched. In fact the Zionists were permitted to organise Jewish immigration into Palestine in the late 19th Century by the Ottoman caliphs. The restriction during 1948-67 was due to the state of war between the Arab States and Israel which considers every Jew in the world as its citizen.

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OIC Panel's Report on Muslim Minorities

The Experts Committee charges with devising a plan for protecting the rights of Muslim minorities and communities in non-member countries of the Organization of Islamic Conference (OIC) has concluded its proceedings in Sao Paulo, Brazil. Among those who were present during the closing session were the OIC Secretary-General Dr. Ezzeddin Laraki, Jordanian Minister of Endowments, the Ambassador of Kuwait and representatives from 40 Islamic organizations in South America. The meeting adopted several resolutions and recommendations.

This is the second such meeting of the Experts Committee... The first (was) held in Madrid, Spain in December 1998...

The Committee (was of the) opinion that ... some basic principles have to be observed ... the maintenance of the bonds that link the Muslim Ummah together, respect for human rights, acceptance of plurality (and) positive dialogue between cultures and civilizations, in order to bring about understanding and cooperation.

Other principles include respect for the sovereignty and integrity of the non-member countries and non-interference in their internal affairs (and duty of) Muslims in those countries to conduct themselves properly and work for the advancement of their respective countries.

Furthermore, ... the Committee (held) that ... living in Muslim countries should be accorded similar rights, as those accorded to Muslim minorities.

The Committee stressed ... that the situation of Muslim minorities differs from country to country and therefore, it is not possible to treat them all equally. Some Muslim minorities are enjoying their rights, while others are still striving for such rights, and others still are facing annihilation through ethnic cleansing.

In the light of the foregoing, the Committee came to the conclusion that Muslim minorities should be protected and their identity preserved, lest they be absorbed (and) culturally assimilated. The role of Muslim countries, organizations, and people should also be activated in helping such minorities... They should also unite and appoint individuals, who would represent their interests with the governments of those countries...

The Committee also (felt) that the Muslim minorities should try to get rid of their sectarian and denominational differences...

The Committee also considered it important that the minorities should form educational institutions (at) all stages and levels of education, but with the inclusion of Islamic Studies (so that) they can preserve their children's Islamic identity and outlook, within the societies in which they live.

The Committee also recommended that the OIC-member countries, as members of the OIC, as well as international Islamic organizations and foundations should

help the Muslim minorities by extending support to their educational institutions, and also facilitating the exchange of experience with such minorities.

It also called on the member-countries (and) the Islamic Educational, Scientific and Cultural Organizations (ISESCO) in conjunction with the Islamic Development Bank, the Islamic Solidarity Fund and others to increase the scholarships (for) students from such minorities...

The Committee recommended that the IDB and other Islamic financial institutions should consider investing in projects relating to Muslim minorities, so as to support their economic upliftment and development...

The Committee was of the opinion that dialogue with other civilizations and cultures should be encouraged ... as recommended by the current Chairman of the OIC President Muhammad Khatami of the Islamic Republic of Iran.

The Committee also recommended ... the setting up of a database with regard to Muslim minorities in non-member countries of the OIC.

The Committee also recommended the setting up of a Website on the Internet, with the aim of letting people know about the conditions and problems facing Muslim minorities, and pass on information and data to the bodies and agencies that are concerned with minorities' persecution or discrimination.

The Committee opined that the OIC Contact Group should be reactivated in both New York and Geneva (to) follow up violations of the human rights of Muslim minorities...

... The Committee also recommended that competent and qualified Da'wah activists (be trained) to work among the Muslim minorities...

(Source: The Muslim World League Journal, June, 2000)

(Contd. from Page 427)

place was maintained as a Shaivite shrine."

Claims for Saraswati and Jain images have also been made for Fatehpur Sikri and both (have been) ascribed to similar dates (early 11th century)... **The question arises: why does Fatehpur Sikri hog the limelight when the Khajuraho diggings go unnoticed? Is it because the latter do not speak the language of destruction understood by the ASI?**

... The ASI has a longstanding reputation of not publishing reports of excavations for decades. The Ayodhya excavations of the 1970s, undertaken at enormous expenditure ... still await an authentic reporting.

Such examples can be multiplied. Will (ASI) tell us how many decades shall we have to wait to find out if (Fatehpur Sikri was) the repetition of a Khajuraho-type development? Till then, his instant archaeology is bound to be suspect and disturbing.

(Source: The Hindustan Times, 4 July, 2000)