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SYED SHAHABUDDIN,
Ex-M.P.

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REPRESENTATIVES OVERSEAS

- U.K. Dr. Roohi H. Majid
7, Woodville Road,
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- U.S.A. Dr. K.A. Mallick
810-73rd Street,
Downer's Grove, ILL 60516
Tel:(708)969-6755
- K.S.A. Syed Shariq Ali
P.O.Box 11447
Jeddah-21491.

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حیدرآباد



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Sunni-Shia Confrontation in Lucknow

Fanned by vested interests on both sides, Shia-Sunni sectarianism in Lucknow has often taken a vicious and violent turn and pitted one section of the Muslim community against the other. In 1997, however, thankfully there was peace between Sunnis and Shias of Lucknow. In fact, a section of the Sunni's joined the Shias in their agitation for the resumption of their Azadari processions.

Since 1977, there has been a ban on the Azadari processions. The Shias have been peacefully agitating for its resumption from year to year.

On 26 June, 1997, the Shia agitators courting arrest were fired upon by the police. This led to confrontation with the State authorities. Women came out in the streets and 3 Shia youth committed self-immolation in protest against the continued ban. Thus a new and inflammable ingradient has been added and it is time for the Muslim community not to ignore the situation and for the leadership collectively find a reasonable solution.

The resulting tension has created a situation which is fraught with the possibility of exploding into violence at 2 levels: State vs Muslims and Shias vs Sunnis.

Whatever the political game of the vested interests, the Shia demand - and this is not to judge its theological implication - is legitimate in terms of constitutional rights. It is the duty of the State to restrain the mischief-makers, those who disturb law and order. The State cannot restrain permanently the aggrieved party itself whose rights are being violated, in the name of law and order! State power must be used to protect and defend constitutional and legal rights and not to support their suppression.

The Mohurram procession is generally taken out with the active participation of the Sunnis throughout the country, even that of the non-Muslims. The Shias would be justified to agitate if for any reason the administration put even temporary curbs on it but, in Lucknow, because some Sunnis objected, the Azadari processions stand banned, off and on, since the 30's.

Some Sunni Ulema in Lucknow invented a new religious procession, as a counterpoint, Madah-e-Sahaba (Praise to the Companions). This led to clashes and both were banned. It should be, however, noted that while Mohurram is observed all over the country, Madah-e-Sahaba procession is a speciality of Lucknow; it has no religious basis.

HISTORICAL BACKGROUND

'Azadari', popularly called Mohurram, is the commemoration of the martyrdom in Karbala, Iraq of

Hazrat Imam Husain, son of Hazrat Ali and Hazrat Fatima, the daughter of the Holy Prophet, in a battle with the forces of Yazid whose assumption of office as the Caliph after the death of his father Amir Muawiya was challenged by the pious. The Islamic consensus upholds the defiance of Yazid by Hazrat Imam Husain, who is regarded as a personification of sacrifice, a great martyr. On the 10th of Mohurram, every year, this event is commemorated by millions of Muslims to renew their faith and their commitment to truth. At the popular level, the commemoration takes the form of a procession of lamentation.

Some Shias, who consider Hazrat Ali not only their first Imam but the first rightful Caliph, also use the occasion not only to praise Ali, Fatima, Hasan and Husain but to 'curse' and 'damn' the first three Caliphs: Hazrat Abu Bakar, Hazrat Umar and Hazrat Usman and the Companions of the Holy Prophet who supported Muawiya against Ali. They are regarded as 'usurpers'. This is called Tabarra. In view of the fact that Hazrat Ali himself took the oath of allegiance to his three predecessors, moderate and enlightened Shias do not approve of the 'Tabarra'. In any case, no civil society can approve of such provocative action or public denunciation.

Muawiya rebelled against Hazrat Ali and on the latter's death was accepted by all as the 5th Caliph. Imam Hasan, the eldest son of Ali, also swore the oath of allegiance to Muawiya. But none of the five were related to each other. None of the first four Khulafa-i-Rashidin had nominated their successor. Muawiya, however, nominated Yazid, his son, as his successor. This is a point of departure in Islamic history. This was how the Caliphate was reduced to a monarchy. Imam Husain, in his refusal to accept Yazid as the legitimate caliph, was not just advancing his own claim to the Caliphate but defending the true spirit of Islam even against heavy odds. There lies his greatness.

All Muslims love the Holy Prophet and naturally respect both his direct descendants and his companions - the Ahl-e-Bait and the Sahaba, the nearest of whom were the four who succeeded him as his 'Khalifa' and guided the Islamic Umma through its formative years.

THEOLOGICAL BACKGROUND

The Shias, however, regard Ali, as Imam, the spiritual guide, but even most mystic orders in Sunni Islam trace their spiritual lineage to him. Thus Ali occupies a very special position based on a combination of his physical qualities, his relationship to the Holy

Prophet and his mystic and spiritual authority.

The Sunnis and Shias are united in their belief in Allah, in Mohammad as the last Prophet and in the Quran as the last and immutable scripture revealed by Allah through Mohammad for the eternal guidance of mankind and in the Day of Judgement. The mainstream Shias, the Athna-e-Asharis, regard 12 Imams, beginning with Ali, as their spiritual guides and as 'Ma'sum' (infallible, innocent) but do not equate Imamatus with Nabuwat, except the Ismailis. Indeed after the Tragedy of Karbala, the descendants of Ali were treated with respect by succeeding caliphs. Many of them were great scholars and contributed to the promotion of Ilm-e-Tafsir and Ilm-e-Hadith and to the evolution of the corpus of Muslim jurisprudence, the Fiq'h.

Among the four schools of Sunni jurisprudence (Hanafi, Shafi, Hambali and Maliki) and the Jafri school of Shia jurisprudence, there is no major difference except perhaps on Muta' (the concept of temporary marriage). Therefore, it is not proper for the Sunnis to regard the Shias as "Kafirs" and vice versa as some extremists do.

Both Shias and Sunnis believe in the emergence of Mehdi close to the Day of Judgement. Both believe that he would be a descendent of Ali and Fatima and will emerge in Makka. The Shias believe that the 12th Imam, who disappeared and is still living, the Imam-e-Ghaib, shall reappear as Mehdi.

Thus there is hardly any basic difference between mainstream Sunnis and Shias and even the moderates Ulema. Therefore, throughout the Muslim world, Sunnis and Shias have intensive relations with each other. They intermarry. The Sunnis have served Shia sovereigns and vice versa. The Islamic scholars have generally avoided passing a judgement and maintained silence on the conduct of Hazrat Ali and Hazrat Muawiya and the Companions of the Holy Prophet who were ranged against each other in the internecine struggle after the assassination of the third Caliph Hazrat Usman.

THE IMPACT OF THE IRANIAN REVOLUTION

No Sunni-Shia divide was noticeable at the social and political level till the end of the Abbasid Caliphate! However, the Fatimid rule in Egypt followed by the Safavids of Iran adopted Shi'ism as the State religion. Even today the majority of the people of Iran belong to the Shia sect. The Iranian Revolution of 1979, followed by Iraq-Iran war, tended to revive Shia-Sunni hostility, though the Iranian leaders - despite being staunch Shias - proclaimed full support for Islamic unity and religious freedom for the Sunnis in Iran. However, in the Sub-continent, as a whole, and in Pakistan and in India, specially in Lucknow, which, since the days of the Nawabs of Oudh, was a centre of the Shia community,

the Shias tended to assert themselves. Indeed Sunni and Shia extremists almost replayed Iraq-Iran conflict in their own little ways. The question of 'Takfir' of the Shias was reopened and highly controversial writings projecting Muawiya and Yazid as rightful, criticising Ali, Hasan and Husain came to be published - thus fanning sectarianism in its extreme forum.

There can be no second opinion that the Sunni-Shia disunity harms the Umma, internationally and, nationally within each State in which both co-exist. Even a cursory look at the situation in Pakistan would show to what extremes such antipathy and hostility can lead to. Fortunately, despite mutual distrust, Sunni-Shia relations have not reached the point of no return even in Lucknow. But the situation is simmering. There are political forces which would like to give it a violent turn.

RATIONAL SOLUTION

The simple formula for the accord is: **"Mohurram, Yes, Tabarra, No"**. I am happy that this formula has general acceptance. The Shia leaders have given the assurance that not a word shall be uttered by the processionists against the dignity of any of the three Caliphs. They have also agreed to reroute the Mohurram procession to avoid Sunni-concentration mahallas; they have invited Sunni Ulema to address Mohurram congregations. Any impartial person would accept that they can do no more. There is no logic in the Sunnis of Lucknow objecting to Mohurram under the circumstances.

But the extremists fringe would not give up. It now demands permission from the revival of Madah-e-Sahaba procession. As stated above, this has no religious sanction; it was a historic counterpoint to Tabarra, and not to Azadari, in the 30's. If 'Tabarra' is stopped, this should also stop.

That would be turning a new leaf and writing a new chapter on Muslim unity.

On 20 September, 1997, a Conference was held in Lucknow for the Tahaffuz-e-Namoos-e-Sahaba (Defence of the Honour of the Companions). There is no threat to the honour of the Companions in Lucknow or elsewhere. The presence of Maulana Abul Hasan Ali Nadwi and his words of wisdom and moderation was instrumental in cooling the ardour of the extremists but his presence also gave a touch of legitimacy to the continuing confrontation by the extremist fringe of the Sunnis on a non-issue. Indeed the Resolution adopted by the Conference declared Mohurram procession as un-Islamic and called upon the Sunnis not to cooperate or to participate in them, while, ironically, demanding the right to take out processions of Madah-e-Sahaba and equating any bar thereon as interference in religion!

Muslim Indians constitute a religious minority in the country and face common problems. But sectarianism whether it is Deobandi vs Barelvi or Sunni vs Shia has been exploited since the British days by the powers, that be to divide and weaken the Muslim community.

During the recent impasse, the BJP leaders posed as the friends of the Shia community and tried not only to win their sympathy but their political support. The Shias must understand that not Hub-be-Ali but Bughz-e-Muawiya activated the BJP which is essentially hostile to the Muslim Indians, as a community.

The Sunnis should not force the Shias to embrace the BJP and the Shias should not seek strength in reliance on the BJP.

Shias constitute a minority within a minority. This creates its own complexes and generates its own compulsions. The Sunnis must try to understand the mind of the Shias and show sensitivity to their legitimate rights and aspirations. Mohurram - the remembrance of the great sacrifice of Hazrat Imam Husain - should unite and should not be permitted to divide the Muslims.

Sunni Ulema should organise Majlis-e-Zikr-e-Husain during the first 10 days of Mohurram and invite Shia Mujtahids to participate. Similarly, they should ensure that Madah-e-Sahaba does not turn into Qadah-e-Ahl-e-bait!

DIALOGUE IN LUCKNOW

The Sunnis and the Shias of Lucknow should resolve their differences through direct dialogue and they do not have to go very far. Lucknow is the seat of Darul-Uloom Nadwat-ul-Ulema whose rector is the internationally known and universally respected Islamic scholar Maulana Syed Abul Hasan Ali Nadvi. Lucknow is also the abode of the most well-known Shia Mujtahid. The Lucknow Muslims should unanimously request Maulana Nadvi and Dr. Kalbe Sadiq to give a verdict and appoint a Joint Committee to supervise the implementation of the verdict.

The Lucknow Muslims owe it to the larger Muslim community to come to terms with each other. So do Maulana Nadvi and Dr. Kalbe Sadiq to play a decisive role at this historic juncture and find a just and equitable solution. After all, they are also the President and Vice-President of the All India Muslim Personal Law Board.

And the Muslims of Lucknow, Sunnis and Shias, should jointly observe the Prophet's Day, 2 months after Mohurram, and thus celebrate their unity and their common faith in Allah, Mohammad and the man.

New Delhi,
1 November, 1997



**WITH BEST
COMPLIMENTS**

FROM

**KALEEM
KAWAJA**

**THE ASSOCIATION
OF INDIAN
MUSLIMS OF
AMERICA**

**THE ORGANIZATION
FOR UNIVERSAL
COMMUNAL
HARMONY**

**WASHINGTON DC
USA**

Congress(I):

President Sitaram Kesri's Views

... The Left parties have always joined hands with the BJP to fight the Congress and the BJP is a political outfit of the RSS... The Left, by having a pact with them or carrying forward anti-Congressism, is only playing game. And, definitely, the Congress has to remain prepared to fight the BJP or any party aiding abetting it... We will avoid joining hands with casteist, communal and parochial forces. If regional parties promote our vision of communal harmony and secularism, our integrity and sovereignty, there is nothing is wrong in joining hands with them. In 1992, our commitment to fight communalism came under a cloud on December 6 - barely seven months (later). But in Calcutta, and before that, I myself apologised for our failure to act in defence of constitutional provision. We made a commitment to protect places of worship - be it a Masjid or a temple - before the nation and Parliament. We simply chose to be helpless witness to an attack on that commitment. It will not be wrong to admit our failure as a party, as a government, belatedly though it may be.

We are preparing ourselves for election, whenever it comes. And we have to face it.

Communalism and corruption are both serious diseases eating into the vitals of the nation. Communalism divides society, creates social tension and riots. So does casteism. But corruption relates to individuals. At times, in an over-enthusiastic crusade against corruption, we promote communalism.... We supported the RJD government (in Bihar) only after Laloo stepped down and his wife succeeded him.... Purely as part of a fight against communalism. Otherwise, the BJP will grow there....

(Source: The Outlook, 22 September, 1997)

**Shahabuddin's Letter to Minister of Welfare,
4 October, 1997**

It is indeed a matter of regret that the Annual Reports of the Minorities Commission, past and present, have never been discussed in either of the Houses of Parliament though nearly 20 years have elapsed since it was originally established under an executive order.

Nor has there been any debate specifically on the situation of religious and linguistic minorities in the country which enjoy constitutional protection.

In view of your interest in the Minorities Welfare, I request you to have a discussion on the Situation of the Linguistic and Religious Minorities in the Country, in the light of the Annual Reports of the Commission for Linguistic Minorities and of the National Commission for Minorities included in the official business for the Winter Session of Parliament.

K.K. Katyal

On Congress Prospects under Kesri

... Will there be a change in the Congress(I) attitude towards the present government? At the first press conference after his victory, Mr. Kesri publicly assured the Gujral Government continued Congress(I) backing from outside. There were several reasons for that. One, nothing has happened in the past six weeks or so, leading the Congress(I) to revise its decision to support the United Front Government under a new leader. Two, there was little doubt that a repeat performance by Mr. Kesri - of withdrawing support - would only hasten a fresh election which he would like to avoid at this stage, given the sensitivities of the party MPs. Three, Mr. Kesri and the Prime Minister have a good personal equation and rapport - warm enough to provoke occasional digs on Mr. Gujral by his predecessor. However, within the present parameters, the Congress(I) would be more assertive than it was in the past. It would like to play what it regards as its due role as the supplier of the crucial prop to the government.

Will the Congress(I) use the new strength, under an elected president, to work for a share in power?... A sizable section in the Congress(I) (wanted) to participate in the government and - according to some - get its due, as a senior partner.

This view was articulated in the past, especially during the party's negotiations with the UF after the fall of Mr. Gowda, but was not pressed to its logical conclusion. Perhaps, the Congress(I) leadership was conscious of the repercussions of any such initiative, the success of which could not be taken for granted.

For far too long, the Congress(I) members had resigned themselves to ad hocism in the working of the party... The recourse to the electoral process, despite its deficiencies and irregularities, could help the Congress members get back their elan and could boost their morale, but whether they will use the new strength for another bout of factional infighting or to impart to the party the much-needed vitality is to be seen.

... The party poll and Mr. Kesri's victory are in-house developments... But the erosion of its base has been so vast, the alienation of the people so strong and the loss of traditional vote banks and constituencies so heavy that the internal cosmetic surgery will take care of only a fringe of the gigantic task of recovery...

Will the SC, ST, other backward classes and minorities most of whom have organised their autonomous platforms, disband their outfits and return to the Congress(I)? The challenges, before Mr. Kesri are formidable...

(Source: The Hindu, 16 June, 1997)

CPI(M) Leader H.S. Surjeet on Defence of Secularism

The chargesheeting ... is being sought to be exploited by the Hindutva forces to their advantage.

... BJP president L K Advani in a signed editorial in the BJP Today, has clearly indicated that in the coming days the BJP will harp on justifying its shameful deed at Ayodhya. Mr. Advani nonchalantly, states that the demolition ... was not a matter of regret. But in order to circumvent the legal implications adds that "what is regretted is the manner in which it happened". ...

In an interview in the latest issue of the RSS Hindi mouthpiece Panchjanya, Advani has come up with the new slogan of freeing "Lord Ram from imprisonment" from the barricades put up by the government. In a bid to arouse passions, (he) has said that "Sri Ram Lalla is actually in prison. The sooner he is released the better."

Kalyan Singh, who, despite being chargesheeted in the Ayodhya case, has been chosen to be the BJP's chief minister in UP, said immediately after assuming office that "I reiterate that the BJP is fully committed to the construction of the Ram temple in Ayodhya but this can be taken up only when we have our own government at the Centre... The BJP leadership ... is all set to capitalise on the Ayodhya issue again.

While the Muslim leadership was willing to accept a solution arrived at through negotiations failing which it would accept a court verdict, the BJP adamantly refused to have anything to do with the courts. ...

The CPI(M) has (also) been consistently maintaining that such issues cannot be settled by force. A process of

negotiations should be started for arriving at a solution, and if it fails the matter should be left to the courts. It is the refusal of the BJP and its allied outfits to accept this that was to lead to the subsequent deplorable developments... The BJP has been bidding to gain electoral allies by giving an impression that it is not a rank communal party... The RSS ideology knocks the bottom out of the secular basis of our society and polity. This has dangerous implication given the fact that the minority population in the country is not less than 20%... Those parties who have aligned with the BJP will have to rethink their strategies or will have to completely identify with the Hindutva ideology and plank of the party or worse still merge with it...

From the statement and the articles and interviews given by Advani, Kalyan Singh and other BJP leaders, it has become absolutely clear that they have come to the conclusion that they cannot compromise or dilute their philosophy of Hindutva... They have once again decided to make Ayodhya their main plank with the focus on construction of the Ram temple on the ruins of Babari Masjid.

This poses a big challenge to the Left, democratic and secular forces. The defence of national unity has once again become a major task... We have to arouse the people against the dangerous moves (of) the BJP. We have to revive the traditions of the national liberation struggle of secularism and patriotism... This challenge has to be met.

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C.P. Bhambhri on Anti-Secular Agenda of the BJP

... Swaran Jayanti Yatra of L.K. Advani ... has ... proved that the BJP evolves its strategies of political mobilisation by making a clever use of Hindu religious symbols and carefully selected historical events and personalities with a view to consolidate the so-called Hindu Rashtra.

... The BJP-led State Government of Rajasthan organised massive celebrations on June 18, 1997 to mark the 421st anniversary of the battle of Haldighati. The BJP appropriates history and deftly uses and misuses it for political purposes, and Maharana Pratap is projected as a great Hindu patriot who opposed the oppressive Muslim rule of Emperor Akbar. Chatrapati Shivaji also occupies a place of pride in the BJP historiography because he also fought against the Muslim ... invaders of Hindu India.

Cultural symbols and important historical personalities play a significant role in political mobilisation because all social groups have their historical memories and it is essential to sensitise masses in democracy that their leaders are not a distant elite but participants in a common cultural way of life. Yatra in India has special significance and Gandhiji delinked yatra from religious connotations and fully used it for secular mobilisation. The salt satyagraha, Dandi march and a marathon procession undertaken by every newly-elected Congress president or even Gandhi's daily prayer meetings were a mechanism to reach the common man for strengthening the struggle for India's independence.

... The BJP Shila Puja and Ram Janambhoomi yatra mobilised the Hindus to take revenge against the Muslim ruler who had humiliated him by destroying the so-called Ram temple and constructed a mosque...

In spite of serious problems in separating cultural practices from religion in India, the BJP, RSS, VHP and other allied organisations, without any shadow of doubt, are using culture and history of India to promote the concept of a Hindu nation which was a victim of Muslim rulers and their purpose is to consolidate Hinduism around a specific religious ethos selectively chosen by political leaders.

... The political agenda of the BJP is fundamentally different from the agenda laid down by the Constitution makers and the BJP is questioning all the pillars of the Indian constitutional, democratic and secular state. The BJP has appropriated the history of 50 years of Indian Independence to show that the country has followed a fundamentally flawed system of secular democracy.

... The BJP is a negation of all the basic values of independent India. First, the BJP believes in militarised nationalism and its pronouncements on Pakistan are always articulated in a vocabulary where a message is

conveyed to the Muslims in India that Your Muslim Country is a danger to the Indian security. The BJP's opposition to the special status given to Jammu and Kashmir is also based on its interpretation of the Kashmir problem as a Hindu versus Muslim dispute...

Second, the BJP's militarised concept of Hindu Nationalism is also reflected when it champions the nuclearisation of Indian security. The possession of nuclear power is equated with assertive Hinduism which suffered defeats in the past because the Hindus did not glorify militarism.

Thirdly, the BJP believes in a strong state which can be effectively led by a President and not by a multi-party parliamentary political executive. The BJP stands for the replacement of parliamentary democracy by strong Presidential form...

Fourthly, Indians will be celebrating 50 years of completing a difficult journey of maintaining a pluralist democratic political system on the basis of respect for diverse socio-cultural groups...

... The BJP believes that during the last half a century, minorityism has been promoted and the unifying factor of Hindu nationalism has been ignored by the post-independence leadership. Since India's fundamentals have been wrong, the crisis of India cannot be resolved by tinkering with the Constitution.

How can secular India be right when it shows weaknesses towards Muslim Pakistan or Muslims in India or Bangladeshi Muslim migrants in north-east India or Bangladeshi Muslim refugees in Delhi? The BJP hate list of Muslims continues to unify the Hindus against their religious enemy as revealed by Indian history. The BJP will like to rewrite the Constitution for establishing a strong Hindu state. The BJP way of thinking is reflected by projecting Sardar Patel as an "Iron man of modern India" as opposed to the vacillating, ambivalent, pro-Muslim Nehru. The Sangh Parivar has coined historical myths around "great men" who can be projected as militant Hindus in opposition to secular leaders who promoted unity in diversity.

In Indian politics, the BJP has to be reckoned with as a distinct political formation which is a challenge to all the basic values of a pluralist democratic society... The BJP ... is not a political party in the ordinary sense of the term. It has a total agenda for rewriting the Constitution, and its mobilisational efforts are not co-terminus with electoral victories or defeats because it is a politico-cultural formation with a strong cadre to propagate Hindu ideology. The BJP will collapse if its ideology ... is successfully challenged by all secular formations.

(Source: The Hindustan Times, 31 July, 1997)

BJP: Vision in Deep Freeze

Arati R. Jerath in the Indian Express, 2 August, 1997

... The BJP's inertia on the Laloo issue highlights the passivity of its current politics. Despite being the sole occupant of the opposition space against a motley combination of 14 parties dependent on outside support for survival, it has consistently shied away from going on the offensive against the government. Unlike Indira Gandhi, who shrewdly mixed popular agitations with wily backroom manoeuvrings to break the Janata Party, the BJP seems to have left it to fate and the inherent contradictions in the ruling combine to propel it to power. Its hopes appear to rest solely on a mid-term poll forced by the pulls and pressures of an unstable coalition and the calculation that it can win because a scattered opposition is no match for its superior organisational network in a low voter turnout situation...

The reluctance of the BJP to plunge into mass action stems from its very nature. As a cadre-based party, which upholds organisational discipline and unquestioning obedience as supreme values, it is distinctly uncomfortable with the freewheeling unpredictability of mass politics. Like the Left parties, it lacks the necessary flexibility to deal with populist demands and needs well-defined structures and ideological order for its sanitised brand of politics. But ...the BJP's experience of political agitations is virtually non-existent.

Significantly, the only time it went out and mobilised people was on a religious issue. The Ayodhya movement was the party's first real attempt at creating a popular mood in its favour and although the motifs were overtly religious, Advani's rath yatra in 1990 had a clear political underpinning as well, which catapulted the BJP to national centre-stage.

Unfortunately for it, the movement collapsed when Babari Masjid came down... A carefully calibrated exercise to lead the party to power on a popular wave ended in disaster because the followers became the leaders and snatched ... the momentum from the BJP top brass. The demolition of the Mosque on December 6, 1992 not only deprived the Ayodhya movement of its symbol but exposed the BJP's woeful inadequacies in coping with a mass upsurge.

The inability to lead a political campaign on the streets is largely due to the party's total dependence on the RSS for crowd mobilisation. The Sangh has never made any bones about its distaste for politics and while it readily lends its vast network to the BJP at election time for the limited purpose of helping the party to win, it does not want to be dragged into organising political agitations on behalf of the BJP. ...

The BJP is looking for allies with mass bases so that it can piggyback to power in the next general elections. By floating the concept of a National Democratic Front, the party hopes to woo the regional parties on whose popular support it can finally achieve its dream of ruling from New Delhi. In its efforts to keep potential regional

The Reluctant Sanyasi

Editorial, The Times of India, 18 July, 1997

... Rare is the politician who embarks on a mass contact drive except at election time. Bharatiya Janata Party president Lal Krishna Advani, along with former Prime Minister Chandra Shekhar, can be said to belong to that vanishing breed of political leaders who believe in the virtues of direct contact.

Mr. Advani ... blazed a 15,000-km trail through virtually the length and breadth of the country. His Swarna Jayanti Rath Yatra covered all the four political dhams of India - west, south, east and north. Clearly, the mission had a dual purpose: personal and political... The constituency built on the yatra would serve him well, even when he quits the presidentship of the party... At the same time the yatra was intended as an exercise to highlight the weakness of the United Front government at the centre and to broaden the BJP's vote base, especially in those regions where it is weak. After all, the 1990 Ram Rath yatra had helped boost the party's fortunes a great deal, from 11.5 per cent of the vote in 1989 Lok Sabha elections to around 20 per cent in 1991.

And yet, the Ayodhya card seems to have backfired on the party this time around. If not elsewhere in the country, the Rath's journey through Uttar Pradesh was accompanied by shrill incantations of Jai Sri Ram and Mandir Wahin Banayenge, which echoed the passions of the kar sevaks, brutally displayed on December 6, 1992. Thus it is that the BJP, which made fighting corruption and accommodating minority sentiments its major plank in the western, southern and eastern parts of the country, fell to ...cries of extreme Hindutva as soon as the campaign headed northwards. The Party should have known better than to revert to hardline Hindutva, because, as the results of the recent elections demonstrate, Ayodhya has all but lost its utility as a vote-catching device with the demolition of the Babari Masjid... A future repeat of the Ayodhya card by the BJP may well end as a whimper... The party has to eschew its militant fundamentalist strategy (to) build fresh alliances, including with regional groups. The BJP leadership should realise that in a democracy like India there is no place for a fundamentalist platform - Hindu or Muslim.

allies happy, however, it seems to have lost sight of the fact that as a ... national party, it must push its own agenda and rouse public support for its vision, even at the cost of alienating possible coalition partners.

Its strategy may, of course, succeed and the country could have a BJP-led conglomeration in power... But in an electoral democracy, there is no substitute for a positive popular mandate borne out of a movement based on a broad political platform... The BJP will first have to understand the dynamics of people's power before it can hope to replace the Congress as the predominant national party.

(Source: The Indian Express, 2 August, 1997)

Bhai Mahavir

On Hindutva as Mainstream Nationalism

... Nationalism is not a mere geographical but a much deeper cultural concept which was propagated by men like Lokamanya Tilak and Aurobindo... Hinduism is the soil in which India's roots have gone deep, and if it is pulled out from it, India will starve like an uprooted tree. ... Levelling a Hindu state as "communal" is not plain ignorance but willful distortion...

If there is any fundamentalism in Hinduism, in other words, it is only this that no one way is the only way of salvation and no one god is the solitary saviour with the devotees of all others destined to burn in the fires of hell... The Hindu does not merely tolerate other religions, he accepts them to have a spark of truth.

... Never did Hindu armies march out to destroy any place of worship or kill-enslave-pillage believers of any other faith through out our long history. Even as a retaliatory measure. ...

Is the demand for a full integration of Jammu and Kashmir State by abolition of Article 370 proof of its communalism? Do two types of citizenships form an attribute of secularism or integrated nationalism? Is seeking a common civil code a culpability, communalism attaches to the Constitution? Rajiv Gandhi buckled under the pressure of the fundamentalist Maulana lobby when he divided the women of India to deny those of one community maintenance after divorce. But it is the BJP which is guilty of opposing it. To cap it all, Kesri's Congress ('Nehruvian' model) is ready to give reservation to 'minorities' thereby laying the foundations of another partition. In the 1940s RSS opposed Gandhi, in the 1960s, 'it' was Gandhian in part. Does it mean that Gandhi stood like a Pole star and one hand to adore whatever policy he advocated? ...

... Does "Swadeshi" strengthen communalism? Other parties may support reservation of seats for women. But if BJP does that it is 'to safeguard its communal constituency'... Isn't (all this) something without sense?

(Source: The Hindustan Times, 10 August, 1997)

Shahabuddin's Letter to

The Hindustan Times, 16 August, 1997

Apropos Bhai Mahavir's essay on Nationalism and Communalism, Nehru anticipated the Hindutva thesis of identification between Hinduism and India and stated that majority communalism finds it easy to project itself as nationalism. The fact is that India is more than Hinduism and no part, howsoever big can be equal to the whole. All his anti-Islamic and anti-Christian statements cannot extend the boundaries of Hinduism to include Muslims and Christians in India or the Hindus living outside India. Granted that Hinduism is an Indo-centric religion,

Farce of Democracy:

Kalyan's Questionable Coronation

In the down-hill journey of Indian democracy, we have crossed yet another milestone with the installation of Mr Kalyan Singh as the chief minister of Uttar Pradesh on September 21... A person charge-sheeted by a court of law has the political courage to take over high office with such fanfare. It is also a telling commentary on the Bharatiya Janata Party (BJP), which commands the largest number of seats in Parliament. It is another matter that the same political party professes to occupy a high moral ground and is in the forefront in teaching morality and high principles to all and sundry.

The case of the demolition of Babari Masjid ... was handed over the CBI within a week of the shameful event. The CBI filed chargesheets against 39 persons, including Mr. Kalyan Singh on October 5, 1993. Due to frequent transfers of judges of the special court and the post lying vacant, it took nearly four years for the court to come to prima facie conclusion that the persons deserved to be proceeded against.

... Kalyan Singh ... was let off by the Supreme Court in the contempt case by imposing a simple imprisonment for just a day and nominal fine when a Karnataka IAS officer had to undergo imprisonment for a month for contempt of the same court. Our democracy has reached a stage where even flagrant violations of law and defying the highest institutions do not make any difference to the fortunes of a politician. When it is convenient, the politicians declare that the peoples' court is more important than the judicial courts. Kalyan Singh's ascension to chief ministership yet again is a slap on the face of the ... court as well.

(Source: The Times of India, 26 September, 1997)

granted that it is a religion without dogmas (though, of late, the VHP has made an valiant effort to dogmatise it), granted even that the case of the national culture is Hindu, Hindutva cannot be equated with Bharatiyata; nor can history of India with the history of Hinduism, nor the Indian culture as it is today with Hindu heritage.

The difference between nationalism and communalism lies basically in equal dispensation for all citizens, whatever the religion, race, language, caste, colour or origin or domicile and preferential treatment or higher status to those who refuse to profess Hinduism, even if Bhai Mahavir and his leader M.M. Joshi in the genosity are prepared to all everyone Hindu.

If all religious groups and all citizens are equal, then why not speak of Bharatiyata? The problem, dear Bhaiji, is not semantic. The goal of nationalism is national integration; the goal of Hindutva is religious assimilation. One stands for unity, the other for uniformity.

Sanjay Kumar

On Political Realignment in Bihar

The split in the Janata Dal and the formation of the Rashtriya Janata Dal under the leadership of Laloo Prasad Yadav has opened the doors for a fresh realignment of political forces in Bihar. The willingness of some in the Samata Party to align with the Janata Dal, and the inclination of both the Rashtriya Janata Dal and the Congress towards each other for an alliance is an indicator for the possibility towards emergence of new political alliances in the State.

... On the eve of the Lok Sabha elections the Samata Party formed an alliance with the BJP, which winning 41 seats with 12.9% vote during the last Vidhan Sabha election had emerged as a political force in the State.

... Samata Party leader, Nitish Kumar, has already shown some willingness of his party for forming an alliance with the JD in Bihar, but at the same time adheres to maintaining its existing alliance with the BJP in the State... The left parties will have no truck with the Laloo Yadav led party in the next election...

The erosion of the Congress in Bihar is so widespread that in as many as 15 Lok Sabha constituencies it polled less than five per cent votes and in another 14 constituencies it polled between five to 10% votes. For the Congress it seems essential to align with a dominant force in the State so that on account of the seat sharing it may ultimately regain some lost ground in the State... These two political parties, the RJD and the Congress are heading for an opportunistic alliance in the State.

So what Bihar is heading towards is, bi-polarity within the multi-party system. The result of the 1996 Lok Sabha elections is a pointer towards it. In as many as 13 Lok Sabha constituencies more than 90% of the vote was shared among the two parties and in other constituencies more than 85% of the vote was shared among the two parties. The emerging alliance in the State may minimise splitting of the vote and maybe a step further towards this bi-polarity. This may result in keen competitive politics in the State.

(Source: The Pioneer, 1 October, 1997)

(Contd. from Page 516)

was widely believed that Dina had fallen out with her father after marrying Neville Wadia, a Parsi industrialist... But in a rare emotional outpouring she narrates how they patched up when she him after an attempt was made on his life. On the marital from Jinnah was never lucky. His first wife Emibhai died while he was still studying in England while the second Ruttie, a Parsi girls, many years younger to him, died at the age of 29. Though not a happy marriage, Christopher has got an eyewitness saying how Jinnah cried for the first and the last time at her death.

Abdul Qadir

On Muslim Disenchantment with Laloo

... Chief Minister Laloo Prasad Yadav's overtures to the Congress have not been taken kindly by a vocal section of Muslims in the state... They are apprehensive that a Congress-RJD alliance might split the formidable Muslim-Yadav combination in the state.

The Bhagalpur riots and the failure of the then Congress government to contain the worst-ever communal carnage in 1989 is still fresh in (Muslim) memory and it remains to be seen whether they would choose to forgive the Congress or leave the chief minister's bandwagon... The Muslim support for Laloo has mostly been on the rebound... The Muslims... do not take kindly to the Congress and the BJP and it is this which made them turn towards Laloo, he said. In any case, the impression that they had been taken for a ride was gaining ground because the alliance had not yielded much tangible benefits for the community...

Secularism was more of a political strategy with the Bihar chief minister than a matter of faith... Moreover, the fact that there had been no major communal violence anywhere in the country, even in states ruled by the BJP the Shiv Sena and the BSP, had taken the shine off Mr. Yadav's boast that he had ensured a riot-free Bihar.

The state government's alleged lack of interest in prosecuting and punishing the Bhagalpur riot accused, quite a few of whom happened to belong to the ruling party, has also not gone down well with the Muslim. Besides, the favours shown to officials indicted by the Bhagalpur riot inquiry commission have caused resentment. The failure of the Laloo regime to address the issues concerning the minorities including the gross neglect of minority educational institutions, non-payment of salary to the minority school teachers for years together, a non-functional Minority Finance Corporation and the continued illegal possession of Wakf property worth hundreds of crores are some of the issues which have led to disillusionment among the Muslims.

Those who question Mr Yadav's commitment to the cause of secularism also refer to Mr Yadav's role as the then Chapra MP in the Puja procession dispute in the late 70s. (In) his 1989 Lok Sabha speech his approach to the Ayodhya dispute was at variance with his present stand.

(Source: The Times of India, 10 July, 1997)

In the beginning of the film Shahibzada Yakub Khan, the former foreign minister of Pakistan... says, "He belongs to pantheon. He was a transcendental personality." Christopher has done just that. It would have been better to see Mahomedali Jinnahbhai as a bright man from the Khoja community who once wrote to his mother from London, "I will come back a great man." He did.

(Courtesy: The Pioneer, 24 October, 1997)

P.C. Punnen on BSP-BJP Relations

... The BJP and the BSP fought the Assembly poll as sworn enemies, won 176 and 67 seats respectively, and struck a deal. They signed an agreement whereby they were to take turns in heading the Government with the BSP getting the first turn. The deal did not petrify many custodians of public morality; not many indefatigable watchdogs of ethics in national affairs got hot under the collar. The media provided saturation coverage...

All that is water under the bridge. Before the latest patch-up, Kanshi Ram argued that there was an unwritten agreement, too, and when his nominee left office as Chief Minister after unveiling 29,007 statues of Ambedkar, the post of Speaker should go to his party, so that it can stymie any monkey trick the BJP is up to or may resort to. One thought faced with such a humiliation the BJP, which every ... Editor and political entrepreneur is saying will sweep the polls, would sever ties with the BSP and face the voters... The BJP bent over backwards to keep Kanshi Ram in good humour. How can a lily-white and proud party be so lily-livered? Does it not knock the bottom out of the argument that the BJP is the only party sure of itself, of coming to power?

That is where the importance of the goings-on in UP lies. They are a pointer to the shape of things to come. Kanshi Ram has seen to it that if the perception that the BJP can never come to power spreads even those who have been rooting for it will desert it in droves and it will sell itself short in any electoral tie-up. How much the BJP had set store by the UP experiment is seen in a book by its ideologue K.R. Malkani: "BJS to BJP, Two Essays on Ideology in Action". It reads: "Once it becomes clear that the BJP is going to forge ahead of all other parties millions of people who have never probably voted for it will plump for it. Regional parties could make a beeline for it. The UP development, where BJP helped a Harijan lady become Chief Minister - "Ram Ne Shabri ko Raja Banaya" said a Hindi newspaper headline - is a pointer in this direction".

If that perception changes it will be the end of the BJP. Kanshi Ram knows this. The important thing is ... that Kanshi Ram made a point, tellingly. He exposed the BJP for what it is, and knows when to pull the plug on its would-be or could-be Government, no matter who becomes Speaker. Put simply, he knows he holds all the aces, and the BJP, if anything, only the notional, sorry national! Press and a few vernacular rags.

The BSP is the gainer, and it will not take the nation long to see how the wily Kanshi Ram has pricked the BJP bubble...

There have been no shrill editorials berating the BSP's perfidy; no learned analyses on how Kanshi Ram

is losing credibility; no outpouring of bilge and bile on the BSP reneging on the agreement. That clique and the fifth columnists know the ground realities too well and that Kanshi Ram who is not squeamish about how he achieves his goal knows them too. In short, that no acidic campaign against Kanshi Ram for going back on his word would wash as the BJP had gone back on its pledge to the Supreme Court and the National Integration Council to protect the Babari Masjid. So the party is in quite an unenviable position six months after it struck a cynical alliance with a cynical party....

Questions on the poll prospects of the BJP naturally arise. An analysis of its track record would show that it stands no chance against a united front of secular forces. In the UP elections it got 176 seats when the anti-BJP votes were split three ways... It got only 4.5 per cent votes in 1989. In 1991, it improved its percentage to 21.5, with 119 seats in the Lok Sabha. In the last elections it got only 20 per cent of votes when the anti-BJP votes were split three ways...

The BJP brass, by all accounts, is painfully aware it is stuck in a political quagmire. That explains its valiant but pathetic attempts to rope in the regional parties and to widen its base and its casting about for emotive issues. Kanshi Ram, an astute practitioner of real politik, has understood this and given the party a body blow. Now what can a party which has tried to appear different, appear to be honest and secular, which has been rattled by a few statements and mortally wounded without a fight, hope for in Uttar Pradesh?

(Source: The Hindustan Times, 15 September, 1997)

Ex-C.M. Mayawati's Self-Projection On Minorities Welfare

- * The rate of scholarships doubled.
- * Minority Status accorded to 88 schools and separate committees formed for according Minority Status to the Primary and Secondary schools.
- * 56,000 Waqfs registered for the first time after ten years.
- * The quota of Haj pilgrims raised for 1998. Rs. 4.67 crores sanctioned for Haj House at Noida.
- * Shia and Sunni Waqf Boards registered under the new Act and a sum of Rs. 35 lakh sanctioned for clearing pay arrears of their employees.
- * Computer Literacy Programme being implemented in 50 Madarsas and decision to open ITIs in rural Madarsas.
- * Coaching centers for PMT, IIT and engineering opened in eight districts.

(Source: Government of UP's Advertisement)

Centre of the Backward Muslims of India All India Seminar, Aligarh, 3 August, 1997

Charter of Demands:

1. Backward Muslims (BM) be proportionately represented in all the State and Central Government Services, wherever reservation is applicable, out of 27% quota for OBC's.
2. Most BM Castes (counterpart of Dalit Hindu Castes) be accorded the same privileges as granted to the SC.
3. Proportionate representation be given to the BM Women in the Parliament and State Assemblies.
4. In the Parliament, Assemblies and local Self-Government, BM's be proportionately represented.
5. In the Government and aided-educational institutions, including Universities, BM's be proportionately admitted.
6. In the Government aided Muslim Minorities educational institutions, special cell be created for the educational upliftment of the BM's. ...
7. BM's be given effective representation in Societies, Commission, Committees and Board and other bodies related to Minorities and Muslim artisans.
8. Important political appointment, such as constitutional Heads be nominated from BM castes as well.
9. Secular, democratic and left political parties are called upon to give proper representation to BM's in their organisation at all levels.

Shahabuddin's Letter to Kalimuddin Shams, 8 October, 1997

I have before me the Charter of Demands as adopted. You would see that it focusses on the representation of the Backward Muslims in the OBC quota and in all Government institutions dealing with minorities welfare and development. It demands parity with the SCs for the so called Muslim Dalits and the representation of the Backward Muslim women in the Legislatures. If the above does not amount to division of the Muslim community into Backward Muslims and others, I presume, Forward Muslims, I do not know what the term 'Division' means.

Had the Centre demanded representation, facilities and concessions for all Muslim Indians on the ground that they are backward educationally, economically, and socially, along with the exclusion of the creamy layer, and priority and preference for the notified Muslim sub-communities, that would be a different matter.

I think that the Centre has adopted a line which is harmful to the interest of the Muslim community as a whole. This line is far, far departure from the line which you and your Party have adopted and which you have mentioned in your letter i.e. declaration of Muslim community as a community a Backward Class and a proportional quota in its favour I would, however, add a proviso that the first claim on the quota should be that of the Muslim candidates from the notified Muslim sub-communities and that the candidates belonging to the other sub-communities shall be admitted to the quota only if, and to the extent that, the Muslim quota remains unutilised.



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AKSHARAHWL - 2592

Islam as the 'Whipping Boy' of Indian Politics?

... For quite some time now, Islam has been the 'whipping boy' of Indian politics as well as of social debates. Regrettably, Muslims themselves have got used to this sorry state of affairs. Even they do not question it, and the Muslim leadership, judging by its reactions, takes it for granted. Perhaps deservedly do, since such meek acceptance of the whipping is a tacit acknowledgment on the part of the leaders that they have earned it: a silent confession of skeletons in their cupboards. After all, the present plight of Muslims has been brought about not merely by the political opponents of Islam but by its stunted leadership as well.

In India there are about ten crore people who follow the teachings of the great Prophet Muhammad... If those Indians are compelled to spend their time, labouring under the burden of a nonexistent guilt, such a predicament implies not merely unpardonable injustice, but dangerous portents too.

Sixty years ago ... the Jews, the European minority constituted the 'whipping boy'. They were held responsible for all the ills of Germany and Europe. Hitler took advantage of the anti-Semitism that was historically inherent in the European Christian consciousness. It was by reviving the hatred and promising a new Jew-free paradise that he rose to power.

There is a strong parallel between the predicament of the European Jewish community of those days and that of the Indian Muslims today... There were ... outstanding intellectuals and wealthy persons among the Jewish community; but they lacked a politico-social leadership that aimed at its total uplift. That was why it proved easy for Hitler to (massacre) 60 million Jews ... easier, indeed, than taking a herd of sheep to the butcher... For quite a long time now (Muslim) leadership has turned ineffectual. Worse still, unlike as in Europe, it has also become mouthpieces of fanaticism and rank "backwardism"...

On the other side, the chauvinistic forces that are now attempting to establish political hold over the majority Hindu community are painting Islam in the same sordid colours as Hitler then used to paint the Jews. To realise this, you don't have to listen to the venomous utterances of Sadhvi Ritambhara or Uma Bharati or Ashok Singhal; it is a patent fact borne out by the writings, way, of Arun Shourie, that journalist-turned Hindutva ideologue...

Whether such Hitlerian vision of Hindu fundamentalists would ever be realised is a different matter. Suffice it to know that there really are political barbarians and even intellectuals who wish it...

Anti-Muslim politicians can win easy applause by dubbing Muslims as invaders. If Islam had actually come here in conquest, how is it that the vast majority of Indian Muslims today happen to be the poorest of the poor? It is just absurd to beat Islam with the stick of invasion.

Another stick used to beat Islam in Partition. The real causes of partition have not yet been revealed in full...

Let me come to another familiar term: agenda-setting... And who sets the agenda for the Indian Muslims?

The answer to this question takes us to the desperate situation of Indian Muslims... False agendas envelope them, set on the one hand by blind, foolish and narrow-minded fundamentalists ... and on the other, by Hindu fundamentalists...

On the global front, too the western media, concerned over the Muslim hold over oil, point to a Khomeini and concoct a picture of terrorism that successfully veils the sufferings, virtues and the strength of Muslims.

Even the Left parties are not far behind in setting false agendas for the Indian Muslims. One good example for such a false agenda jointly set for Islam by Muslim conservatives, Hindu fanatics and Left intellectuals is the Shari'ah controversy...

... Three main issues should be addressed urgently; and thus ought to find a place on the true agenda of Indian Muslims. They are: (1) freedom from hunger, (2) modern education and health, and (3) the capacity to take part in the mainstream of the nation...

... Fake agendas have grown and proliferated; they have not (been) thoughtlessly accepted and coloured by the media; they have become instruments of exploitation; they have vitiated the community and its culture...

Today there is not even an adequate language to discuss Islam and Muslims. Can there be a worse plight for a modern society?

(Source: Zacharia in the Radiance, New Delhi)

Parliament's Silence On Communalism

... During the debate, Mr. Sangma gave a facile excuse for not touching on the subject of the country's communal situation in the resolution adopted at the end of the special session. It is strange that while the nation's fifty-year history is smeared with the blood of innocent victims of communal riots, the shining symbol of our parliamentary democracy, out to provide a unique opportunity to the nation to introspect and plan a brighter future, should provide a convenient alibi to the notorious practitioners of communalism ... by glossing over one of the most heinous crimes of political parties. (Communal violence) will continue to haunt the nation's future, unless a concerted effort is made to boldly acknowledge the enormity of the cancerous growth that is devouring the vitals of our democracy. Mr. Sangma owes the nation a convincing reply and a public declaration of his stand on strategic planning to combat communalism.

(Ghulam Muhammad's Letter in The Pioneer, 13 September, 1997)

Chaudhary Fariduddin on Need for Islamic Initiative in India

... A link that Muslims must always have with their surroundings and which had been weakening for quite sometime, was eventually snapped way back in the aftermath of 1857 ... is the link of "being the benefactors"...

This event plunged India as well as the Muslims into hitherto uncharted depths of slavery and degradation...

... Muslims need to ... make a new beginning **by giving ourselves a new role in our country: lead the movement for establishing a good and just society within the ... country.**

... A society can become good and just only when it follows all the principles enunciated by Islam. It follows that one of the primary means to fulfil our new role is for us **to follow Islam in our personal lives and in our community living.** The second most important means is **to disseminate and call the general public - both Muslims and non-Muslims - to true Islam as lovingly as possible.**

Having allowed for the possibility that many will reject this call to Islam, we must not forget that such people too have the right to help us and participate in this grand struggle to establish a good and just society (and) to our human concern for them... There exists a **certain block in the minds and hearts of the majority of the people as far as Islam and Muslims are concerned.**

Let's then pick up, one by one, the thorns strewn by history along the path... There is another bunch of thorns, born of the twin feelings of hate and fear: ... our problems.

... Let us give up for the time being our demands from community platforms (for) the redressal of our ... problems like employment, Urdu, Babari Masjid, minority status for our institutions etc.

We should resist any interference in Islamic laws... Let us Ulema open the door of creative thinking (Ijtihad) to declare that ... we will

- * Reactivate (Ta'leef-ul-quloob) by assisting Non-Muslims from our Zakaat.
- * Reserve 12% of all welfare funds collected by Muslims...

Let us ... pay equal attention to Muslims as well as non-Muslims in action for universal availability of food, clothing, shelter, education and health.

Equality and equity between man and man and man and woman. For recasting of archaic laws and expansion of the judicial system and against usury and interest and ostentatious living.

... These actions will have an impact on the ... socio-political scene in India (and) redeem for the Indian Muslims their role of being "the benefactors of mankind".

It will take the wind out of the sails of many adversaries... Infuse ... Muslims with a worthwhile purpose ... open up the hearts and minds of the people of India to (Islam's call)... If a sufficient number of us become pious Muslims and throw ourselves into the struggle to establish a good and just society, the day will not be far **when Islamic principles will be accepted, we will be asked to lead the country.** ...

(Source: The Radiance Viewsweekly, 21st 27 September, 1997)

Shahabuddin's Reply to The Radiance Viewsweekly, 30 September, 1997

On reading Mr. Chaudhary Fariduddin's article "A New Role For Indian Muslims" in your issued dated 21-27 September 1997, I am struck both by his religious fervour and his political naivete. I have also read earlier Maulana Jalaluddin Umri's article in Urdu which forms the starting point of the Chaudhary thesis. But Mr Chaudhary has gone far beyond Maulana Umri in working out the logistics and modalities of the new role which he would like the Muslim Indians to perform.

In a personal conversation and subsequently in a letter, I have conveyed to Maulana Umri the sheer impracticability, and likely negative reaction among the Hindu community in India and impact on Hindu-Muslim relation of the presentation of Islam as an alternative system of governance in India today.

Nobody can dispute that the Muslim Indians have individually and collectively the duty and responsibility to mould their personal and social life in accordance with the dictates of Islam. Indeed, much ground remains to be covered in this internal campaign. The present political system which is based on democracy and secularism, freedom and equality, fundamental rights and the rule of law does not impede or block the absorption of Islam by the Muslim Indians in their personal or social life.

If this is achieved and the Muslim Indians are no longer merely Muslim by birth but Muslim in their thought and action, whatever be their situation in life, this is bound to have a cumulative and permanent impact on the Indian society. But this has to come about only by the sheer force of example and not by publicity. The Hindu Indian mind, from the right to the left of the political spectrum, will only ridicule and treat with contempt any organised attempt by the Muslim Indians or a section thereof to project Islam, or what has been called the Islamic ideology as an alternative system of governance or as the panacea for the ills of the Indian society. Such assertion will be laughed out of court and even resisted and in the process anti-Islam and anti-Muslim sentiments will be fanned the Muslim Indians will not only be accused of being fundamentalist but power-hungry, out to restore Muslim rule in India.

What the Muslims Indians can and must do, and which they have not been doing so far as intensively as they should, is to participate fully and in the political and social life of the country, in political parties, in peoples' movements, in professional organisations, in trade unions, in student and youth associations, in campaigns against corruption and criminalisation, in every walk of

life, so that through such participation they share a national responsibility, perform a national duty and gain personal acceptance as well as bring honour and prestige to the community in the eyes of the Hindus. This is indeed a higher involvement in politics than engagement only in politics of murmur and protest, which addresses their own grievances and seeks constitutional and legal remedies thereto. Only when the Muslim Indians do their duty by the country and all its people, can they expect the rest of the people to be sensitive to and responsive towards their grievances and problems. Only if they work sincerely for the common causes, through a political party or other-wise, can they become effective spokesman for their own community within the party or organisation of their choice and a valuable link between the community and the political system.

As far removing the scratches on the Hindu mind which definitely exist, what is needed is not abject surrender to the whims and fancies of Hindu Nationalism but a systematic campaign to remove their mis-perceptions and misunderstandings and to combat the vicious propaganda against Islam and Muslims and the Muslim Indians which goes on churning round the clock, day after day and vitiating the national environment.

M.V. Kamath

On Hindu-Muslim Reconciliation

The best friends of the Muslims are not the Islamic countries but their fellow-citizens, the Hindus. The Hindus have their memory of the past thousand years' memory that is often unpleasant but which the Indian Muslims would do well to respect. It is when this respect is seen to be shown that Muslims and Hindus can live like brothers. And the time for that has come...

... The time has come for them to come out of their shell, try to understand the hurts to Hindu psyche, meet those hurts nobly and fearlessly - as on the Ram Janmabhoomi issue - and join hands with the Hindu majority, and find that all the world is theirs for the asking. The majority community can get along, howsoever limpingly, without Muslim support, but with that support it can turn India into a great power, indeed a mighty power. In that adventure the Muslims must eagerly join hands with Hindus for their mutual prosperity. Let no one under-estimate the Hindu capacity to be magnanimous....

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Mushirul Hasan on Secularism in the Time of Hindutva

As the country celebrates 50 years of independence, we are bound to reflect on the major theme of secularism...

In recent years, (much) debate is centred on the arguments outlined in the works of T.N. Madan and Ashis Nandy. The former, a social anthropologist, declared in 1987 that "at present secularism in South Asia as a general shared credo of life is impossible, as a basis for State action impracticable, and as a blueprint for the future, impotent". Likewise Ashis Nandy, also noted scholar, argues that both the ideology and politics of secularism have largely exhausted their possibilities and that it was necessary to play around with a different conceptual frame.

These are major interventions and should not be dismissed lightly. More so, because the arguments, if not the implications, have secular underpinnings. They must command attention at a time when secularism as a concept and as a concept and as a state policy is under critical scrutiny.

One thing is clear. Recent debates on secularism, though triggered by the Hindutva campaigns, take up much the same issues that engaged the Constituent Assembly members after independence. There was much confusion then, as now, about the scope, relevance and meanings of secularism. There was uncertainty and scepticism... Secularism was equated with western liberalism or with minority appeasement. It still is. Many members argued then just as they do now, that the "hegemonic language of secularism" (Nandy) was no more than a western import grafted on traditional society. (This) argument is tenable for the Nehru of steady decline from the early 1970s and its appeal has diminished even among Nandy's "westernised intellectuals and middle classes".

... What needs to be underlined is that the issue before many of them was not the European origin of the secular idea but its rightful appropriation in a country of diverse faiths, multiple identities and varied cultural and intellectual norms. Moreover, they were not bogged down, as is the social science fraternity today by finer issues of definition categorisation and application secularism. They wanted to ensure that its essence-the impartiality and neutrality of the State in its relations with the religious institutions and practices of the different communities-was not lost on the people. Their aim was to prescribe norms for a democratic civil society, foster inter-community relation ... and develop, what was Jawaharlal Nehru's great passion, a scientific temper... This was a modern goal, a rational goal, and an Indian goal. And Nehru ... very nearly succeeded in achieving his goal.

... The major players in the Congress and in the Left movement knew full well that the secular model alone could contain centrifugal tendencies threatening to undermine the already fractured social structure after

1947. No wonder secularism, along with "democratic socialism", occupied centrality in their public discourse. It remained, at least in public pronouncements and party manifestoes, "a priceless heritage of our country, the foundation on which a progressive modern state can be built for the welfare of the common man".

Secularism itself acquired new meaning and found new modes of expression. This was not something one could decry. An inflexible, static and doctrinaire definition would have inhibited newly-emerging social classes and political elite from being closely identified with the values and symbols associated with the changing political climate. In fact, a redeeming feature of the post-Nehruvian era was that these group did not, as was predicted, shun the secular model. Instead, they enriched its social content. That is how its appeal went far beyond the charmed circle of the elite. This is probably why what began as a mere experiment in a riot-ravaged and communally-polarised India of 1947-49 acquired a fair degree of legitimisation in the political, cultural and intellectual discourse of the time.

There is no denying the rise of obscurantist and "fundamentalist" forces and the gradual weakening of secular tendencies. This is not surprising, for the dice is loaded against secularism and multi-culturalism not just in India but in many other societies as well. Yet one must not brush aside the gains and the bright spots in our country's slow and steady progress towards ... a secular polity.

This is one of the why it is worth restoring the democratic and secular consensus of the 1950s, the outcome and the most powerful legacy of the anti-colonial struggle, and reiterating Nehru's secular agenda which provides a *raison d'être* for a rapprochement between diverse and conflicting sectarian and communitarian perceptions and goals. Perhaps, the agenda bears the imprint of ambiguity and needs to be redefined in parts. Perhaps, it needs to be tailored and trimmed to suit the rapidly changing realities of political life. Still, the ideological underpinning of the democratic and secular consensus, envisaged by the architects of India's Constitution and assiduously cultivated by the country's first prime minister, are as relevant today as they were in his lifetime. ...

Notwithstanding the consequences of the Hindutva campaign and the passive role of the State in allowing the anti-secular forces to run amuck and seize the initiative in the public realm, there is still a glimmer of hope in the coalition of democratic of democratic forces, in the sheer diversity of Indian society. If such a coalition receives the mandate of the electorate, we can argue with greater confidence that secularism as a general credo of life is possible, as a basis for State action practicable, and as a blueprint for the future desirable.

(Source: The Hindu, 11 May, 1997)

Eminent Jurist Rajeev Dhavan

On Judicial Activism, Secularism and Religious Minorities-II

With the advent of Justice Gajendragadkar's judgements in the Supreme Court, the basis of the earlier interpretation was undermined and a new path was paved for extended state intervention. ...

While it was right to bring the Swaminarayan within the law relating to untouchability (much in the same way as Buddhists and Jains are Hindus for those purposes), there is little justification for convincing the Swaminarayans that they really were Hindus when they made it clear that they were not.

Justice Gajendragadkar's decision on religious freedom in the constitution profoundly affected the future. He limited constitutional protection to only "essential practices" in the faith, allowed a near total control over religious institutions and reified the meaning of Hinduism to a point that politically motivated Hindus to claim that Hinduism is virtually synonymous with Indianness.

... Justice Gajendragadkar's "assimilative" approach, which virtually makes temples and maths appendages of the State, continued with a constitutionally self-assured over-kill.

Governor Jagmohan's experiments with the management of the temple of Vaishnodevi are laudatory; but they cannot become a universal model in which peoples rights are surrendered to the State even though the improvements made ... were impressive and necessary at that time. A more imaginative people-oriented model is required.

Justice Gajendragadkar's assimilative brand of secularism has found expression in three Andhra cases decided by Justice Ramaswami in 1995-96 in which the accent is more on state control rather than on religious freedom. The new Justice Ramaswami trilogy of 1995-96 is quite removed from the original Justice Mukerjee trilogy of 1954 with which it claims an affinity. Today's religious endowments are under continuous threat of take over by the state in the name of bad management by the traditional custodians. What was intended as a default power has resulted in extensive state control. This new secularism will pave the way for new forms of state control at the behest of communal forces. ... Justice Ramaswami's judgements of 1995-96 contain discussions of Hinduism which were not directly relevant to the case.

In the election cases of 1994-95, Justice Varma's *Hindutva* judgement (as it has come to be called) reified Hinduism (in its new description as *Hindutva*) beyond even Justice Gajendragadkar's approach. In its electoral context, *Hindutva* is clearly an appeal to religion no

more, no less. In Justice Verma's version, such an appeal appears to be sanctified as an appeal to our indianness. The fact that justice Verma drew support from justice Gajendragadkar's Swaminarayan judgement is telling; and helps us to trace the origins of this interpretation.

In the past two decades, the Supreme Court has not hesitated to explain various faiths to the people of that faith The correct approach was to accept a religious practice but control it in the name of law and order.

There is little point in the Supreme Court telling followers of Aurobindo that they do not possess a distinct faith if they believe they do. The same logic applies to the Supreme Court's refusal to extend constitutional protection to the faith of the followers of Sri Ramakrishna in 1995.

Controlling the social effects of a faith is one thing, making judicial pronouncements on a peoples' faith is another-unless the faith had been invented only for the court case. Our justices are wise, and knowledgeable but they are not theologians or pandits or authoritative exponents of religion.

After the majority judges in the Babri Masjid case went through the exercise of accepting a usurpation of waqf property through the aegis of juristically invented concept of a statutory receiver, Justice Varma's judgement made the judicial finding that praying in a mosque is not an essential practice of the Muslim faith because Muslims can pray anywhere, even in the open! A part from the manner in which this was phrased, the logical outcome of this finding is that the right of Muslims to pray in their mosques is not necessarily constitutionally protected.

Once the Pandora's box of judicial interpretation of this kind is opened, a great deal may flow out of that box. In one case, Justices Kuldeep Singh and Sahai virtually directed the government to enact a uniform civil code. Later, they retreated.

The first is to enlarge constitutional interpretation along the lines proposed by Justice Gajendragadkar in the sixties to create high levels of State interventionism. Given this license, the State has rushed in where angels may fear to tread. This approach has been further extended in the area of minority educational institutions which are fast becoming appendages of the state even if they do not receive a grant from the latter.

By contrast, the second approach of the Court and State is to show restraint and forbearance and not interfere in religious matters. Ironically, where communal violence, threat and intimidation strike at the roots of

constitutional secularism the judiciary has often shown forbearance. Where forbearance should be shown - management and takeover of religious institutions - the court seems to have sanctioned and condoned the takeover of these institutions. ...

Religions cannot be taken over by the State. Nor can the faith ... be interpreted by the judiciary. What the followers of all these people do expect is that they will not be discriminated against either by the State or in civil society. They also have a right to expect that they will not be threatened, attacked or intimidated by others; or, be subjected to politically motivated doubts about their national loyalty. They have a right to feel that this country belongs to them and not just to persons of the majority faith. If the Indian Constitution or any interpretation of it cannot defend their right to their faith, beliefs and practices, it would have failed to achieve one of the fundamental tenets of ... Constitution... Freedom of religion, which the judiciary is duty bound to protect, includes freedom from fear and victimization on religious grounds. Such issues require tactful handling, but they cannot be outside the purview of judicial activism.

The Babari Masjid was destroyed four years ago in 1992. Today Hindu prayers take place on the site of that mosque... Surely, this must give us pause.

(Source: The Secular Democracy, May, 1997)

Hashim Kidwai's

Criticism of Chandra Shekhar

While speaking in the Lok Sabha ... special session ... Chandra Shekhar hit out at the Indian secular parties - JD, the Left parties and the Congress - which prompted political untouchability, that is (isolated) the BJP ... in the name of fighting Hindu communalism. He demanded that secularism should be redefined to combat religious fanaticism. One is shocked at the somersault of Chandra Shekhar. He conveniently forgets that one reason why the BJP has become so strong is due to the policy of secular parties in having BJP as their allies ... in 1977... Chandra Shekhar's condemnation of secular parties (for isolating) BJP is a way of supporting the BJP. It is indeed a national tragedy that a secular leader like Chandra Shekhar ... should take such a position.

(Source: The Pioneer, 14 September, 1997)

B.G. Verghese on Secularism

Secularism ... was poorly conceptualised and promoted. There was a tendency to pander to the orthodoxy. Little effort was made to write secular textbooks and peoples' histories of India. Instead, there was continuing periodisation of Hindu and Muslim dynastic rule while ignoring much of what happened beyond the Indo-Gangetic plain.

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Sandhya Jain

On the Ayodhya Movement and the Future of the Secular Polity

... Ayodhya is a turning point in our history. It has brought the critical issue of India's core identity, which was dodged at Independence, back on the national agenda. Independent India's history will henceforth be perceived as pre and post-Ayodhya. ... Not since 1967, when Congress party dominance received its first rude shock in most of northern India, have the ideological underpinnings of the Indian state been so severely challenged, and more pertinently, proved to be a travesty.

... Tilak, first, and then Gandhi, could rouse the nation because they touched the urge to release the trapped soul of the nation, reclaim its civilisational heritage, and recover national pride.

Mahatma Gandhi was the most effective instrument of this powerful aspiration, but he was nevertheless an imperfect one, and his preference for Nehru over Patel, in opposition to the views of the Congress party itself, served ultimately to stultify the Hindu awakening... Gandhi was guided by his sensitivity to Muslim fears of being "drowned" in a sea of Hinduism after Independence... The choice was unfortunate ... and it has taken us five decades to come to grips with this derailment of legitimate Hindu aspirations.

... The Hindus were dubbed as intrinsically communal; ... the Muslims were accorded a disgraceful parity, in the name of secularism. Nowhere in the world has any society - democratic or despotic - sought to build a nation around a cluster of communities made artificially equal, willfully suppressing the majority community and the ancient, dominant culture that it represents. This is perversion only modern India has experienced.

... Though separate electorates were abolished, the Muslim community was encouraged to perpetuate its separate identity, and given virtual veto power in elections. Until 1989, no electoral victory was possible for any party without their support. Minority wooing and minority-appeasement, with the accompanying distortions in the national fabric, have become so deeply entrenched in our culture that even the BJP ... often falls prey to it. ...

... We have fallen prey to a linear, divisive concept of religion, which leads us to define the Sanatan Dharma (eternal way of life) as the religion of the Hindus, just as Islam is the religion of the Muslims and Christianity of the Christians...

Western accent on pluralism and secularism has misled many to believe that they are Christian concepts; they are not... The Sanatan Dharma is intrinsically plural and secular ... Secularists argue that by placing the Sanatan Dharma at the core of our ethos, we will

endanger our "unity in diversity"... India is not united despite her diversity. In the Hindu ethos, "unity" implies the existence of multiplicity and plurality. The fact that minorities would not only be safe, but would be respected citizens, in an acknowledgedly Hindu India, goes without saying... This bogey can no longer be used to scuttle the reassertion of national identity. ...

... The Mandal phenomena remains a powerful counterpoint on the political spectrum, checkmating BJP's Hindutva. There is merit in this proposition. Caste is still a potent symbol of mobilisation; nevertheless, it would be erroneous to conclude that its political potential is limitless.

... BJP-baiters draw comfort from the fact that the caste-based BSP and Samata Party do not subscribe to the Hindutva agenda, and may contain the BJP. Their relief is misplaced.

First, the BJP is only an instrument, not the author, of this powerful national aspiration. Secondly, even if caste is the principal vehicle by which large sections, especially the backward castes and Dalits, organise themselves, it cannot delimit their identity eternally. As these groups become more confident they will seek a broader canvas, a larger identity. This identity can only be Hindu.

The Hindu surge for the recovery of its displaced identity cannot be foiled. Nor can it be fobbed off with substitutes... That is why the breaching of the barricades at Ayodhya is so significant. Invisible barricades still remain, hindering the construction of the temple, but these are crumbling....

(Source: The Pioneer, 7 October, 1997)

Justice H.R. Khanna on Minorities Rights in St. Xavier's Case, 1974

"Our mission is to satisfy every interest and safeguard the interest of all the Minorities to their satisfaction,

The objects of Articles 25 to 30 [of the Constitution] was to preserve the rights of religious and linguistic Minorities... These provisions enshrined a befitting pledge to the Minorities in the Constitution of the country, whose greatest son laid down his life for the protection of the Minorities.

As long as the Constitution stands as it is today, no tampering with these rights can be countenanced. Any attempt to do so would be not only an act of breach of faith, it would be Constitutionally impermissible and liable to be struck down by the courts."

BMMCC Rejects Referendum

Shahabuddin's Statement, 30 Sept., 1997

"The Babari Masjid Movement Coordination Committee (BMMCC) expresses its unequivocal opposition to the proposal of Mr Salman Khurshed for the settlement of the Babari Masjid Dispute through a national referendum. The dispute hinges on a question of fact, namely, the title to the disputed structure and the attached land as on 22/23 December, 1949, when it was unlawfully occupied and an idol of Shri Ram Chander Lalla was introduced therein. **A question of fact cannot be decided by vote, but only by the judicial process.** In fact, a Special Bench of the Allahabad High Court is presently seized of the title suit.

Mass mobilisation which enabled the Sangh Parivar to make political capital out of the dispute, arising out of a deliberate act of criminal trespass, has died down, because the people have realised the enormity of the damage done to the image of our country abroad and to the working of our secular democracy at home. A nation wide referendum will be exploited by the anti-secular forces to rouse religious passions once again and the resumption of the dance of death and destruction, as in 1992-93.

The BMMCC also expresses its deep regret that a person convicted by the Supreme Court of having violated his commitments under the Constitution has been sworn in as the Chief Minister of Uttar Pradesh and the new Chief Minister has not lost any time to reignite the fuse by undertaking an official visit to Ayodhya along with members of his Cabinet to perform yet another unlawful act, namely, 'Pooja' in the make-shift temple, constructed on the debris of the Babari Masjid. The BMMCC has registered its protest with the Central Government which is the custodian of the disputed property.

The BMMCC looks upon the announced intention of Shri Buniad Hussain Ansari Minister in the UP Government to perform Namaz on the disputed site as no more than a political gimmick, in order to whitewash his political sin of serving under a Chief Minister who has been the main instrument for the destruction of the Babari Masjid.

The BMMCC would suggest to Mr Ansari that if he sincerely feels that Shri Kalyan Singh has violated the Order of the Supreme Court by performing pooja in the make-shift temple, he should forthwith resign from the Government, instead of playing to the gallery.

The BMMCC, however, appeals to the Government that in case Pooja by individuals is allowed on the platform constructed over the debris of the Babari Masjid, Namaz must also be permitted not only to persons like Mr Ansari seeking political mileage but also to common Muslims."

Advani and Kalyan Singh

On Revival of Ram Janmabhoomi Movement

"Shri Ram Lalla is actually in prison. The sooner he is released the better" but "Lord Krishna was born in prison, in Ayodhya, Lord Ram has been put behind bars".

... In trying to juxtapose Ram and Krishna, Advani has also, in effect, established an indirect link between Ayodhya and Mathura which is not on the BJP's agenda so far although it figures high in the Vishwa Hindu Parishad's scheme of things. ... Mr. Kalyan Singh as Chief Minister would at the outset probably write to the Central Government that there is no need to put up barricades around the idol...

(Source: Saroj Nagi in The Hindustan Times, 21 September, 1997)

Shahabuddin's Letter to Home Minister,

22 September, 1997

The Hindustan Times has reported that the CM Kalyan Singh of UP, in keeping with his vowed determination to build the proposed Ram Janmabhoomi Mandir on the site of the Babari Masjid in Ayodhya, would write to the Central Govt. to lift the barricades around the unlawful make-shift temple standing on the Babari Masjid site. The ground has been prepared by the statement of the BJP President L.K. Advani in the latest issue of Panchjanya that:

"Shri Ram Lalla is actually in prison. The sooner he is released the better" but "Lord Krishna was born in prison, in Ayodhya, Lord Ram has been put behind bars".

Since the Babari Masjid site and the surrounding land acquired by the Central Govt. in January, 1993 has been entrusted to the Central Govt. by the Supreme Court as the custodian, till the title suit is decided, the Central Govt. should not relax its vigil and control, lest the BJP Govt. in UP and its administration organise yet another assault to initiate construction on the illegal platform constructed in July 1992 to the east of then standing Babari Masjid to serve as the foundation for the major part of the proposed temple.

Praful Bidwai's on Cultural Vandalism

... Our national pride is not so flimsy and fragile that we must destroy all that precedes a certain construction of Indian nationhood and replace it with contemporary icons. Civilized people do not try and get even with history or 'correct' its 'wrongs' this way. **That is precisely why all decent Indians were outraged at the Babari mosque's demolition.** A vengeful attitude to the past in the garb of nationalism is dangerous. Ultimately, as Bosnia demonstrated, there is nothing more toxic than an insecure, bellicose nationalism that 'cleanses' ethnically and culturally. Endorsing it would be the biggest disservice today to the humane, pluralist, tolerant and modernist ideals that underlay the freedom struggle.

(Source: Letter to The Times of India)

BJP: Vice President Bhandari's Views

... The whole case is politically-motivated...

We have always said that the demolition ought not to have happened. But the things were quite out of our control. And we all felt sorry for what had happened.

... The BJP and the rest of the 'Sangh Parivar' did not plan this demolition. ... We have explained our position to the Muslims as well... There is no question of the Ayodhya issue haunting us. We have all along been saying that we stand for the construction of a Ram temple in Ayodhya. That continues to be our position...

When we come to power we will facilitate construction of the temple... Parliament has the right to legislate and hand over the land in question to the temple trust committee... The mosque had been built on the debris of Ram mandir. So the only question now is of building the temple there. The mosque can be built anywhere else. (Source: The _____, 15 September, 1997)

Shiv Sena: Views of Thackeray

Bal Thackeray (after being) chargesheeted in the Babari Masjid demolition case ... by the designated CBI court in Lucknow ... has been ... denying that his party was involved in the demolition. But Thackeray's interviews ... and editorials to the Sena organ, Saamna and Statements are on record.

December 5, 1992: The Saamna editorial 'Towards Ayodhya' implored Shiv Sainiks to "wipe out this blot". It compared Sainiks going to Ayodhya to Hindu warriors on their way to the "battlefield of Ayodhya". Pointing out that "they were not born for bhajans and kirtans," the edit asked VHP president Ashok Singhal to give the Sainiks weapons: "Until now you fought all Ayodhya wars without the Sena. Now give them weapons and see. Their experience on the battlefield will definitely prove useful in this dharma yudh."

December 6, 1992: (The Times of India) "I am the happiest man. I am proud of those Shiv Sena kar sevaks who have done justice for the Hindu cause."

December 8, 1992: (Editorial in Saamna) "Muslims should draw a lesson from the demolition of Babari Masjid otherwise they will meet the same fate as the Babari Masjid. Muslims who criticise the demolition are without religion, without a nation".

January 1993: (Interview to Newstrack) "I wanted a demolition. If I would have been the prime minister of the country, I would have demolished it long back, not leaving it to my party workers or Shiy Sainiks. I would have done it officially. But since they have done it, well, I have said it already, I am proud of them".

January 15, 1993: (The Times of India) "Ayodhya was the birthright of Hindus and next on the list are Kashi and Mathura."

(Source: The Outlook, 22 September, 1997)

Khushwant Singh

On the Trial of the Conspirators

There is no question that a crime as heinous as the wanton destruction of a place of worship should be punished. It was an act of villainy and those who perpetrated it should be treated as villains. However, I fear ... that the men and women charged with the demolition of the Babari Masjid will exploit the trial to their advantage and portray themselves as heroes and protectors of the Hindu Dharma. My own gut feeling is that they will succeed in doing so and the whole purpose of bringing them to book will be defeated. Most of those charged made no secret of their involvement in the dastardly deed, many of them have gone on record gloating over what their goondas had done in Ayodhya. There is serious danger of miscarriage of justice because of the inordinate delay in framing charges.... But more alacrity could and should have been shown in handling the Babari affair: As a matter of fact, there was no reason why all those who had instigated the destruction of the mosque were not apprehended immediately and brought to trial. That had made many speeches preaching hatred between the two communities: no more evidence was needed to ensure their conviction.... By the time appeals to High Courts and the Supreme Court are concluded, some of the accused may be dead.

Meanwhile the accused are bound to go round the country extolling their deeds and to get political mileage. It is incumbent on the media and our countrymen to strongly countenance such propaganda.... They have brought disgrace on the fair name of Hinduism rightly proud of its tradition of tolerance. They must not be allowed to get away with this kind of vandalism.

CBI's Case

Against BJP/VHP Leaders

... The movement paid rich electoral dividends to the party (but made it) an untouchable in an era of coalitions. The BJP exploded on the national stage overtaking the Congress as the single largest party. But each time it tried to find an ally in its bid for power, it was reminded of (6 December 1992).

The BJP dropped the Ram card... It started focusing on corruption, unstable coalitions and good governance. The Vishwa Hindu Parishad (VHP) was reined in. BJP President Advani made it clear that Kashi and Mathura were not on the agenda. The party even made overtures to the Muslims with Advani declaring that "we can't afford to have such a large section of society outside our area of concern".

With the special court deciding to (frame) charges ... the ghost of Ayodhya has returned to haunt the BJP. For a

(Contd. on Page 509)

M.V. Kamath on Babari Masjid and the Hindu Psyche

... Whether the government is wise to pursue the case is something to think over... This is not just a simple matter of Law and Order. It has roots deep in the Hindu psyche and it would be positively dangerous to play with it... This is a case in which Hindu hurts over the centuries have to be taken into account, as well as the fact that the so-called Babari Masjid itself had been built following the demolition of a temple on the same site... In the circumstances, the expected trial of Advani and others can only be described as ill-conceived and deeply to be regretted. It can do no good to anybody, least of all to the Muslim community.

... The issue is not one of law and order. It is not even political, though some may see a political hand in it. It is profoundly psychological and involves hurts felt for centuries by Hindus. The so-called Babari Masjid stood for everything that the Hindus had hated for centuries... The Masjid should not have been built in Ayodhya in the first place, just as Muslims would consider it a sacrilege were a temple to be built in Mecca or Medina. Muslim insensitivity to this is appalling...

... For weeks the VHP representatives met with those of the Babari Masjid Action Committee led by, among others, Syed Shahabuddin to arrive at some kind of settlement... Instead of fighting for a Masjid in disuse, if the Muslim leadership had the greatness and the compassion to concede to the Hindus their desire - amounting to a right - to build a temple on the site, the Hindus, in turn, would have willingly and happily helped to re-locate the Masjid elsewhere at their own cost...

... During the one thousand years of Muslim rule there are recorded instances of over 3,000 temples being demolished... The Babari Masjid need not have been demolished; it could have been re-located brick by

sacred brick to another place...

An apology from the Islamic leadership to Hindus and Hinduism is eminently called for, only there is no religious head for the entire Muslim umma or diaspora as Roman Catholics have in the Pope, to speak authoritatively for them and on their behalf. One wishes there was a Caliph who could speak for his religious followers. There is no Caliph and Muslim leadership is scattered and will not speak for reconciliation. The Muslim leadership chose the path of confrontation and challenge... The persons to be sued are not Advani and Kalyan Singh but Shahabuddin, Owaisi and Company. Not to mention our pseudo-liberals and others of their ilk who aided and abetted Shahabuddin... And that sums up the attitude of Muslims at large... The Pope ... offered an apology ... in Paris, for the massacre of thousands of Protestants in France by French Catholics ... in the streets of Paris on St. Bartholomew's Day, August 24, 1572...

... That would be 425 years ago. The Pope could well have argued that after all that is ancient history... Let bygones be bygones. That could happen, if only Muslim leadership shows some remorse, some understanding of the feelings of Hindus... The Muslim leadership is unwilling to live in peace with Hindus. Apology comes hard to it...

On September 5, this year ... during this talks in Beijing with Chinese Premier Li Peng said that the cabinet of former Japanese Premier Murayama had expressed its regret over Japan's invasion and colonial rule and the resultant losses and suffering... "This is the official stance of the Japanese government", said Hashimoto. Only a great people have the strength to apologise...

(Source: The Free Press Journal, 18 September, 1997)

Shahabuddin's Letter to The Free Press Journal, 27 September, 1997

Mr M.V. Kamath is indeed 'the odd man in.'

His article 'BJP and they Ayodhya Masjid' in your issue of 18.9.97 makes an interesting reading. For one thing he wants the Muslim leadership to be put on 'trial' for the demolition of the Babari Masjid! Perhaps, the Muslim leaders were directing the Sangh Parivar and organising the Kar Sevaks and training them for the assault!

Mr Kamath refers to the Hindu feelings of hurt arising out of the centuries of Muslim rule and, therefore, justifies the balancing of accounts after 1947. The question, however, is that Independence was neither achieved by nor given exclusively to the Hindus but to all people of the country and independence cannot be used as an opportunity for the Hindus to balance the account of

the centuries.

He states that the Babari Masjid should not have been built in Ayodhya in the first place and compares it to the shrines in Makkah or Madinah. He needs to be enlightened that after the 11th century, Ayodhya became a great centre of Sufism and Islamic learning and that is why there are hundreds of Masjids and Dargahs and Maqbaras, not to speak of acres of grave-yards, there. Since then, Ayodhya has never been an exclusively Hindu centre. Before the 11th century, by all accounts, it had been deserted into a pathetic hamlet, as testified by Fahien.

Then Mr Kamath speaks of the demolition of a temple for constructing the Babari Masjid on its site. The Sangh Parivar has not yet come up with any academically

or legally acceptable evidence to support its thesis. But assuming for argument's sake that a temple commemorating the birth of Ram Chanderji stood on that site and was demolished, can an act of vandalism 500 years later justify or nullify the earlier act of vandalism.

Incidentally neither Fahian nor Huen Tsong records the existence of the Ram Janamasthan Mandir. The VHP has to prove first the construction of the mandir, when & by whom, and its existence in 1528, before it can accuse Babar of destroying it!

The All India Babari Masjid Action Committee indeed had several sittings with the VHP during the prime Ministership of Chandra Shekhar and Narasimha Rao. The two sides failed to achieve any settlement. Contrary to Mr Kamath's information, I was not involved in the discussions, because I had realised at the outset that the purpose was merely to publicise the VHP's case the talks failed because the VHP insisted on declaration on faith and, therefore, rejection of judicial process.

The crux of the matter is whether in the whole of Ayodhya, the authentic birth site of Ram Chanderji lies within the site of Babari Masjid, in the light of the fact that several places in Ayodhya claim the same honour including the Ram Chabutra which was just outside the Babari Masjid.

Shri Kamath then refers to the VHP's offer to shift the Babari Masjid 'brick by sacred brick'. Mr kamath needs to be informed that it is not the brick, mortar or stone which constitutes a masjid, but the site which has been permanently consecrated by its legitimate owner for the worship of Allah. Even if the Muslims had a Khalifa or Pope, he has no authority to give away what belongs to Allah.

Mr Kamath finally wants the Muslims of today to apologise for the misdeeds allegedly perpetrated during Muslim rule. One does not see why sins of the father should visit upon the sons so many generations on and why Muslims of free secular, India should be divested of a legitimate place of worship for whatever might have happened in the past.

He refers to the St. Bartholomew's Day massacre in Paris in 1572. But the massacre was a fact, the demolition of a standing temple on the Babari Masjid is nothing but a myth and an after-thought, invented and propagated intensively since 1947 in order to incite the Hindu community against the Muslims.

Surprisingly, he compares Hindu-Muslim relations in India to the relations between Japan and the USA. Will Mr Kamath confirm that Hindus and Muslims in India constitute two independent sovereign nations?

VHP Case, 1992: President V.H. Dalmia's Letters to The Times of India

... The VHP has no intention of taking on the mantle of being the sole interpreter of history... In December 1990 at the instance of the Chandra Shekhar government it was agreed that the VHP and the AIBMAC would furnish evidence by December 22 and rejoinder by January 6, 1991. The government records say, "The VHP submitted the rejoinder in which it tried to refute claims of the AIBMAC point-wise. The AIBMAC did not react to the evidences put forward by the VHP. Instead it submitted photocopies of more evidence in support of its claims. Since the AIBMAC did not give comments on the evidences put forward by the VHP, it is not possible for the government to decide the areas of agreement and disagreement."

Even then, the VHP agreed that the experts of both sides should meet and discuss the evidence. At the first meeting on January 24 the AIMBAC experts said that they had not studied the VHP evidence, and that they would need six weeks to do so... For the second meeting on January 25 the AIBMAC experts did not turn up.

Even after 18 months the rebuttal of the VHP evidence has not been presented. A platform for discussion was spurned by the AIBMAC, simply because the historical case for the Ram Janambhoomi is overwhelming.

... Even today, people who call themselves historians aver that before the advent of the British, the present site was never considered to be the janamasthan. This does not explain the existence of the Ram chabootra, right outside the inner wall of the Babari Masjid, built during the time of Akbar. If the Hindus did not consider the site important, would they have made a request for such a contentious location during the of Moghuls? If the site was not important, would Akbar have given permission for the construction of the Ram chabootra?

The faith that Lord Rama took birth at the spot where the garbha griha is planned exists for more than 2,000 years, as has been documented in the evidence that the VHP has submitted...

... Until six years ago, the VHP had taken the issue on a low key, so that persuasion could be used. Only when it was felt that this approach was taken to be a sign of weakness, the Hindus were mobilised... The VHP gave time to three governments to find a solution. Instead, they played the politics of vote bank and failed to understand the history of the issue concerned.

... Let there not be any monument of our subjugation in our land...

(Source: The Times of India, 22 July, 1997)

Eminent Journalist Hiranmay Karlekar on Kashmir Problem

... Given Pakistan's sustained waging of a vicarious low-intensity war in Kashmir, support to insurgents in North-East India and engineering of terrorist in other parts, any settlement that appears to take the Valley away from India will be considered a national humiliation in this country. This will unleash a wage of searing anger which the forces of Hindu fanaticism will try to ride to capture power at the Centre. They will attack the Government, charging it with betraying the nation, and Indian Muslims, accusing them of being Pakistan's fifth column. This is almost certain to trigger communal slaughter, as bad as the one in 1947, if not worse.

This is not alarmist talk. Hindu fanaticism has been growing rapidly in this country due, in a large measure, to bitterly hostile India-Pakistan relations which, in the background of the history of communal strife in the subcontinent and the Partition, has led to anti-Muslim sentiments and a Hindu backlash. The bankruptcy of the Congress, the confusion in the middle ground of Indian politics and inadequate growth of the Left have also contributed, as have the rise of Islamic fanaticism in West Asia, the activities of extremist Muslim groups in India and the criminal excesses of the Taliban in Afghanistan.

Indian Muslims, who are unfairly blamed for the Partition, and even more unfairly regarded by some as Pakistan's fifth column, have been targets of communal violence before. Hindu fanatics ... have a demonstrated capacity to unleash violence. The Government's ability to cope with the latter remains suspect... Violence took the toll it did then because of political instigation and the police's dubious role. The assume that it will be different during a riot unleashed by the loss of Kashmir would be to ignore militant Hinduism's deep influence over large sections of the police and paramilitary forces. they - barring notorious formations like the Provincial Armed Constabulary of Uttar Pradesh - have acted with reasonable professionalism except when provoked. This is because they themselves have not felt aggrieved during communal riots they have dealt with. They, however, cannot be expected to remain untouched by the countrywide simmering of anger on an issue like Kashmir. The consequences are predictable.

One can doubtless talk about the inevitability of an event only in retrospect: Until then it can be regarded at most as a possibility, however strong. But can one risk the possibility of a mass slaughter of India's Muslims? Their decision to continue living in India at Partition was a profound affirmation of faith in India's secular state and people. But, therefore, have a historic and binding moral responsibility to ensure that they live not only in safety but with honour and dignity as equal citizens of this country. it is a matter of shame that this has not always been the case. But should this now be compounded by gambling recklessly with their lives to humour Pakistan on Kashmir?

The ISI and military brass who call the shots in Pakistan cannot be unaware of what their low-intensity warfare against India does to Indian Muslims and what will happen to the latter if their demand on Kashmir, which really means its incorporation into Pakistan is conceded. Their callous disregard for the well-being of Indian Muslims is hardly surprising given their inhuman treatment of Mohajirs in Pakistan. Besides, they cannot be pleased to see that despite their frantic efforts and the rise of Hindu fanaticism, Muslims remain as loyal to India as any other section of the country's population. Company Quartermaster Havildar Abdul Hamid, who was posthumously awarded the Param Veer Chakra in the 1965 war against Pakistan, is only the most well-known of the numerous Muslims who have died for India in battle. In Kashmir Brigadier Mohammad Osman was one of the first martyrs and Major BS Ibrahim, a more recent one. As long as vicarious aggression continues in Kashmir any move suggestive of a softening of India's stand on the Valley will appear as a vindication of the ISI-military brass line.

This will strengthen them and the Islamic fundamentalist bodies like the Jamaat-e-Islami they are allied with and add to the problems of Prime Minister Nawaz Sharief who has legislated to trim presidential powers and is trying to put the military in their place. The ISI and the generals will of course welcome this. But will they also welcome steams of refugees pouring into Pakistan following a carnage in India? They should remember their experience with Afghan refugees.

while a mass flow of refugees across international borders will throw the subcontinent into chaos, the boost a perceived Pakistani triumph in Kashmir will give to Islamic fundamentalism will have global consequences. There will immediately be a heightening of the belligerence of the Taliban, who are alumni of the Jamaat's religious schools trained and provided by the ISI, with repercussions felt in the adjacent Central Asian republics. Besides, there will be a sharp surge in violence by Islamic fanatics in Algeria, Egypt and China's Xinjiang region. There will be trouble in Turkey, Bangladesh and even Malaysia. In the long run, even countries like the United States, Britain and France will be affected.

Clearly, the Kashmir issue has to be seen in an international context and its resolution will be possible only when India-Pakistan relations warm up sufficiently to permit mutual accommodation. While developments like increased trade and contacts will help, the decisive turn will come only when Pakistan halts its low-intensity war against India.

This will happen only when the ISI and the military brass cease to be the real masters of that country. Since these two are the most important promoters of Islamic

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Asghar Ali Engineer on Minorities Rights

No society in the world now is unilingual, uni-religious or uni-cultural. Even the melting pot model on which the United State prided itself in no more valid... America (has) accepted the mosaic model.

In India, too, some people wanted to emphasise only the national identity, subsuming all other identities when the country became free. In other words, they wanted to develop a variant of the American melting pot model. But it did not succeed as the Indian historical experience had been quite different and also the democratic processes encouraged diversity.

All of us have multiple identities - religious, linguistic, cultural, regional and caste or 'biradari'. No one can claim a single identity. Anyone who demands a single identity - i.e., national identity - does not recognise the reality. The functioning of our democracy is very much based on diverse identities and the very concept of vote-bank politics implies this diversity.

Along with diversity, the question of majority and minority becomes important for a functional democracy. Some do maintain that in a democracy there should only be a political majority and minority, not a religious or cultural one. They point out that religious or cultural majority varies from State to State.

But this could be a valid argument only if all discriminations and religious and cultural prejudices are wiped out. Such a liberal democracy does not exist anywhere in the world. India has the unique experience of Muslim minority - which was dominant ... in the medieval period - becoming a dominated minority with the advent of the British. When a dominant minority becomes a dominated minority all of a sudden, it results in complex problems.

Our country would not have been divided in 1947 but for this reason. The Muslims developed a fear psychosis and their elite, which was the ruler till yesterday, now had to live under the "Hindu rule." Some other developments accentuated this psychosis. Hence the Muslim elite demanded over-representation in the central legislature and as this could not be granted the country got divided.

Since the Indian leaders had burnt their fingers, they wanted to provide proper safeguards for the minorities in independent India. Even before freedom, the Congress leaders had given certain assurances to the minorities. These assurances had to be converted into constitutional guarantees. The framers of the Constitutional tried to redeem their pledge religious, linguistic and cultural minorities...

Articles 25 to 30 in Part III extend ... guarantees to all the categories of minorities - religious, cultural and linguistic. Article 25 relates to the freedom of conscience and religion...

... First, it is the right guaranteed to all citizens... It is

not merely an individual right but also corporate right. The individual as well as a religious community is free to avail itself of the right and it can have a collective manifestation. It also raises important questions. Will this right to profess, practise and propagate include the right to practise one's personal law and will it include the right to conversion?

There is no unanimity among the Supreme Court judges on this question. Some judges feel it includes the right to adhere to one's personal law whereas others assert it does not... The argument of "one country, one law" looks logical but as far as society is concerned mere logic does not help. Historical traditions and religious practices have their own force. Also, the historical context has its own significance... The minorities ... maintain that Article 25 includes the right to adhere to one's personal laws as these laws are an integral part of religion.

Similarly, Christians maintain that the right to conversion ... an integral part of their religion and the wording of the Article includes "propagating" one's religion and that this implies the right to conversion. This too is controversial like the issue of personal law. The minorities themselves are divided on this question... But it is true the majority in the minority communities tend to be conservative.

(Under) Article 25(2)(a) ... the State retains its right to legislate in matters secular associated with religious practices. This should restrain the conservatives or vested interests in a religious community...

Article 29 and 30 relate to the cultural and linguistic minorities as much as the religious minorities. According to Article 29, any section residing in any part having a distinct language, script or culture of its own shall have the right to conserve the same. The second part of the Article provides that no citizen, whatever her/his religion, race caste or language, be denied admission to any educational institution maintained by the State or with funds received from the state. Article 30 ... allows all the minorities, whether based on religion or language, to establish and administer educational institution of their choice.

Both the Articles are important for the promotion of religion, language and culture of the minorities. But Article 30 has led to a controversy as various smaller Hindu sects such as the Ramakrishna Order have claimed minority status for their educational institutions. Similarly, linguistic minorities such as the Gujaratis in Maharashtra have claimed privileges under this Article. In some cases, the matter has assumed serious proportions and has been referred to the Supreme Court so that the concept of minority could be properly defined...

Controversies are bound to be there but what is

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State Minority Welfare Departments and Central Cell

... Minority Welfare Departments; ... are now functional in the following States, each headed by a Secretary:

Linguistic Minorities Commissioner Addresses:

- i) Commissioner, 40, A.M. Jha Marg, Allahabad - 211002.
- ii) Assistant Commissioner (East), 67, Bentinck Street, Calcutta-700069.
- iii) Assistant Commissioner (West), 23, Fort, Belgaum-590016.
- iv) Assistant Commissioner (South), 108, Gengu Reddy Road, Egmore, Chennai-600008.

Some Educational Schemes for Minorities:

1. **The Union Ministry of Human Resource Development** has launched the following educational schemes:
 - i) Area Intensive Programme for Educationally Backward Minorities.
 - ii) Financial Assistance for Modernization of Madrasa Education.
 - iii) Financial Assistance to Voluntary Organizations Working in the Field of Classical Languages including Arabic and Persian.

Address: Department of Education, HRD Ministry, Shastri Bhawan, New Delhi-110001.

2. **The University Grants Commission** has a Scheme of Financial Support for Coaching Classes for Minorities at Colleges/Universities for Competitive Examinations, Admission to Professional Courses and Vocational Proficiency.

Address: Bahadur Shah Zafar Marg, New Delhi-110002.

3. **The Central Wakf Council** gives student scholarships and financial assistance for technical institutions/centres of vocational courses, etc.

Address: 14/173, Jamnagar House, Shah Jahan Road, New Delhi-110001.

Maulana Azad Education Foundation:

The Foundation, set up in 1989, gives grants for residential schools, technical/professional institutions, hostel accommodation and remedial coaching for educationally backward sections.

Executive Vice-Chairman: Janab Saiyid Hamid, Talimabad, Sangam Vihar, Delhi-110092.

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encourage a fear.

Jinnah's strategy, on the other hand, consciously depended on exploiting the fears of the Muslims of the Muslim-minority provinces in order to fuel the demand for a country in which eventually they would find no place... Jinnah the lawyer, would not hesitate to exploit any argument which would help him win his case; victory was probably more important to Jinnah than the fate of his client. Jinnah won his case, but the client went almost immediately onto the sickbed and died 25 years later.

Minorities Commission, 1978-1993

Chairmen

M.R. Masani (February-May 1978) M.R.A. Ansari (1978-81)
Mohd. Hameedullah Beg (1981-88) S.M.H. Burney (1988-92)

Members

V.V. John (1978-80)	Arjan Singh (1978-81)
Alco J. Dastur (1978-80)	Kushok G. Bakula (1978-89)
K.T. Satarwala (1981-83)	Sujan Singh (1981-85)
S.A. Durai Sebastian (1981-82)	N.F. Suntook (1983-85)
Annie Thayil (1983-85)	S.S. Uban (1986-90)
Homi J. Taleyarkhan (1985-90)	T. Stephen (1986-90)
B. Pertin (1990-93)	Manathero Dhammaviriyo
M. Varadarajan (1991-93)	(1990-93)
B.S. Ramoowalia (1990-93)	

National Commission for Minorities, 1993-1995

Chairman Justice Mohammad Sardar Ali Khan
(1993-96)

Vice Chairman B.S. Ramoowalia (from 18.10.95)

Members

M.S. Agwani	B.S. Ramoowalia
Manathero Dhammaviriyo	M. Vardarajan
John Joseph	R.K.S. Gandhi

Second National Commission, 1996

Chairman Dr. Tahir Mahmood (26.11.1996 -)

State-Level Commissions

State-level Minority Commissions having statutory status have been established in Bihar, UP, Karnataka, West Bengal and M.P.

The composition of State Minorities Commission under these laws is not uniform.

...Non-statutory state-level minority commissions and Boards exist in Andhra Pradesh, Assam (Board), Gujarat (Board), Rajasthan and Tamil Nadu.

(Source: NCM Newsletter)

(Contd. from Page 506)

important is the provision of these Articles for promoting minority religions, languages and cultures. These rights are fundamental to a democracy so that all could flower and prosper in a democratic set-up. It is also true that notionally the Indian state has been secular but functionally it has faltered... While the state should take all possible steps to implement the Constitutional guarantees, the minorities should also understand that the state is run by human beings with all their weakness. The majority-minority problems... exist even in advanced democracies. A section of the majority in every country develops chauvinistic tendencies and puts pressure on the government to be guided only by the majority religion, race or culture. But this gives rise to a serious conflict in society and can also result in bloodshed as... in Sri Lanka. The stability of the country can be guaranteed only when both the majority and the minority adopt a reasonable and balanced stand...

(Source: The Hindu, 9 September, 1997)

NCM: Report for May-June, 1997

Action & Recommendations

Oath in Urdu in UP Assembly: Chairman wrote to the UP CM Ms Mayawati urging her to let ... MLAs take oath in Urdu explaining the Constitutional and legal aspects.

Meerut Nariniketan Marriages Case: Chairman instituted an inquiry into the reported incident of allegedly irregular inter-religious marriages of some inmates of Women's Homes in Meerut...

NCERT textbooks in Urdu: Taking suo motu cognizance of Press-reports on NCERT's failure to publish textbooks in Urdu allegedly resulting into deterioration of standards at Urdu medium schools, Chairman wrote to the NCERT director inquiring into reasons for this state of affairs.

Jamia Millia Islamia Strike: ... Chairman issued an appeal to the students urging them to suspend their strike in their larger academic interest.

Recommendations

The following Statutory Recommendations under Section 9 of the NCM Act were made to the Governments/other concerned authorities.

- i) Enactment of a comprehensive law by Parliament formulating details of the Minorities Educational and Cultural Rights guaranteed by Articles 29-30 of the Constitution in the original spirit of these provisions so as to dispel doubts arising in this regard from time to time.
Pending such legislation, strict enforcement of the HRD Ministry's Policy Norms and Principles on Recognition of Ministry's Institutions, notified in 1989.
- ii) Exemption of candidates belonging to Minority communities, for at least 15 years, from UGC's NET requirement for appointment as teachers in universities and colleges.
- iii) Amendment of the Jamia Millia Islamia Act 1988 to specify and preserve minority character of the University.
- iv) Enactment of central legislation for Hyderabad's Dairat-ul-Ma'arif and Dargah Syed Salar Masood Ghazi of Bahraich, on the lines of the Salarjung Museum Act, 1961 and Dargah Khwaja Saheb Act 1955 respectively, to ensure their proper management and utilization of funds.
- v) Statutory clarification of the term "Special Consideration to Minorities" appearing in the text of PM's 15-point Programme 1983, so as to allow relaxation of general requirements concerning age, education and experience (as available for SC/STs).
- vi) Repeal of the Proviso in Constitution (SC) Order 1950 denying SC status on the basis of religion.
- vii) Immediate setting up of NCM's Regional Office in Maharashtra...
- viii) Establishment of Minorities Commissions/Minorities Development and Finance Corporations in all those States where they do not exist at present.

(Source: NCM Newsletter Summer 1997)

Representation of Minorities in Police Service NCM Chairman's Letter to Welfare Minister, 10 October, 1997

Deeply appreciating the statement made by the Hon'ble Minister at a Muslim Meet in Delhi on 8 October, 1997 regarding the need to enhance the percentage of Minorities in the Police Service, the Chairman has urged the Government to take immediate steps...

He has reminded the Minister that in 1995 the NCM had collected data which revealed that the percentage of Minorities, especially the Muslims, was deplorably disproportionate to their population in various States. In Delhi alone, for example, where the population of Minorities was 15.3 per cent their number in the Delhi Police was just 5.6 per cent. And in Kerala the percentage of Minorities in the State Police was a bare 27.87 per cent against their 42.66 per cent population in the State. The situation in the other States/UTs was no better.

The NCM had then made a Statutory Recommendation that relaxation of prescribed requirements for recruitment to Police Service, as already available to SC/ST candidates, should be extended also to the candidates belonging to Minorities. This, the NCM was convinced was essential if the Minorities were really to get their rightful share in the Police Service. However, the Government have yet to respond to this important recommendation.

The Chairman has further said ... the Minorities are still terribly underrepresented - often unrepresented - in Police and other allied services... In its Annual Report for 1996-97 recently submitted to the Government by the Commission ... observed that:

"Prime Minister's 15-Point Programme on Minorities' Welfare 1983 requires Special Consideration to be given to Minorities by the Central and State Governments in respect of recruitment to Police etc. No Special Consideration, or any consideration at all for that matter, is being given to the Muslims and some other Minorities in respect of recruitment to any service in any part of the country. Nobody seems to know the meaning and implications of the term Special Consideration appearing in the 15-Point Programme. There is an urgent need to spell out full connotation and demands of the term Special Consideration and to ensure that such consideration is actually given to the Minorities"

The Chairman has urged the Government to do whatever is necessary to ensure that ... the Minorities (get) their due share in Police and all other Government Services. He has asserted that "this is a Constitutional obligation all of us owe to them."

The Chairman has requested the Welfare Minister to place this matter before the Cabinet Committee for Minorities....

Y.P. Rajesh

On Bangalore Violence, September, 1997

4 people ... killed for a patch of land littered with debris in Bangalore ... was a cruel reminder of the volatile passions that religion and rumours can evoke. A mob also destroyed nearly 50 vehicles and damaged property worth lakhs, besides shattering the calm of a Bangalore locality known for its peace. And as the misplaced rage of the affected parties simmers, the incident has created communal tension and suspicion...

... The incident was sparked off by clashes between two groups within the Muslim community over differences about clearing debris that was part of the Idgah ... in the heart of Jayanagar. The debris on the small patch of land is part of the five-acre-plus property that was used as a burial ground till 1974 by Muslims. While a makeshift mosque was built on the property about five years ago, the patch with the debris juttet onto the busy Jayanagar thoroughfare.

Efforts have been made by the city corporation since the late '80s to clear the rubble and widen that part of the road to facilitate increased traffic. However, ... land itself was embroiled in a legal dispute. Though gifted by the Maharaja of Mysore in 1935, the title deed of the land was not given to the neighbouring Jama Masjid in Basavanagudi that managed the property.... The High Court ordered maintenance of status quo.

As a result, removing the debris became a bone of contention between two groups within the community...

Violence was sparked off when those opposed to the debris removal pelted stones at a dredger that was brought to clear the rubbish... Rumours flew around of the makeshift mosque being demolished and all hell broke loose. Pockets of Muslim population in the surrounding areas erupted, leading to death and destruction. And the provocation being a place of worship inevitably lent communal overtones to the whole incident. The Hindus are being blamed for the violence.

... While minister of state for home Roshan Baig and senior police officials - who acted promptly to check the violence - have denied any communal conflict, even Muslim elders admit it was an internal affair which went out of control ... And the debris as well as the dispute will have to wait as the focus has now shifted to cooling passions.

(Source: The Outlook, 29 September, 1997)

Human Sacrifice by Tantrik

A lady 'tantrik' and her two associates ... murdered ... Satpal Sharma of Janipura village in Jammu and two members of his family in order to seek a treasure buried under the Rajeshwari temple in Rajasthan... The accused 'tantrik' ... was prompted by a dream wherein goddess 'Kali' asked her to sacrifice a human being...

TADA: Statewise Cases/Detention**As on 30 September, 1997**

The Centre and the State Governments have dropped cases against nearly 25,000 people, registered under the Terrorist and Disruptive Activities (Prevention) Act (TADA), in the past two years.

According to a status report prepared by the Home Ministry, there are currently 1,331 undetials who have been detained under TADA...

The Union Home Ministry update stated that 24,576 people detained under TADA have been released ever since the Act was scrapped in late 1995 and the United Front Government came to power in June last year. Of the 15,000-odd cases registered under the Act, about 11,000 have been withdrawn altogether.

The Home Ministry update also states that bail has been granted to as many 15,368 people in the remaining 4,000 cases which are pending trial or under various stages of investigation.. While 98% cases are pending trial, very few cases are under investigation with the police. These are usually difficult cases where the accused are absconding and yet to be traced.

Persons Detained under TADA

State	No. of Pending Cases	No. of Persons Under Detention
Andhra Pradesh	120	19
Assam	1963	58
Bihar	5	17
Gujarat	77	126
Haryana	65	13
Jammu & Kashmir	4127	449
Karnataka	18	56
Maharashtra	175	252
Manipur	231	6
Madhya Pradesh	27	12
Punjab	977	124
Rajasthan	37	22
Tamil Nadu	12	24
Uttar Pradesh	50	31
West Bengal *	1	6
Delhi	279	115
Others	30	1
Total	8194	1331

* October 1996

(Source: MHA Press Release)

(Contd. from Page 502)

party trying to emerge as a responsible national force, the criminal charges ... rioting, inciting enmity among communities and defiling a place of worship - have caused a great deal of embarrassment...

The leaders will first appeal against (to) the high court. If their plea is rejected, they will have to ready themselves for trials that could take over three years. On October 17, the accused ... will have to appear in court...

(Source: Saba Naqvi Bhaumik in The India Today, 22 Sept., 1997)

A Report on Maulana Azad College of Engineering and Technology, Patna

Some eminent and enlightened members of the Muslim community registered a society namely, Millat Education Society. They included Dr. A.R. Kidwai, at present Governor of Bihar, Mr. Justice S. Sarwar Ali, the then Acting Chief Justice, Patna High Court and later Lok Ayukta, Bihar, Mr. Justice S. Ali Ahmad, the then senior-most Judge, Patna High Court, now Chairman, Backward Classes Commission, Bihar, Mr. Aziz Sait, then Minister in Karnataka, late Col. Mahboob Ahmad, former Ambassador of India, Mr. Fahimuddin Ahmad, former Additional Chief Secretary, Bihar, Former Member Bihar Public Service Commission and former Vice-Chancellor, Magadh University, Dr. Ahmad Abdul Hai, Head of the Department of Surgery, Patna Medical College and Hospital, Patna and Mr. Anwar Karim, IAS, (Retd.), former Development Commissioner, Bihar. The main objectives of the Society are to promote establishment of scientific/commercial/professional/educational institutions for Muslims, in particular.

In 1987, the Society established an Engineering College under Article 30 of the Constitution of India and named it after the great scholar, patriot and freedom-fighter, late Maulana Abul Kalam Azad.

Objectives: Maulana Azad College of Engineering and Technology, Patna, Bihar was established with the following objectives:

- To impart technical education at the degree level to the Muslim minority.
- To maintain a high degree of education standard and discipline in the College.
- To establish liaison with various industries and employing agencies, both within the country and abroad, and provide necessary guidance and opportunities to the graduates.
- To enlist the cooperation and assistance of the philanthropic and Government agencies for resource regeneration.

Academic Status: The College stands recognised by the All India Council for Technical Education, New Delhi. It is affiliated to Magadh University. The Ist Part Engg. Examination was conducted by Magadh University in 1993. The first batch will pass out in 1997.

Physical Facilities - Present Status:

Land: The College is housed in a building of 17,720 sq. ft. built-up area. Another two storeyed building comprising of 13,926 sq. ft. of built-up area, together with two acres of land donated to the College by the Sir Ali Imam family in Anisabad, Patna. The College has now purchased 10 acres of land at a distance of about 13 km from the present site at Neora in Patna District.

Teaching Area: There are 11 Class Rooms and 2 Drawing Halls at the present site at Anisabad, Patna. All the theoretical classes of 1st year to 4th year students are being taken in these class rooms. Besides, laboratories for Ist, 2nd and 3rd year B.Sc. Engineering classes have been equipped with latest equipment.

Library: A Library is functioning with a total of about 5,000 volumes of books and journals.

Department of Computer Science and Engineering: Facility for the Department of Computer Science and Engineering has been completed at a cost of Rs. 30 lakhs with 17 computer systems.

Projects under Construction/Planning:

Combined Laboratory Building: The Composite Laboratory Building is under construction at a cost of Rs. 75 lakhs, with a grant of Rs. 50 lakhs from Maulana Azad Education Foundation, New Delhi.

Administrative Block: The Administrative-cum-Research Block is coming up at the new site with financial help received from Dr. Syedna Taher Saifuddin Memorial Foundation, Bombay.

New Building: A Hostel with capacity of 130 students has been constructed at a cost of \$1,07,000 about Rs. 40 lakhs provided by the IDB, Jeddah.

Building for the Department of Electronics: Plan and estimates for the addition of another floor to the Combined Laboratory Building for the Deptt. of Electronics are ready. The estimated expenditure of Rs. 21 lakhs will be financed partly by the College Fund and partly by the donation of Rs. 10 lakhs received from the Government of India.

New Class Rooms, Student's Facility Rooms and Teachers' Room etc.: Plans and estimates for class rooms, facility rooms for students and teachers, tutorial classes, etc. likely to cost Rs. 95 lakhs, to be constructed at the new campus, have been submitted to the IDB, Jeddah, for sanction.

Faculty: The College provides degree courses in 4 trades i.e. Civil, Mechanical, Electronics and Computer Science and Engineering with annual intake of 30 each in Civil and Mechanical Engineering and 45 each in Electronics and Computer Science and Engineering. There are 28 regular teachers including 4 Professors. In addition, the services of highly reputed Professors are available from other Engineering Colleges on part-time basis.

Admissions: Admissions are made in accordance with the direction of the Supreme Court of India and the regulation of the All India Council for Technical Education, New Delhi. For the present, 50% of the total seats are reserved for Muslim minorities. Out of which 50% are free seats and the rest 50% are paid seats. Admission on these seats are taken in order of merit through All India competitive test. The other 50% of the total seats are filled up by the State Government through the Combined Competitive Admission Test.

The Society and the College need funds for constructing its campus, equipping its laboratories and expanding its activities. donations may be sent directly to Maulana Azad College of Engineering and Technology, Anisabad, Patna. Those residing outside

(Contd. on Page 512)

Madarsas in Gujarat under Surveillance

This is to state on the use of Madarsas by anti-social elements that you should collect and send information in respect of your taluqa, the number of Madarsas, the number of those constructed on legally obtained land, number of those constructed without permission. You are called upon to take legal steps against those Madarsas constructed without permission. Moreover, taking in view the possibility of such Madarsas being used by anti-social elements, you should obtain and send information as to who are the organisers frequenting such Madarsas, what are their activities, what is their financial source and how the money is being spent. As this information has to be forwarded to the Additional Director General of Police (Int.), Ahmedabad, you are requested to submit the above information by the return of post.

(Translation of the SDM, Bharuch's Letter No. MAG..VS:1457 dated 23.7.1997)

{Source: The Gujarat Today, Ahmedabad, 27 September, 1997 }
{On protest the GOG has withdrawn the circular - Editor}.

AMU: Achievements

Under M. Rahman as VC

- * Opening of Dental College.
- * Raising the number of M.B.B.S. Seats. Extension of O.P.D. of J.N. Medical College.
- * Creation of Journalism and Mass Communication and Computer Engineering Departments.
- * Creation of Faculty of Management Studies.
- * Operationalisation of Nadeem Tareen Hall and New Hall for Girls.
- * Declaration of M.B.B.S. and B.Sc. Engg. Entrance Test results in a record time of three days.
- * Creation of a Corps fund of Rs. 25 crores for Renovation of the Campus and the construction of boundary wall and Installation of E-mail and Internet.
- * Adoption of Transparent Admission Policy including scrapping of interview & basing on Nomination on Merit.

Future Plans

- * Establishment of A.M.U. House in Delhi.
- * Introduction of Under-graduate Courses in Agriculture, Animal Husbandry and Management.
- * Introduction of Post-graduate Courses in Environment Engineering.
- * Creation of Department of Fire Engineering.
- * Renovation of Sir Syed Garden.

(Source: Advertisement by the AMU, October, 1997)

Gandhiji on Hindi-Urdu Conflict in UP

At the Prayer meeting ... Gandhiji referred to a press report of an order of the government of the United Provinces making Hindi with Devanagari script as its official language. Babu expressed deep sorrow at such an inconsiderate decision which he was sure would work to the detriment of the large sections of the population who read and wrote in the Urdu script. "Hence," the Mahatma said, "I call upon the United Provinces government in a spirit of love, even though I have no control over that Government, to withdraw this circular".

Role of National Urdu University Shahabuddin's Letter to Prime Minister, 1 October, 1997

It has been reported that you may lay the foundation stone of the campus of Maulana Azad National Urdu University and formally inaugurate it in Hyderabad on 11.11.97. I had earlier written to you to point out that in order to be an effective instrument for the promotion of Urdu the proposed University must provide for the affiliation of Urdu-medium secondary and higher secondary schools as well as Urdu-medium degree colleges throughout the country which find it difficult to affiliate themselves to the local Universities. Secondly, the proposed University must set up model teaching facilities in Arts, Science, and Commerce at least up to degree level on its campus, apart from other specialised and professional courses. I would also like to add that since the Open Universities including IGNOU do not provide facilities for distance education through the medium of Urdu, this University should provide this facility for the entire country.

In case, these activities cannot be taken up under the existing Act, the Government should considering suitably amending the Act at the earliest.

I request that while inaugurating the University you may kindly refer to these important aspects in order that the University generates an enthusiastic response in the Urdu-speaking community in the country.

Urdu: Plea for IGNOU Courses Shahabuddin's Letter to Minister of Human Resource Development, 1 October, 1997

No open university in the country at present offers even degree courses through the medium of Urdu. The Open Universities in various States limit the courses in their own principal language. The IGNOU uses English and Hindi.

Since Urdu is widely spoken throughout the country and particularly in the States of UP, Bihar, Maharashtra, AP, Karnataka, MP and Rajasthan, not to mention Urdu-speaking pockets in other States and Union Territories, I request you to instruct the IGNOU to provide its degree level courses through the medium of Urdu also. I am particularly anxious to have BT and BED courses in Urdu, because there is a growing demand for primary school teachers who can teach various subjects through the medium of Urdu. Generally the possession of the BT/BED degree has become an essential qualification for such appointments.

To begin with, therefore, the IGNOU may commence its Urdu programme with the introduction of BA, BSC, BCOM and BT/BED courses.

Asghar Ali Engineer On Social Reform in Muslim Indian Society And Progress towards Codification

... In pre-Independence India even conservative Ulama ... took initiatives to usher in reforms... It was on the initiative of these Ulama that the "Dissolution of the Muslim Marriages Act" was passed in 1939...

... In the post-Independence period initiative for reforms (In Muslim Law)...

Any reform movement to succeed should be within the framework of the religious scripture. Secondly, the reformer should be persuasive enough and use proper strategies to convince his fellow-religionists...

(In the 60s) Hamid Dalvai, completely disregarded the religious sensibilities and mounted an attack on the Islamic laws. He took a totally counterproductive and rigidified posture... Reform in the Muslim personal law became more problematic. In such an atmosphere, even a scholar ... like A.A.A. Fyzee found it difficult to argue for reforms. ...

The increasing communalisation of politics made it even more difficult to usher in reforms in the Muslim society. The trend reached its peak in the Eighties, when a series of major communal riots broke out making the Muslims feel more and more insecure. It was during the period that the controversial Supreme Court judgment in the Shah Bano case on maintenance was delivered.

The ... Muslim Personal Law Board ... reacted sharply against the judgment and launched a massive movement... The Shah Bano movement was a big mistake and such an aggressive attitude towards a reform measure was uncalled for. It only hardened majority communalism and caused greater harm to the Muslims.

... The judgment was certainly not against the Quranic spirit, though delivered under the provision of a secular law. Now the political atmosphere has changed. There is a perceptible improvement in the communal situation... Also, the women's movement in all communities is gaining strength... There is also a move among a section of Muslim women to devise a 'nikahnamā', i.e., stipulating conditions against triple divorce and polygamy in the marriage contract...

Also, a group of Muslim intelligentsia has prepared a draft bill for setting up family councils at the State and district levels... These are constructive measures but have to gather the necessary thrust...

The Muslim Personal Law Board ... consist of highly orthodox people. It will not agree to any reform until it comes under great pressure. But one need not despair. Reforms can not be postponed for long. The provision for triple divorce must go and polygamy should either, be abolished or severely restricted (which of the) contradictory trends of orthodoxy and religious reform ... will have the upper hand depends on the balance of the social forces. The balance can be tilted in favour of reform if there is a will.

(Source: The Hindu, 9 August, 1997)

Private Member's Bill on Protection of Property Rights of Women

A Bill to protect the property rights of women and for matters connected therewith.

... 3. An unmarried woman ...

- (a) shall have the right to live in the house of her parents but shall not have the right to seek partition or disposal of such house;
- (b) ... shall have the right to claim an equal share in any property, other than the residential house or dwelling unit referred to in clause (a), as a coparcener to such property...

4. A married woman shall have the following rights, namely:-

- (a) she shall have the right to live in the house of her husband whether owned by him or by his joint family or owned by him, solely or jointly, as a lessee or licensee;

Provided that such right shall not be void in the event of judicial separation, divorce or death of the husband. ...

- (c) she shall have an option to have the custody of the children born out of the wedlock and shall have the right to claim maintenance, not inconsistent with the status of the family of her husband, from her husband, both for herself and for her children which shall include the expenses to be incurred on the education, training and upbringing of her children, in case of dissolution of marriage:

Provided that if in the interest of the education, training or upbringing of the children it is considered necessary or expedient to leave the children under the custody of the husband or any one else, she shall have the right to free access to the children born out of the wedlock, irrespective of estrangement, desertion, divorce or death of the husband. ...

5. A widow ... shall have the first claim and absolute right to the property of her deceased husband;

shall be entitled to have such share and status, as the share and status of her deceased husband would have been, in the family business; and ...

Introduced in Lok Sabha by P. Lakshmi, MP on 16 June, 1997

(Contd. from Page 510)

India, may send their donations to MILLAT EDUCATION SOCIETY, Patna.

Future Programme:

- i) M.B.A. Courses
- ii) Pharma Courses
- iii) Courses in Architectural Engineering

College Address:

Mr. Fahimuddin Ahmad, Hony. Secretary
Maulana Azad College of Engineering and Technology,
Anisabad, Patna - 800 002, Bihar (India).

Residence:

185, Patliputra Colony, Patna - 800 013, Bihar (India).

Common Personal Law in Goa - A Critique by Pamela D'Mello

Goa's family Laws are based on the Portuguese civil code and other decrees promulgated for this region before 1961. for too long, an impression has surprisingly gained currency that the Family Laws applicable in this state constitute a uniform civil law.

It has been so described - and much praised - not only by many from the legal fraternity, but also visiting dignitaries. Even a political party like the BJP, whose sectarian approach to the law is well known, has itself praised the Goa Family Laws. BJP leaders have even suggested that the rest of the country needs a common civil code "like the one which exists in Goa now"...

In view of this, it is important to take a closer look at what exactly these laws imply. This paper attempts to look at the impact of these laws on women. It also turns to the issue of how women - particularly Catholic women - are affected by the special role assigned to the Catholic Church by the Portuguese government decades ago.

Any close examination of the Code and other related legislation ... will show that ... the Goa Family Laws are surpassingly non-uniform.

Family Laws of Goa refers to the entire body of legislation dealing with marriage, divorce, adoption etc. presently applicable in Goa. It includes the Portuguese Civil Code of 1867, subsequent amendments made in 1910 and 1946, and the three separate Codes of Customs and Usages for Hindus of Goa, of Daman and of Diu.

Lack of uniformity becomes more than clear from the very fact that there is a three-tier system of matrimonial law operation in Goa. Marriage laws differ for those opting to marry outside the Catholic Church, those who opt for a Catholic Church marriage, and for non-Catholics as a whole.

Canonical marriages refers to those undergone through the Church... Marriage of this form is considered to be a sacrament.

Civil marriages refer to Hindu and other non-Canonical marriages...

Catholics can also opt for the civil form of marriage, instead of a canonical marriage. But, in practice, it is not that simple, due to societal and other pressures...

In the past, many have argued that this is a "minor disuniformity". But its impact is significant.

For one, marriages of Catholics opting for what is commonly known as civil marriages are not recognised by the Church. Couples marrying under this provision are considered to be 'living in sin' by the rest of their community. One could say that, in Goa, what one has in effect is a Personal Law, alongside with an option for a civil marriage, quite like the existing parallel options of Personal Laws and the Special Marriage Act ... in the rest of the country.

Since ... Decree of 1946, Catholic have been

excluded from compulsorily registering their marriage at a civil registry, and routing this process through the Church itself. This is a difference on the basis of religion, and amounts to the operation of personal law for Catholics in Goa, which is recognised by the State. ...

Under the 1880 Decree of the Customs and Usages for "Gentile" Hindus of Goa - another Portuguese law dating back to colonial times - marriages performed under religious rites are recognised by the state and are governed by the civil laws, when the marriage is registered in the civil registry.

Similar provision under the 1894 Decree for non-Christian inhabitants of Diu and the 1854 Decree for non-Christian inhabitants of Daman also recognise marriages performed under the religious rites and customs. ...

Divorce is once again governed on the basis of what law one is married under... Divorce is not permitted under the Canon Law of the Church. By the same 1946 decree and agreement between the Catholic Church and the Portuguese State, Catholic marrying under Canon Law were excluded from the divorce provisions under civil law. ...

Canon Law 1141 says a marriage which is ratified and consummated is absolutely indissoluble...

What the Church does allow though is judicial separation, or so-called annulment of the marriage, which is based on the assumption that the marriage has not taken place or not been consummated. Decision¹ (is) taken not by any civil court, but by the Ecclesiastical Court of the Church itself...

In 1974, the provision of the 1946 Marriage Decree denying divorce was judicially struck down [E Nunes v. Fernandes AIR 1974 Goa 46] for being ultra vires of the Indian Constitution. The judicial verdict has still not been given legislative recognition, though.

Under the Civil Law, divorce is permitted on (various) grounds... Under the Customs and Usages for "Gentile" Hindus, divorce is permitted only on the grounds of adultery by the wife. Whether this provision still applies or not is unclear.

Under the Usages and Customs of "Gentile" Hindus of Goa, bigamy was recognised to have civil effects (i) if there is 'failure' by the first wife to give birth to a male child by the time she reaches 30 years of age or (ii) if the first wife is unable to deliver by the time she attains 25 years of age. There appears to be considerable confusion ... over ... whether 'polygamy in a limited sense' is still allowed or not.

Other inequalities are visible in Goa's Family Laws in terms of adoption right, and the right of illegitimate children suing their fathers for a declaration of paternity. These rights depends on the religion one belongs to.

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D.L. Sheth on Muslim Reservation

... A section of the Muslim leadership has been demanding a separate ten per cent quota in reservations for Muslims. This is despite the fact that the majority of Muslims is already covered under the existing provision of reservations for the Other Backward Classes.

The new demand, is ... to extend the provision to all Indians Muslims... The demand concedes that the sub-communities/birdaris of Muslims notified as 'backward', should get the first priority within the proposed separate category of 'Muslims'. The rest of the Muslims should get the benefits of reservations "only if and to the extent that Muslim quotas remain unfulfilled". A caveat is, however, added that the quotas unused by the 'backward' Muslim communities should go to other Muslims.

This demand is part of the leadership's efforts to recover lost ground in the post-Babari Muslim politics... The poor and traditionally backward Muslim communities fear that if all Muslims become entitled to reservations, their opportunities for upward social mobility will be severely curtailed, as the benefits will then go increasingly to the upper strata of Muslims. This situation may not continue for long...

The demand ... will re-activate the pernicious pre-Partition discourse that essentialised religious communities as socio-political monoliths, disregarding vital internal social, economic and cultural differences within them...

... Within every religious community ... exists a vertical hierarchy of social groups marked by economic,

social and educational differences. These differences ... does not place different groups following one religion within one single, horizontal, social, economic and cultural space... The claim that a community of faith constitutes a unitary socio-economic and cultural entity, whether ... by a majority or a minority, in fact, represents a political strategy of (the) elite to elicit majority support from its co-religionists. In effect, such elite politics thwarts aspirations for upward social mobility of a majority within a religious community and denies it the economic and social rights...

Second, by demanding reservations for all Muslims, the Muslim social elite ... wants to project the communal solidarity of the Muslims by taking over the reins of the backward bandwagon.

Third ... the policy of OBC reservations ... recognises specific communities, cutting across religion, as backward or non-backward...

... The claim that an entire community of faith is socially and educationally backward is a travesty of sociological truth and makes nonsense of the principle of social justice.

We must, therefore, distinguish between the political principle of minority, relevant for protecting cultural identities and rights, and the social principle of backwardness meant to settle issues of equity and justice... (Finally) the Constitution ... is foundationally opposed to any idea of 'communal quotas'....

(Source: The Times of India, 20 September, 1997)

Shahabuddin's Letter to The Times of India, 22 September 1997

Apropos Mr. D.L. Sheth's article "Muslim Reservations", 20 September, 1997, not only Muslims but several other religious communities have already been declared "Backward Class" within the meaning of Article 15(4) of the Constitution e.g. in Karnataka, Manipur, Tamilnadu and Kerala. How can the reservation for a religious group, provided it is backward, be unconstitutional?

Secondly, there can be no discrimination on the basis of caste or on the basis of religion (Article 14); yet caste groups which form backward class enjoy reservation since 1950 and more so since 1989. Why can't religion coupled with backwardness be treated on par with caste coupled with backwardness.

Thirdly, the word "class" in Article 15 should not be read as caste or as economic class. It can only be read as a product of any rational classification. A cake can be cut in many ways. You can apply the knife horizontally and then vertically or the other way round; you will end up with the same pieces and each piece today demands its share of power and wants to see its face in administration. You cannot club those pieces against their will. That is why one sees dissension within each macro group - the OBC's, the SC and the ST.

Since Muslims constitute a minority group in all States except J&K, which is also deprived and backward it is demanding like any other identifiable social group to be recognised as an OBC, on the basis of the common parameters. If any sub-group within the Muslim feels cheated, no one can prevent it from opting out and demanding a quota of its own, by itself or in union with other sub-groups.

However, if Mr. Sheth has a strategic interest in dividing the Muslim minority into micro-pieces, I would not stand in his way, so long as he can satisfy the Muslim OBC's that their interests are adequately protected with a common OBC quota. Otherwise, will he concede a separate quota for Muslim OBC's who are relatively more backward than the other OBC's?

Caste identity does, sometimes but not always coincide, with traditional occupational identity. But with education and social mobility, occupational identity, is being lost. Why should then caste identity be the all-embracing criterion, unless reservation was limited only to those who continue to follow traditional occupation?

Finally, whether a religious community particularly a religious minority is an OBC or not, is not a question of theology or ideology or law but of fact and fact only.

Historian Tanika Sarkar on RSS's Role during Struggle for Freedom

Advani's rath yatra promised us a recurrent fare of spectacles... The last yatra ... built up a violent movement that did irreparable damage to Indian secularism and democracy, and also to Hinduism as we have always known it. If that had, indeed, been a tragedy, was this one a farce, a pathetic repetition of something that paid dividends earlier, but has now gone stale? What was, in any case, the purpose behind it, apart from a gesture towards the fiftieth year of freedom...

The immediate context is, obviously, a new bid to power. The first yatra, and the pogroms that followed in its wake, had brought the BJP within an inch of state power... The Indian electorate refused to fully or finally endorse a fascistic future...

Now, with another stint of political instability in the offing, it needs to turning its image of reckless violence and rabid majoritarianism into its opposite. It seeks to attain the looks of a calm, serene, statesmanlike, responsible guardian. It must wipe out the memories of its own past, eschew VHP demands for another round of violence over the Mathura mosque. When a new image becomes necessary, what better order of historical memory to appropriate for itself at this moment than the gigantic mass movements of the freedom struggles?

Can the Sangh Parivar legitimately lay claims to those memories, or is the rath yatra yet another confidence trick? The RSS was founded in 1925, the Hindu Mahasabha a bit earlier. V.D. Savarkar, the ideological inspiration behind all forms of the Hindu Right, was certainly a heroic revolutionary terrorist...

... Savarkar entirely broke with his past as a nationalist terrorist once he wrote his seminal tract on Hindutva and started a new ideological formation. Savarkar's career as a Hindutva ideologue began only after his life as nationalist revolutionary was ... over. There was no point of contact between the two phases.

The RSS was founded at Nagpur in 1925 with a handful of Brahmin youths, and for a long time, its social composition was exclusively upper caste and urban middle class - a characteristic that remains largely true even today. This was, however, a time when ... peasants, tribals, workers and the middle classes had come together in mass struggles against the colonial state. The narrow and privileged social base of the RSS was in marked contrast to that of the Congress as well as the fledgling Communist groups...

It was in even more of a striking contrast to the strategies of ideologues and leaders like Ambedkar or Periyar who were mobilising Dalits against social injustice. The RSS protested neither against social inequalities, nor against colonial rule... When India witnessed some of the largest mass movements in the history of the world. The RSS stayed away from every one of them. It took no part in the urban-centred demonstrations against the Simon Commission... It was nowhere on the scene during Civil Disobedience or Quit

India Movements, nor did it form a part of the demonstrations against the Indian National Army Trials or the Royal Indian Navy Mutiny in the mid-forties. The history of revolutionary terrorism passed it by entirely.

The kinship that it seeks with Bhagat Singh is quite fragrantly fictitious, for it did not demand his release even though this became an extremely live issue before his execution... Bhagat Singh had openly proclaimed himself to be a socialist and an atheist, and as such, must have been anathema to the RSS agenda. Hedgewar, the first sarsanghchalak of the Sangh, did, in his individual capacity, participate in civil disobedience (but) he underlined his decision that the RSS was in no way involved in his act of participation. Alone of all the major political forces and organizations, the Sangh has a track record that is entirely untainted by a single act of protest against colonialism.

... The shakhas, throughout the turbulent years of anti-colonial movements, taught about "Muslim tyranny" to their cadres. They were silent about colonial rule. Much has been made of the fact that the CPI stayed away from the Quit India Movement in 1942. So did the RSS, and the Hindu Mahasabha actually remained in the ministries, along with the Muslim League, even after the Congress quit them. ... At a time when the colonial authorities were paranoid about young Indians engaging in any form of physical training with arms, they put no obstacles in the way of the physical training programmes of the RSS. The Hindu Mahasabha got official support and financial help from senior bureaucrats when it started a military academy for Hindu youths. Throughout the colonial era, no member of the Hindu Right had to face a single act of repression from the colonial state, let alone a ban, which was the regular fare of the Congress and the CPI. The leniency was richly deserved, for the RSS did engage in violence many times against Muslims ... but it never raised a finger against the colonial masters. Such unbroken loyalty was unparalleled...

But anti-Muslim riots were frequent, adding to the spiral of hatred and vindictiveness. The RSS did its bit in promoting divisiveness between the two major religious communities, the tragic outcome of which was the Partition. The Muslim League was not alone in proclaiming the two-nation theory: the Hindu Mahasabha was equally an adherent. Having been an active partner in that history of divisiveness, it is strange that today the Sangh combine claims to represent national unity and integrity.

To the processes of nation making, whether through mass struggles, or through debates over democratic rights, the Hindu Right forces had precisely nothing to contribute. The historical record is clear and ... unambiguous. The rath yatra is sleight of hand that through sheer spectacular myth making aspires to turn this history into its exact opposite.

(Source: The Hindustan Times, 18 July, 1997)

The Father of the 'Other' Nation: A Review of Mitchell's Documentary on Jinnah

... Christopher Mitchell's documentary, Mr Jinnah: The Making of Pakistan ... is an attempt ... to understand and 'uncomfortable father of the nation' who has been stereotyped in India as the main villain of the Partition... For once ... a discourse shorn of jingoism ... but plainspeak laced with nostalgia about this other Gujarati who also dominated the freedom struggle.

... Mr Jinnah... tries to set the historical and personal records straight by taking recourse to recollections by his friends, acquaintances, first ever interview of his daughter Dina Wadia and some rare footage which Christopher and the producer Sophia Swire, chanced upon the Pakistan National Archives...

There is, too, an undercurrent of guilt when the director says that "we've tried not to be prisoners of any school of history but attempted to free ourselves (read Britain) of many charges of partiality." Mr. Jinnah... scores here. The film successfully highlights the man under the Savile Row suit - his fads, his foibles, his secular credentials, his liberal outlook as well as his weaker moments. Many little known facets of Jinnah's persona come to light be it the way he cried at the death of his wife Ratti or his special love for baked custard. How many of us know that Jinnah was an accomplished actor'... When it comes to politics, however, Mr. Jinnah... succeeds but partially. Christopher in his ... zeal to establish Jinnah as the sole spokesman of the Muslims has glossed over the warts of history which could have put Quaid-e-Azam and his politics in ambivalent light. Afterall, the story of Jinnah, a pucca westernised boxwallah with Dadabhai Nauroji and Gopal Krishna Gokhale as his political mentors, and his subsequent transformation as the prime votary of a separate Muslim state was not as simply accomplished as (the film) makes it out to be. There were too many forces at work. By ignoring the most contentious of them, jumping through dates, events and personalities he seems to have arrived at a quick conclusion.

One understands the limitation of the medium and lack of sources, what surprises, however, is the way Christopher has ignored Indians who were active during that period and also knew Jinnah well ... important Muslim leaders like Khan Abdul Ghaffar Khan, Abdul Kalam Azad.

The polarisation along communal lines had begun in the 1920s... During this time Jinnah was a Muslim Leaguer having joined the party in 1913, seven years after its foundation. Much has been made out of this affiliation but the same Jinnah had persuaded the League and the Congress in 1916 to agree upon a common scheme of reforms. His constant refrain was that he has been a "staunch Congressman and had no love for sectarian cries." Even during the 1920s, the period of Jinnah's marginalisation, he alone had the guts to talks

openly against Gandhiji's Non-Cooperation Movement for the simple reason that the country was not prepared for it.

Again during 1927 it was Jinnah who at the cost of breakup within the League gave up the demand for separate electorates in favour of joint electorates with reserved seats for minorities. Listen to Jinnah: "We are all sons of this land, we have to live together... Believe me, there is no progress for India until the Musalmans and Hindus are united." Congress even accepted his offer in the Madras session that year but later under Hindu Mahasabha's pressure backtracked. A dejected Jinnah was back with breakaway League leader Mohamad Shafi calling this betrayal a final "parting of ways" and came up with his famous 14 points.

Back in London after this humiliating experience he resumed his practice with an office in King's Bench Walk and a house with an eight acre garden in Hempstead. Living with sister Fatima and daughter Dina, at times dealing in real estate, Jinnah was doing well for himself... Rehmat Ali's paper 'Now or Never' espousing the cause of Pakistan (acronym for Punjab, Afghanistan, Kashmir, Sind and Baluchistan) came in 1933. According to one of the interviewees in the film when this was brought to Jinnah's notice he outrightly rejected the idea. This was a bad period for him politically.

Come '30s and Jinnah was slowly bouncing back, more aggressive than ever before. It was also the period when Jinnah's claim as the sole spokesman came under heavy fire. If in Punjab he had to face the ire of Sikandar Hayat Khan of the Unionist Party, in Bengal he met his match in Fazlul Haq of Krishak Samaj Party. In the United Provinces Congress enjoyed the support of Deoband Ulama and Ahrar Party. Christopher has cleverly blacked out these dissensions within the community. The film directly comes to the Lahore session of the League (1940) where the Pakistan resolution was passed more as a desperate exercise to gain a populist image within the community than anything else...

The arguments over the sequence of events can go on but the Pakistan magic seems to have really worked. This can be gauged from the fact that between 1937 and 1943 in the 60 byelections to the Muslim constituencies in various assemblies 47 were won by the League and only four by the Congress. 4.5 million or 75% of the Muslim vote at that time was polled by them. League's star was on the rise, so much so that in the central and provincial elections of 1945-46 the party won 460 out of 533 Muslim seats.

Jinnah became obstinate for Pakistan only after the failure of Cabinet Mission Plan... As mentioned earlier the film stands out while dealing with jinnah the man. It

(Contd. on Page 491)

Sharifuddin Pirzada on Pakistan's Genesis

Pakistan was achieved as a result of an international agreement between the British government, Indian National Congress and All India Muslim League that each country shall accord full rights to its minorities and protect and safeguard their lives, property and interests. On its part, Pakistan has religiously honoured the agreement and its record of protecting and defending its minorities has been exemplary...

... The Quaid's advice to Indian Muslims was to organise themselves so as to become powerful enough to safeguard their rights. A well-organised minority should be powerful enough to protect its own rights - political, cultural, economic and social...

One must of course accept that ... we in Pakistan have failed them ... by not building a Pakistan that was faithful to its ideals, that was morally and politically strong and that gave pride and comfort to those who had suffered and made great sacrifices for Pakistan knowing full well that were going to stay behind in India.

... But the good news is that Muslims in India have long ceased looking towards Pakistan. They ask nothing, they expect nothing; only that Pakistan should do nothing to make an already difficult life more difficult. At least not to bring bad name to Islam or to set a bad precedent which might be used to compromise their rights...

(Jinnah) had said as early as in 1943 that Pakistan should have a people's government based on the essential principles of Islam. And .. it would not be a theocracy...

... There is nothing obscure about the aims and purpose of Pakistan.

... The defining objective behind the demand for Pakistan was not just the Muslim wish to have their economic rights, the defining objective was a superior one: that Muslims wanted to obtain their rights as sovereign and independent Muslim nation...

The ideology of Pakistan was very clear from the Day One and the term ideology to define the concept of Pakistan was not anyone's innovation, it was used by Quaid-e-Azam himself as early as 1945.

A Muslim state (does not mean) an un-Islamic state?

Quaid-e-Azam also did use the term 'Islamic' to define the Muslim state of Pakistan on more than one occasion ... after the independence of Pakistan.

... At the Karachi meeting of the All India Muslim League Council ... in December, 1947 ... (Jinnah) declared: "Let it be clear that Pakistan is going to be a Muslim state based on Islamic ideals".

Shahabuddin's Letter to The Impact International, 29 September, 1997

I have read Mr. Sharifuddin Pirzada's interview in your issue of August 1997 with much interest. I hold him in high regard for his professional stature and for his intellectual integrity.

... The 11 August, 1947, speech was meant to assure the non-Muslim minorities, especially in the background of those disturbed times, that irrespective of their faith, they were all equal in their citizenship rights. It did not mean that Jinnah had discarded his two-nation theory that Hindus and Muslims were two different and distinct nations, nor that having achieved independence from Hindu rule, Jinnah had now opted for a secular state in which Muslims and non-Muslims had, on 11 August, 1947, become one nation. Such assumption belied common-sense as well as the fact of history.

The Quaid himself explained in October 1947 that in his 11 August speech he was trying to assure the non-Muslim minorities of their rights and that did not affect the validity of the two nation theory...

... Before and after Pakistan, Quaid-e-Azam said Pakistan will be based on the Qur'an, on the Shari'ah and that it shall be an Islamic state.

He told the Frontier Muslim League Conference, on 21 November 1945, in Peshawar: 'Muslims demand Pakistan, where they could rule according to their own code of life and according to their own culture, tradition and Islamic laws'.

He reiterated his commitment to Islam, yet again on 25 January 1948, while addressing the Karachi Bar Association...

The same thing he had said to the All India Muslim Council in Delhi in 1943...

The Quaid was consistent and categorical that Pakistan would be governed 'in accordance with the Islamic Shari'ah'.

... The Quaid's vision of Pakistan was that of an advance 'base' for the independence and unity of the entire Muslim world. He had said as early as 1943: 'Pakistan should be a base where we will be able to train and bring up Muslim intellectuals, educationists, economists, scientists, doctors and engineers, technicians etc. who will work to bring about Islamic renaissance.

'After necessary training, they would spread to other parts of the Islamic world to serve their co-religionists and create awakening among them eventually resulting in the creation of a solid cohesive bloc - a third bloc - which would neither be communistic nor capitalistic but truly socialistic based on the principles which characterised Caliph 'Umar's regime'....

(Source: The Impact International, August, 1997)

However, some of his statements can be questioned for the accuracy. Without going into the question of how the cycle of violence and migration was initiated, the fact remains that the then West Pakistan in whose population

at least 10-15% were non-Muslims was left with a handful only. Even from East Pakistan, now Bangladesh, there has been a continuous efflux of Hindu and Buddhist population - perhaps totalling to 15 millions. How can he claim or argue that "Pakistan has religiously honoured the agreement (on minorities) and its record of protecting and defending its minorities has been exemplary."

Secondly, Mr. Jinnah's advice to Muslim Indians to become 'powerful enough to safeguard their rights' and the general statement that 'a well-organised minority should be powerful enough to protect its own rights - political, cultural, economic and social' are indeed valid. But does it not apply with great force to the pre-Partition Muslim community of the Sub-Continent which constituted 25% of the total population. If so, why Pakistan?

Thirdly, Mr. Pirzada does not carry conviction when he attributes Islamic ideology to Mr. Jinnah or to the Pakistani Movement, on the basis of a few scattered references to Islam, the Quran and the Enlightened Caliphs (perhaps Mr. Jinnah knew only Hazrat Omar). If Jinnah was indeed serious about Pakistan becoming an Islamic State, nothing kept him from appointing a Committee of Constitutional and Theological Experts to draft a Constitution or at least to prepare a framework any time after 1940? It is also difficult to explain away his speech of 11 August 1947. Jinnah was a great lawyer and he argued and won his case. He was also a great politician in that he created a mass base for his Movement, in the name of Islam. But he was not a thinker or a theoretician.

Fourthly, there is a clear distinction between a Muslim State and an Islamic State which should not be ridiculed or slurred over. A Muslim State is a statement of fact and an Islamic State is a Statement of ideology on which the system of governance is based. There are nearly 60 Muslim States and hardly any Islamic State today!

Finally, Jinnah was being over-optimistic in projecting Pakistan as the base of Islamic renaissance. In our times Egypt, Saudi Arabia, Iran, Libya and Sudan have all tried to don the mantle with varying success. But for a few Islamic Conferences being held on its soil, Pakistan is yet to be recognised as an Islamic model or as a Leader of the Islamic Bloc by its peers, whatever the reason. Perhaps, because it is not rich enough. Perhaps, because, its geographic situation is not correct. Perhaps the Islamic focus is still Arab-Centric. Perhaps because Pakistan was for long aligned with the Anglo-American Bloc which was regarded and is still regarded as an adversary in the Muslim world.

Eminent Journalist M.J. Akbar

On Jinnah's Pakistan to Iqbal's Pakistan

... Pakistan of today is not the nation created by lawyer - politician Mohammad Ali Jinnah but the one conceived by the poet-idealist, Sir Muhammad Iqbal...

Jinnah created Pakistan as a sort of religious sanctuary, to protect a species called India's Muslims. The idea was flawed in terms of both ideology and geography. Islam was always a brotherhood and never a nation; the bond the Prophet himself advocated was the unity of commitment; he recognised that there would be other loyalties, whether tribal or cultural or national. The geography of Pakistan was lopsided not only in terms of the distance between the west and the east, but also in term of size; the country formed in 1947 was simply not large enough for the idea it was meant to contain... The Punjabis and the Sindhis ... did not want to surrender land or property to the refugees from Uttar Pradesh or Bihar...

... The best thing to happen to Pakistan was the creation of Bangladesh. Surprisingly, both Pakistan and Bangladesh tend to view this fortuitous occurrence in terms of arithmetic since Pakistan believes that the other was an economic burden and Bangladesh is equally convinced that Punjab was an exploiter. Even if both were right it would not be the full truth. The problem of the Pakistan that Jinnah created was not revenue, but logic... The smaller Pakistan of the last 25 years is intrinsically stronger than the larger country of the first 25, because it is more coherent. Nations may be built around an idea, but they succeed or fail out of the experience which tests the idea.

Muhammad Iqbal also demanded a separate land for Muslims... In 1930, Iqbal said, "I would like to see the Punjab, the North-West frontier Province, Sind and Baluchistan amalgamated into a single state." Iqbal was not blind to the fact that there were Muslims in other parts of India, ... in Allahabad itself where he was speaking. Later on, he felt that another "Muslim India" could emerge in the east, as in fact has happened, but he could not see the logic of making the two one country, or appreciate how the Muslims of the "minority" provinces could find a place in these homelands, as has been born out once again. He visualised consequently ... a larger federal framework, if for no other reason than that these "Muslim Indias" could not be constructed at the expense of the Muslim in the minority provinces. It was ... a search for a state within the larger reality of an Indian subcontinent where a particular language, culture and lifestyle could flourish behind thin and transparent walls. Iqbal did not imagine a wall of missiles dividing Lahore and Amritsar, both of which he might have claimed as his own. He thought he perceived a need; he certainly did not

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Mohammad Nawaz Sharif on Indo-Pakistan Dialogue

My government has also taken the initiative to resume the stalled dialogue with India. We had agreed last June on a comprehensive agenda and a mechanism to deal with all issues including the core issue of Jammu and Kashmir in a sustained manner. We have unfortunately not succeeded yet in setting up the agreed mechanism to launch substantive negotiations on all the issues on the agenda of our dialogue.

We hope that India will reciprocate our sincerity of purpose in substantively addressing all the issues and carrying forward this process of dialogue to a positive outcome....

The existence of the Kashmir dispute cannot be denied. The right of self-determination is sacrosanct. It has repeatedly been affirmed by the United Nations. The people of Kashmir are justified in asking why this pledge by the international community has not been honoured as yet. The Security Council cannot be selective in the implementation of its resolutions.

The Kashmiri people have risen against Indian occupation. Their resolute struggle for the restitution of their fundamental and inalienable rights belies the claim that Kashmir is an integral part of India.

I am sad to say that the repression of the people of Jammu and Kashmir continues unabated. More than 600,000 Indian troops in Kashmir continue to brutalise the people...

If India is serious in its allegation that the conflict in Kashmir is being stoked by "interference" from Pakistan it should have no hesitation in allowing the UN observers present in Kashmir to verify this claim. We hope that the UN will enlarge the number of these observers and ask India to allow their stationing on its side of the Line of Control as well.

The international community has a responsibility to bring about a just settlement of the Kashmir dispute. The pledge of self-determination given to the people of Jammu and Kashmir has to be redeemed. On our part, we welcome the offers made by the UN Secretary General, United States and others to help in resolving the Kashmir dispute.

My government will persevere in the dialogue with India for the sake of our people and the peoples of South Asia. We hope that India can be persuaded to take some steps to create a climate conducive to the success of the talks. These could include:

- First, a halt in its campaign of repression against the people of Kashmir;
- Second, withdrawal of at least those Indian troops which are engaged in "internal" repression in Kashmir; and

Third, evolution of a mechanism to take into account the wishes of the Kashmiri people stipulated by the UN for a final settlement.

It is imperative now to negotiate arrangements to strengthen peace and security between India and Pakistan.

Since 1974 Pakistan has pursued its proposal for a Nuclear Weapon-Free Zone in South Asia. On the other hand India has taken successive steps to escalate its nuclear and missile capabilities....

India's nuclear capable Prithvi missile is being serially produced. These missiles specifically target Pakistan. They have been moved adjacent to our borders. This creates a hair-trigger security environment.

The development and possible deployment of the medium range Agni missile, and India's planned acquisition of Theatre Missile Defence systems, will further aggravate this tense security environment.

It will evoke the natural response from Pakistan to safeguard and augment its security and deterrence capability. India must be persuaded to reverse its missile programme. To preserve peace and stability in South Asia and beyond, we propose that Pakistan and India should reach agreement for mutual and equal restraint in the nuclear and ballistic fields...

We also propose a similar arrangement for mutual and equitable restraint on conventional weapons which ensures equal security to both Pakistan and India.

We are prepared to conclude and strengthen confidence-building measures. As a first step, we could agree on a set of principles to guide future bilateral arms control arrangements.

We believe that a just settlement of the Jammu and Kashmir dispute and progress on the issues of peace and security will usher in an era of amity and progress in South Asia. To facilitate the realisation of this objective, I offer today ... to open negotiations on a treaty of non-aggression between Pakistan and India.

There are many areas in which we can cooperate for mutual benefits. Trade liberalisation can take place on an equitable basis. Significant foreign investment can be drawn to the region.

In the expectation that the Pakistan-India dialogue will have made a heartening advance by next year, my government intends to host a regional economic summit in 1998 which could help to open new vistas for economic progress and prosperity for our region.

All this and much more can be achieved if India joins us in pursuing our current dialogue to its successful culmination...

(Source: The Mainstream, 11 October, 1997)

Inder Kumar Gujral on Equilibrium between Globalisation, Nationalism and Sub-Nationalism

... The global society is seeking to find an equilibrium between the opposing pulls generated by the forces of globalisation, nationalism and sub-nationalism. Indeed, it is difficult to see just how they can be balanced, yet they must be or else the potential for international conflagration will be immense. Hence, the absolute need for extreme caution to prevent established nation-states from being destabilised either through too hasty a push towards globalisation, or the pull of sub-national demands. We see this as a challenge which we will have to face collectively as well as individually.

A global menace that threatens international peace, and to which open democracies are particularly vulnerable, is terrorism... Terrorism should be anathema to the international community because it is the antithesis

of every ideal that the UN Charter enshrines. Its main vehicle is violence, its aim is destruction rather than development, its doctrines are founded on intolerance, and in the means it uses and the effect it has, it destroys human rights utterly. Incitement to terrorism, and complicity and participation in terrorism across borders, undermine the international system. And even though very few societies are free from its clutches, we still have not developed a global strategy to defeat this evil... Terrorism has a global web, spanning all continents, and quickly building links with the other global menace of drugs. We in India see in our region just how deadly a poison this mix of terrorism and drugs is. The United Nations should take the lead in determined global action to root out these scourges. ...

(Source: The Mainstream, 11 October, 1997)

Kuldip Nayar on Pakistan's No War Pact Offer

For the last few years there has been no progress on any front between India and Pakistan because the latter would make Kashmir 'the core issue'. First Kashmir, then anything else - has been Islamabad's refrain. The talks between the Foreign Secretaries of the two countries have again got stuck on Kashmir. New Delhi is willing to discuss the problem, along with the other pending issues. But Pakistan Foreign Secretary wants to make a 'show' of talks on Kashmir. This is understandably difficult for the Inder Gujral Government to accept because even the mention of Kashmir is not to the liking of the anti-Pakistan lobby which is quite strong in the country. Does Islamabad want a solution or ... propaganda? ...

Mercifully, the third round of talks in Delhi has been 'adjourned', not ended. The two sides are bound to pick up the thread again...

Yet the best thing that has happened since the last meeting of the Foreign Secretaries in Nawaz Sharif's offer of a non-aggression pact. And for the first time in the history of India-Pakistan relations, the pact is offered without any prior understanding on Kashmir. Even the Pakistan press has pointed it out.

But it is not understandable why the Indian officials are determined to sabotage the proposal.... In fact, they made a fool of themselves in New York when they rejected the proposal. Islamabad had a propaganda victory when the Indian officials were cool towards the proposal.

New Delhi should seize the opportunity with both hands. Any quibbling or further elucidation from Pakistan may give it an excuse to put conditions....

... It will open still another track. Suppose the talks between the two Secretaries on various matters, including Kashmir, get derailed, there will be another track, that of the no-war proposal, for movement. The effort to reach an understanding will not be stalled. Both sides will be talking.

Things as they stand today do not look healthy at all. There is mistrust... Motives are sought where there may be none... The baggage of the past is too heavy. There is not much likelihood of progress on the actual problems between the two countries.

That is why the no-war pact offer assumes great importance. There is a possibility of the two countries coming to some understanding on keeping hostilities out while grappling with such issues as have defied solution for the last fifty years. The peoples on both sides will welcome a no-war pact because their present thoughts are dominated by the fear that there may still be another war if the Kashmir problem remains unsolved. A no-war pact will assure them that whatever the outcome of the discussion on Kashmir, the two will not begin shooting. What a relief a no-war pact will be!

Meanwhile, both the countries must seriously consider the proposal by Mahboob-ul-Haq, a Pakistani expert to scale down the military expenditure by five per cent and to divert the amount to the programmes to eliminate illiteracy... The cut in defence expenditure may set in motion a process that may ultimately banish hatred, it not estrangement between the two.

(Source: The Mainstream, 18 October, 1997)

Shobori Ganguli on A Divided Mind

... A vital facet of the threads that bind the common civilisation of India and Pakistan continue to be overlooked. The history of the last 50 years overshadows the history of the preceding 5,000. That is the history which has beckoned many a foreign traveller since times immemorial; a land that has compelled attention to its myriad myths and philosophies... All fascinated with India, reach out to the mysterious Eastern civilisation holding out answers to the inexplicable.

Such was India before Partition traumatised it into assuming a new identity. But it continued its journey through time, nursing bruises that history had inflicted upon it. And ironical though it may sound today, India lost to a geographical line the oldest outpost of Hindu civilisation, and by quirk of that same historical fate, it gathered in its fold the oldest Islamic structure in the subcontinent.

The question is: Is it a past that both nations have tried to obfuscate, one more desperately than the other, for the sake of political convenience? Is it that with mind and body irredeemably divided, what is politically possible is culturally a forced abortion? In this both nations run a risk - that, over time, subliminal political conditioning may totally obliterate their shared consciousness. Despite harping on the commonality of our experience ... something has prevented its articulation at diplomatic fora.

It is evident that artificial differences have been created and sustained with a purpose. What else can explain the fact that traces of the Indus valley civilisation lie across the border in what is for India foreign land and, consequently, inaccessible to Indian scholars and tourists? To look at the canvas of civilisation in the subcontinent, (or what is ancient Indian civilisation) one has to begin with Pakistan and course through India to complete the picture. Such matter is ideal content for history textbooks, which manage to convey an uncomplicated picture of Indian civilisation. But ... do we still retain a comprehensive image or impression of the East? More importantly, do we really wish to project such an image to the world? Or has an unfortunate history, with its incessant attempts to partition the land and divide the mind, fractured the cultural identity of the space that once was India?

... (The) inhabitants of the sub-continent must pause awhile and ponder whether an exclusionist approach, carving out projections of difference from a common heritage to justifying different political identities, is not as reductive as the "Orientalist" viewpoint. Have the two nations been able to effectively project a unified picture to combat such apparently reductive interpretations?

Traditionally, India's has been a politics of acceptance.... Indian Tourism ... promotes the Taj as much as the edifice of the ... Parliament or the Khajuraho temples. Isn't there, in the first two, an acknowledgement

of a political history which could with ease be seen as an uncomfortable reminder that it was once ruled by conquerors from distant and strange lands? India's projection of the past has been fairly assimilative, and, if one may use the much-abused cliché, secular - Hindu, Islamic, Buddhist and colonial architecture have all been granted due recognition by the ASI... India (has) sent out signals of its cultural identity to the world - an identity that antedates the post-1947 one, an identity that is not threatened into crisis with acknowledgement of elements which are contentious today. Political fracturing cannot fragment a land's culture and India knows that only too well. On the contrary, Pakistan's has been a politics of rejection - a rejection that bespeaks of a national identity founded upon a divorce from all that was India. It did not take cognizance of a history predating 1947 - a history that emerged from the Indus valley civilisation, the sites of which lie unattended and in ruins, which Pakistan has done little to promote on the country's cultural or tourism map ... turn its back on a history from which its identity as a civilisation, if not as a community, emerged...

Is history not meant to be secular? If India has had no rethinking to do on its past why has Pakistan neglected its history before 1947?... Tourists today visit India for the golden triangle of Indian tourism - Delhi, Jaipur, Agra: The colonial past, the Rajput heritage and the Mughal remains. Wouldn't this golden triangle become richer in the 50th year of the two nations' celebrations if the triangle were extended to take into account what the ... partition destroyed? Can the two nations, for example, talk of a cultural package, a joint tourism promotion council for instance? ... Will relations between them then continue at the level of token treaties, revising one another's defaults and projecting them as issues worthy of diplomatic exchange? ...

(Source: The Pioneer, 5 July, 1997)

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fundamentalism there, it would then also be difficult to project a Kashmir settlement as a triumph of fundamentalist Islam. Hence India must watch developments in Pakistan and move cautiously: Also, it needs to be very sure about Prime Minister Nawaz Sharif's intentions.

To what extent is his eagerness to improve ties the result of his awareness that Pakistan can never annex the Valley and, hobbled by economic crisis and sectarian violence, will sooner than later collapse under the burden of continued confrontation? India should also bear this in mind and the experience of the 1972 Shimla summit. So taken in was Indira Gandhi by Zulfikar Ali Bhutto's effusion there that she had agreed to repatriate the 93,000 odd Pakistani troops taken prisoners of war in Bangladesh without clinching a final settlement of the Kashmir issue. That is why India still bleeds.

(Source: The Pioneer, 23 May, '97)

Govansh: Object of Worship and Traffic Obstacle

An exhibition in the Capital recently called 'Capital Cows'... had beautifully mounted black-and-white photographs of the stray animals on the roads. Conceived by S.V. Krishnamurthy, a retired industrial consultant ... and Chitti Prabhala, ... a J.J. School of Arts graduate, it was prompted by the plight of cattle on the roads.

That's one side of the coin. The other side belongs to the harried commuters stuck in mile-long traffic jams, screeching tyres protesting at the sudden application of brakes and scooterists cursing no one in particular - as the reason for all happens to be in the shape and size of a small herd, refusing to budge.

Instances of accidents also pour in but the traffic police have no such data on accidents, according to ACP Virender Singh.

... While the Municipal Corporation of Delhi Deputy Commissioner (In Charge of Veterinary Services), C.P. Gupta, admits that most of the strays are technically not strays, but belong to the dairies which let off the animals after milking them, he professes helplessness in curbing this tendency. "Even if we catch the strays, the owners get the release by paying the fees.... And again the same circle starts"...

... For the approximately 15,000 stray cattle on Delhi roads, there are only 11 goshallas or gosadans, and all of them came up only two years ago when the Khurana Government provided land for them...

All the gosadans are run by voluntary agencies. The MCD role is limited to picking up the strays and giving it to these gosadans everyday and according to them, in the past two years, the 'cattle-catchers' team of eight persons has picked up 25,000 strays from their 12 MCD zones...

Running a gosadan requires a capital of at least Rs. 23 lakh per year. The gosadan in-charge says they get no monetary help from the Government which (is) ready to pay to build more gosadans but not to run the existing ones. "Either give us ... financial assistance or remove the root-cause of the strays out of the city. Create a separate dairy nagar..."

Or else let them pay the gosadans a certain amount for the upkeep of their cattle," suggests the gosadan in-charge.

... During the Emergency all the dairy owners were driven out of the Capital and the proposal to allot them land outside the city. "But no one knows what happened to the plan," says MCD.

Licensing of the dairies can also go a long way in keeping an eye on their movements.

(Source: The Indian Express, 13 July, 1997)

Government Statement On Use of Cowdung in Agriculture

Both cowdung and chemical fertilizers have an important place in agriculture. Hence, there is no plan to rely exclusively on cowdung. Chemical fertilizers being a concentrated form of nutrients are essential for high crop yields. Use of chemical fertilizers has not caused any health-hazards.

(Source: LSUQ No. 2234 dated 5.8.1997 by Vij)

Views of Ashok Singhal and M.M. Joshi

Arab countries are promoting and sponsoring the cow-slaughter to destabilise the cattle-oriented economy of the rural India, states Ashok Singhal.

M.M. Joshi states that Science was in full support of prevention of cow-slaughter

Cow-dung ... had the power (even) to neutralize certain radioactive emissions... Cow-worship is part of our tradition, therefore protection of the cow becomes the duty of all the countrymen.

If the BJP came to power at the Centre ... it would ban cow-slaughter in the country....

(Source: The Organiser, 5 October, 1997)

(Contd. from Page 513)

In the name of 'Customs', the law also gives its approval to caste-based differences for oath-taking in court, permitting even ex-communication by religious heads, and also took into cognizance, the exploitative system of so-called 'dancing-girl' Bhavinas), which in actual fact was a thinly disguised form of prostitution.

In conclusion, one can say that some provisions of the Goa Family Laws are undoubtedly favorable to women. But ... (it should be) discussed whether the laws are at all uniform and what could be done to make them better.

All laws reflect the thinking and ideology of the law-makers of their times. One cannot view the currently-prevailing laws in isolation from the conservative outlook of the rulers of colonial Portugal who framed or amended the Law. Former dictator Antonio Oliveira Salazar, whose government dominated Portugal for a significant part of the twentieth century, has himself stated: "... We are opposed to all that disintegrates, divides, or dissolves the family... We do not ask for much. An understand ... of virtue and the sacred nature of religion."

Due to certain reasons - not excluding the possibility that the current laws are favoured because of the tax-benefits they offer to affluent sections - the Goa Family Laws have come to be widely regarded as uniform and common. This has unfortunately prevented a closer scrutiny of the same.

(Pamela D'Mello is Goa correspondent for The Asian Age).

(Source: The Communalism Combat, June, 1997)

Nazrul Islam, IPS Real Life Hero

From Daily Wage Agricultural Worker to IPS Officer

... Nazrul's story begins in an impoverished daily-wage earner's house in Ramna Basantapur, a small village in the interiors of Murshidabad district in West Bengal. Eldest among nine, Nazrul began working as a farm hand ... early in life to supplement the meagre earnings of his (parents).

In between working in the fields, he attended classes and sailed through school, College - the nearest was at Behrampur, an hour's bus ride (following) an hour's walk from (his village). ... He got a clerical job at Writers' Building ... and passed the State Civil Service Exams. A year later, he successfully appeared for the UPSC Exams and became an IPS officer.

Today, even as his brothers continue to plough field of somebody else... Nazrul is ... a Deputy Commissioner of Police (detective department) in Calcutta. As a law enforcer, he is tough and uncompromising... But ... Nazrul cooks his own meals at home, not leaving the job to his orderly (and) travels second class by train and bus when he visits his birthplace, and chooses to walk from Domkal to the village as he once used to....

To top it, he is one of the best known names in literary circles, author of 12 critically acclaimed books and winner of the state's highest literary award, the Ananda Purashkar, for his thoughtful writings on Hindu-Muslim relationships.

It is no wonder then that Nazrul is a hero in his village... At long last, our children have a role model to emulate," gushes Noor Mohammad Mondal, a poor farmer in Ramna Basantapur... Nazrul has not forgotten his roots. His "mission" now is to ensure literacy in the backward village... Pooling the ... cash component of the Ananda Purashkar and royalties from his other publications, Nazrul bought land and constructed a lime-and-brick structure to set up a primary school - Ramna Basantapur's first ever (which now has) 300 students of Nazrul's school organised a variety programme to celebrate the occasion. "For the first time in our village, the national flag was hoisted," says a proud M. Nazim, one of the two teachers in the school.

To (people) in Ramna Basantapur, Nazrul is a hero. But ... he prefers to remain what he is - a common man with an uncommon outlook on life.

(Source: The India Today, 6 October, 1997)

Marriage that Gave Villagers

A Run for their Money

(Marriage) of 19-year-old Maimun with 28-year-old Idris on June 8, 1997 ... sealed the fate of several villagers who seem to thrive on the "income" they generate from selling girls in Sudaka in Nuh district of Haryana. The "income" ranged from Rs 10,000 to 15,000 "per girl"...

... The couple had been on the run following Maimun's gangrape and murder attempts by the enraged villagers. They had approached the NCW on August 8 and sought protection... Maimun ... had reportedly been attacked with a "butcher's knife" after being gangraped.

A Report on Muslim Bangali Child-Beggars in Saudi Arabia

... Children are being smuggled out from this country to the Middle-East ... right under the nose of Government and at times with its collusion. This is the finding of a survey carried out by a Calcutta based NGO, Free the Children (India). The survey carried out in West Bengal disclosed that thousands of children were being smuggled out to Saudi Arabia...

Addressing a Press conference ... Mr. Swapan Mukherjee, Chairman ... elaborated on how the touts and smugglers involved in this trade were thriving in West Bengal. Though more than 3,000 children have been smuggled out of West Bengal for the past 17 years, to date only 7 touts have been arrested.

"These children coming from extremely poor families are tricked and sometimes even forcibly smuggled to Saudi Arabia where they are sold to criminals who force them into begging. These smugglers, sometimes even panchayat pradhans, target mostly crippled children and in certain cases they even maim and physically torture healthy children before forcing them to beg," said Mr. Mukherjee.

The survey found that 75 per cent of these smuggled children between 5 and 10 years old were girls. In some cases these girls end up in brothels and harems... It requires nearly Rs 84,000 to take each child out of the country and every child can earn at least Rs.3 lakh from begging in the three months prior to Id. when devout Muslims ... donate a portion of their earnings to charity.

Mr. Mukherjee said that several memoranda have been given to the State Government to take legal action against these smugglers. However no action has been taken. Even the seven touts who were arrested in April this year were arrested by the CID and not by the State Police. They were immediately released on bail under pressure from the State's higher police authorities. ...

(Source: The Hindustan Times, 7 September, 1997)

According to Maimun, the rapists included the village pradhan, while her own cousin had slit her neck and abdomen leaving her to bleed to death ... When the NCW team went to Sudaka to investigate, they were not only threatened but also physically attacked... Maimun, who was then with the NCW team was dragged out of the car and forcibly taken away from their custody. "They took out the girl like a piece of meat"... The police were ... "helpless bystanders".

... The enraged villagers who attacked the team also included women. It is learnt that Maimun's parents are also enraged over the marriage because they had planned to sell her off for Rs 10,000. "The marriage meant no money. If she would have been sold, the parents and the villagers would have been richer by a few thousands"...

... Idris had been publicly humiliated with his face having been blackened. He was also ... beaten up and Rs.25,000 was extorted from him. ...

The villagers, according to the NCW team, had refused to accept the nikahnama as well as the registered marriage of Idris and Maimun...

(Source: The Hindustan Times, 16 August, 1997)

Tipu Sultan: The Secular Builder

He was a great man such as one Hind will never see again. He had great ambition, wonderful ability, perseverance, and the art of leading men's hearts more than they were aware or cared to acknowledge: he had patient application and nothing was done without his sanction, even to the meanest affairs, and the business of his dominions was vast. You will allow he was a brave man and died like a soldier - Meadows Taylor.

Tipu Sultan is well known as a soldier the one who fought the British till the end. All his life, he was engaged in wars, yet found time to construct some of the finest buildings in his kingdom. Tipu employed several French engineers. An English officer in 1792 describes the island fortress of Tipu Sultan: "...this insulated metropolis must have been the richest, the most convenient and beautiful spot possessed in the present age by any native prince in India."

Tipu patronised artists and architects... Though his capital, Srirangapatna, was destroyed by the siege of 1799, the English made all efforts to preserve the dungeons where English officers ... were imprisoned.

... Tipu ... constructed the masjid-e-ala with two tall, graceful minarets in 1784. From the minarets one gets a bird's eye-view of Srirangapatna and its surroundings. The mosque was painted with the babari (tiger stripes) motif. After the fall of the Sultan, the English whitewashed the painting. It has beautifully carved flowery designs on the roof and the pillars. In the center are delicately chiselled bunches of grapes and other creepers. A stone clock is in the courtyard.

The Gumbaz is an impressive square-shaped mausoleum with beautiful ivory-inlaid doors and black marble pillars. Here Tipu Sultan is buried beside his parents, Haider Ali and Fatima Begum...

The masjid-e-aqsa with two small minarets is in the same vicinity. Outside the mosque is a solar clock. The Gumbaz was built by Tipu Sultan in 1784.

... Tipu's father, Haider Ali built the Lal Mahal near the Ranganathswamy temple...

Lord Valentie described the palace: "The Loll Mahal or private residence of Tippoo Sultan (this was inside the fort, opposite to the watergate and between two Hindu temples) consists of but one square, three sides of which are divided into two storeys, with a verandah of painted wood in front. Behind were many small rooms used by him as warehouses. The fourth consists of a single room, the same height as the rest of the building. This was the darbar ... where he sat or wrote and received ministers." The walls were painted with verses from the Quran. Beside the palace was Tipu's military school, demolished

by the English...

Near ... Srirangapatna lies his summer palace called Daria Daulat. This wooden edifice is a beautiful example of Saracenic architecture. Its interesting features are mural paintings of battle scenes and the flowery designs. Besides Tipu's personal belongings and other articles of his period are paintings by European artists. Mural paintings show military campaigns of Haider Ali and Tipu. Tipu received his guests here.

Haider Ali began the construction of the palace in 1777, and was completed by Tipu in 1789.

An impressive palace ... in the Lal Baugh ... was pulled down by the English and the material was used in the construction of St. Stephen's Church and the holy Trinity Church of Ootacamund.

The palace in Bangalore, a wooden structure, resembles the Daria Daulat. At the entrance are five well-decorated and painted arches. It was also known as Rashk-e-Jannat (Envy of Heaven).

Inside Bangalore fort is a temple of Ganesha. Tipu Sultan ... preserved the temple. The Gumbad-e-Shaht, Kolar is popularly called Saidani Bibi ki durgah. It is situated near the tomb of Hazarat Qutub Ghouri, a great saint. ...

The Krishnagiri fort is one of the most precipitous forts of Tipu. He had named it Falak-ul-Azam (the towering sky). (It was) originally built by Krishnadeva Raya. The headless bodies of two great saints ... have been buried here...

Haider Ali and Tipu Sultan granted a jagir to the durgah for its maintenance. Tipu's underground durbar hall, court and stables are in good condition.

The top of this rock shelter has four ponds. Atop the fort, one can have the panoramic view of ... its mountainous surroundings.

The walls of this impregnable fort has the figures of Hanuman, Surya, Nandi, Linga, geometrical designs, elephants, mouse, fish tortoise, monkey and the various Hindu gods and goddesses. Some excellent erotic carvings can be seen here. Tipu, the secular Sultan, left the carvings untouched.

(Source: Rahman Azar in The Hindu, 13 July, 1997)

Government Statement On Return of Artefacts

The Indian Government have not made any move for return of the large number of Indian Artifacts including Kohinoor taken by the British from India.

(Source: LSUQ No. 887 dated 28 July, 1997 by G. Krishna, D. Agarwal and S.K. Mandal)

Anthony Shahid On Taliban's Religious Policies

... Afghanistan's Taliban rulers are being derided as extremist and dangerous, as backward, as distorters of the faith. ...

This torrent of protests is coming from activists in the Muslim world, whose vision of Islam contrasts sharply with the Taliban's dour programme that bans most women from working, bars girls from schools, forces men to grow beards and outlaws everything from cassette tapes to paper bags. ...

Leaders of the Taliban religious army ... seem surprised by the attacks. They say the criticism must be the result of a lack of information about their movement or perhaps a lack of proper understanding of Islamic law. ...

"We don't worry about the Western world criticising us," he said in a dingy office, its walls bare. "As for the Muslim world, we know their information about our situation is insufficient".

(Religious Police force) men roams the streets of Kabul, ready to beat any woman foolish enough to venture outside without being fully covered and to any man without a turban and flowing beard.

The Taliban consider music un-Islamic... Paper bags are forbidden because of the possibility that they might be recycled pages from discarded the Holy Kuran. Flying kites and other "frivolous" pastimes are outlawed spent at prayers.

As a political and military force, the Taliban represents one of today's most successful Islamic movements. ...

Many Islamic activists question whether the Taliban's vision goes beyond the strict rule of that law.

"The vision they have is a very primitive society, a backward society with many traditions that are against Islam itself," said Kamal El-Helbawi, spokesman in London for the Muslim Brotherhood".

... The Islamic movement whether ... in the Arab world, Turkey or Iran ... generally has accepted science and technology of the West while rejecting its culture.

At its heart is an attempt to make Islam a modern theology, one that can cope with the challenges of today's world. Some movements have tried to find an Islamic version of democracy or have taken religious obligations of charity to create welfare networks...

... Islamic scholars have criticised barring women from work, keeping girls out of school and the injunctions against flying kites, playing music or taking pictures.

The Taliban's legal code is based more on age-old tribal law than any conception of Islamic purity, the critics say.

Pakistan: A Documentary Against Hudood Ordinances

A 13-year-old girl is abducted and raped several times in two weeks by two neighbours. When the case comes to court, it is not the rapists, but the victim who is sentenced - to five years rigorous imprisonment. The charge: having intercourse outside the marriage. The rapists go scot free as the victim cannot produce four adult Muslim male witnesses to the crime.

A man tires of his first wife accuses her of adultery. She has now way of providing her innocence. She and her supposed lover are sentenced to death by stoning.

These are some of the cases that Sahiba Sumar's documentary, *Who Will Cast The First Stone*, dealing with the status of women in Pakistan under the Hudood Ordinances and Zina Law, focuses on. These ... laws were imposed by the Zia-ul-Haq regime as part of the Islamisation drive in 1979.

Under it, a woman is only half a witness and four adult Muslim males are needed to prove a crime against a Muslim man.

The Zina Law deals specifically with adultery and intercourse outside of marriage, with punishments ranging from flogging in public and imprisonment, to death by stoning. The law, as is obvious, leaves women in a vulnerable position.

So, coming up with a film that ... disclaims the law of the land, obviously takes some courage... As in most societies, it is the women of the lower stratum of society that bear the brunt of these laws. "Upper class women are not affected", says Sumar. "The upper class is a compradore class. It has ways of escaping laws that don't suit it". Sumar believes the lack of a radical bourgeoisie in Pakistan, a country with a sharp class divide, is the main reason for the mute acceptance of regressive law. "The middle class is small and weak", she explains. "It is extremely cloistered and conservative and serves as a repository of tradition...

Pakistan, moreover, does not have an active women's movement, despite the existence of several women's groups... But women's groups have no mass base...

For Sumar, a complete separation of religion from politics is the only answer...

Religion, as Sumar puts it, is (also) subject to varying interpretations...

(Source: The ????????, 13 October, 197)

Iran, long the standard bearer of political Islam, has called the Taliban war-mongering, extremist and radical...

(Source: The Times of India, 8 September, 1997)

U.K.: Secession of Scotland?

If a Bill currently tabled in the House of Commons is passed on schedule, voters in Scotland will be asked sometime in September to say 'yes' or 'no' to two questions: "I agree that there should be a Scottish parliament" and "I agree that a Scottish parliament should have tax varying powers". In a parallel referendum, votes in Wales will also be asked whether they want an assembly.

... According to an opinion poll commissioned last month by The Scotsman, Edinburgh's leading daily, 72 per cent of those polled said they would vote 'yes' to the first question and 61 per cent 'Yes' to the second. "Scotland says Yes, Yes with a single voice", the paper declared in a banner headline, emphasising that support for devolution is wider and deeper than ever before. When voters were given three options - independence, devolution or status quo - as many as 26 per cent indicated their preference for (independence).

... The present Labour government, which is fully behind the idea of home rule, will soon publish a White Paper spelling out its views on what powers the new legislature will enjoy. But one thing is already clear: sovereignty will continue to be vested with Westminster...

None of the parties advocating a separate parliament would like to have its powers circumscribed from the start, not even Scottish Labour, whose grassroots' dissatisfaction with the Westminster juggernaut has done so much to limit Mr. Tony Blair's options. Labour may have won 46 per cent of the Scottish National Party (SNP) weighed in with an impressive 22 per cent. The SNP's support runs at around 33 per cent when Scots vote for non-Westminster bodies like the European Parliament and will presumably be even higher in any contest for a Scottish parliament. If Labour turns its back on Scotland, Scottish Nationalism can only gain.

... The current yearning for radical constitutional reform has much to do with the impotence the Scots felt during the past 18 years of Conservative rule... According to Mr. Alan Miller, head of the Scottish Council for Civil Liberties, and "overwhelming feeling of disenfranchisement" set in amongst the Scots.

Scotland, in other words, realised that the archaic political institutions of the UK offered no possibility for redress and began to look more closely at its own traditions...

Rather than representing the renaissance of a narrow nationalism, the Scottish movement today is a reflection of the grave crisis of democracy in Britain. And by refusing to modernise its institutions so as to recognise

the aspirations of the Scots - since 1889, more than 34 Home Rule Bills have been introduced but never passed - the British political elite has created a situation where the country could well be on the verge of breaking up. Even now, what 'New Labour' is promising is too little, too late. All proposals to introduce a written constitution, abolish the House of Lords and introduce a more representative electoral process have been more or less shelved. But in the absence of these, mere home rule will not satisfy the Scots.

... Since independent Scotland as a civil society already exists - its legal and educational systems, for example, are separate from England's - the Scottish parliament will have to justify its existence in the eyes of its electorate. And it can only do this by asserting its sovereignty. Ultimately, it is how the English will react which will be decisive one way or another.

By all accounts, Scotland wants more than a change of form. Mr. Alan Miller says that for the Scots, rights are both an end and a means to an end. "The parliament we seek is one which will be a catalyst for the advance of democracy in Scotland". Mr. Blair may give the Scots back their parliament. But the Scottish Question is not going to go away.

(Source: The Times of India, 18 July, 1997)

Self-rule for Scots Editorial, The Hindustan Times, 15 September, 97

... Scotsmen and women have nodded ayes in an overwhelming three-to-one verdict to end nearly three centuries of rule from London. Curiously, the impressive show of Celtic resolve ... also happened to coincide with the 700th anniversary of William Wallace's victory over the English... The high turnout at the polls, dispelled pro-devolutionists' fears of voter apathy... This referendum may well be the beginning of the end of centralised British government...

... Having their own parliament would (not) leave the people of Scotland scot-free to realise all their expectations, ... since key areas of governance - such as internal security - would still rest with the Home Office in London. Another major sticking point is likely to be the financial arrangements whereby the Scottish Parliament and executive will be financed, almost entirely means of a block grant from Westminster...

Chronology of the Month

(16 September - 15 October, 1997)

NATIONAL POLITICS

UF Government: *Congress Working Committee criticises and warns UF government functioning as unsatisfactory but decides to continue support in order to keep BJP out of power (27 Sept); Congress President Kesri says criticism is not ultimatum (29 Sept), describes performance as good (5 Oct).

Congress: *Sharad Pawar predicts mid-term poll (20 Sept); Scindia wants Congress to go it alone (1 Oct) Kesri dittos (10 Oct). *Kesri appoints 5-man Central Coordination Committee with Pranab Mukherjee as Chairman (4 Oct).

BJP: *Chandra Shekhar criticises BJP for trying to grab power in name of religion (5 Oct).

*SP leader Mulayam Singh accuses BJP of whipping up communal frenzy. *Advani promises not to impose Hindu Law (5 Oct). *UP CM Kalyan Singh's order to review cases filed under Dalit Act during Mayawati regime perturbs coalition partner BSP, BSP warns BJP; BJP hits-back; Kalyan asks BSP and BSP ministers not to criticise government; temporary truce declared (12 Oct). *Signs of fission in relations with Shiv Sena appear (6 Oct).

RSS: *Highjacks Gandhiji; organises Bharat Mata Pujan Samaroh in New Delhi to mark birthday (2 Oct); calls demolition "Shock treatment".

RJD: *Recognised as national party by Election Commission (9 Oct).

JD: *Organises revival rallies in Bihar with success.

SP: *President Mulayam Singh not averse to electoral alliance with Congress (15 Oct).

Left Front: *Forward Bloc leader Chitta Basu passes away (5 Oct).

Reservation: *AP H.C. questions G.O. on Sub-categorisation of SC quota (18 Sept). *NCSCST directs UGC not to de-reverse quota posts (21 Sept). *SP supports quota for high castes (26 Sept).

Electoral Reforms: *Literacy or knowledge of Constitution not required for MP's under existing law, says Government (18 Sept). *EC warns convicts against hiding facts (3 Oct).

Judiciary: *Committee on Judicial Accountability submits memorandum to President against sitting judge, M.M.Poonchhi. *S.C. Bar Association suspends complainants (29 Sept).

Small States: *Ajit Singh demands bifurcation of UP. *Movement to bifurcation Karnataka intensifies (26 Sept).

Assam Situation: *Congress indicts CM Mahanta for deterioration in Assam; asks for Central rule (19 Sept).

Caste Violence: *Dalits and Ambedkar statue targets in Hapur (21 Sept). *Toll in continuing Theva-Dalit clashes in Tamilnadu reaches 66 (6 Oct).

SCAMS:

***JMM Case:** Criminal charges framed against ex-PM Narasimha Rao (25 Sept).

***Petrol Pump Case:** 14 cases filed against ex-Petroleum Minister Satish Sharma (18 Sept).

***Hawala Case:** *CBI Jt. Director Lall alleges discriminatory favours to VIP's and influential people to scuttle probe (13 Oct).

***Oilfield Case:** High Court asks Government to produce file relating to award of oilfield to consortium (17 Sept).

***Bihar - Fodder Case:** *Governor Kidwai sits on CBI requests for sanction to prosecute Laloo Yadav since 31 August (15 Oct). *Ex-CM J.N. Mishra surrenders, placed in judicial custody (16 Sept). *CBI fails to file chargesheet in time; some accused released on bail (4 Oct). *CPI(M) and SP leaders accuse PM Gujral of shielding Laloo.

***Tata Tea Case:** Allegation of payment by Tata Tea to ULFA with knowledge and consent of Assam Government and

subsequent cover up exposed.

BABARI MASJID QUESTION

Appointment of Kalvan Singh as UP C.M.: *BMMCC and some Congress leaders object to Kalyan Singh, convicted by Supreme Court for Contempt as CM vice Mayawati (16 Sept). BJP and BSP leaders see no wrong (19 Sept). Kalyan Singh sworn in (20 Sept). Allahabad H.C. rejects petition (18 Sept). Similar Petitions later rejected by S.C.

Congress(I): *Former MOS Salman Khursheed suggests national referendum; BJP G.S. Pramod Mahajan supports it (23 Sept). CPI leader S. Faizee opposes it (27 Sept). Arjun Singh also opposes it (1 Oct). BMMCC rejects the proposal (2 Oct). Khursheed subsequently demands assurance from government as well as political parties to honour judicial verdict (2 Oct).

*G.S. Scindia wants Congress to offer apologies to Muslims (29 Sept). M.P. CM Digvijay Singh dittos (7 Oct).

Sangh Parivar: *RSS advises UP C.M. Kalyan Singh and VHP to play Ayodhya issue in low key and maintain status quo (19 Sept). *Kalyan Singh reiterates vow to build Ram Mandir on Babari Masjid site (21 Sept); visits Ayodhya and enters make-shift temple violating S.C. Orders (23 Sept). BMMCC and AIBMAC protest. Leaders of BSP, SP and Congress condemn statement and visit. *VHP President A. Singhal asks political parties to keep off (28 Sept). *BJP leader M.M. Joshi rejects judicial process and reiterates party's commitment (30 Sept). *RSS Chief Rajendra Singh blames former P.M. Narasimha Rao for demolition and also gives him credit for construction of make-shift temple. *BJP President L.K. Advani identifies construction of Mandir with patriotism (13 Oct).

BSP: *UP MOS B.A. Ansari vows to offer Namaz on Babari Masjid site (24 Sept). BSP President Kanshi Ram supports him (26 Sept). State Government blocks Namaz (28 Sept). VHP and BJP warn Ansari (29 Sept). BMMCC treats Ansari's declaration political gimmick. Ansari eventually shelves plan (3 Oct).

CBI Case: *Shiv Sena Chief Thackeray, an accused, expresses pride in Kar Sevaks (1 Oct). *BJP decides to file revision petition in H.C. against Special Court's order to frame charges (7 Oct). *Many accused fail to appear; case adjourned (8 Oct).

KASHMIR QUESTION

Political Developments: *Home Minister Indrajit Gupta finds visible improvement in situation but militancy not yet defeated (22 Sept).

*J&K Assembly extends J&K Disturbed Area (Special Provision) Act, 1995 by one year (7 Oct). *CM Farooq Abdullah emphasises its needs (12 Oct). Abdullah offers assistance for return of Pandits to Valley (3 Oct). *Army withdraws from Anantnag and hands over security to J&K Police (9 Oct). Selective withdrawal to continue in phases to follow.

*APHC leaders deny readiness for unconditional talks with Centre (16 Sept). Expel Shabbir Shah (18 Sept). Reiterate plea for trilateral talks (20 Sept). Chairman Umar Farooq cancels visit to UN under pressure from colleagues (24 Sept).

Insurgency: *8 Hindus massacred near Rajouri; police fires at protest demonstration, 35 injured (25 Sept). *2 vehicles of security forces, blown up in Udhampur (3 Oct). *Militant outfits form "Special Group" to target VIP's (5 Oct). *Bomb explosion in Haryana, Delhi, UP attributed to J&K militants (11 Oct). *Al Umar chief arrested.

State Violence: *Mortar launched by security forces (BSF or RP) hits village in Baramulla; kills 11 (19 Sept). State Govt. blames security forces; announces magisterial inquiry and compensation for loss of life (20 Sept). MHA denies BSF role (25 Sept). Shahabuddin asks NCHR to investigate.

Indo-Pakistan Relations: *Prime Ministers agree to check

CHRONOLOGY

firing across LOC (23 Sept). Pak Firing continues in Jammu sector (27 Sept). Defence Minister Mulayam Singh warns Pakistan (27 Sept). Pakistan shells Kargil town, killing 18, destroying Masjid (30 Sept). Pakistan shells Kupwara (1 Oct); India retaliates strongly (2 Oct). Gujral and Sharif speak on hot line (1 Oct). *PM warns Pakistan (2 Oct). India and Pakistan field commanders meet and agree to maintain peace (14 Oct).

*Third round of Indo-Pakistan talks at Foreign Secretaries level in New Delhi ends without progress, with no agreement on mechanism for discussion on Kashmir (18 Sept). Pakistan closes door on talks and asks India to agree to substantive discussion. *Pakistan PM Sharif charges India with repression and calls on UN members to help in just settlement; offers negotiation on no war pact (23 Sept). Indian spokesman brushes aside no war pact offer. P.M. Gujral omits Kashmir in his address to UNGA. *Pakistan President Leghari raises Kashmir issue with British Queen (7 Oct). *Abdullah advocates tougher stance against Pakistan, if terrorism continues (16 Sept); considers bilateral talks useless (25 Sept); urges USA to declare Pakistan a "Terrorist State" (13 Oct).

Foreign Reaction: UN: *S.G. K. Annan considers solution matter of urgency (19 Sept).

OIC: *Foreign Ministers blame India for violation of human rights but support bilateral talks (4 Oct). *Excludes Kashmir from Teheran Summit Agenda. Pakistan resents exclusion (13 Oct).

USA: *Clinton expresses hope of peace (22 Sept). India refuses to accept talks under US auspices or mediation. Gujral informs President Clinton of Indian stand (23 Sept). Clinton commends Gujral doctrine. US offers fruitful assistance (3 Oct). Gujral write to CM's on talks with Clinton (11 Oct). US brands Pakistan-base Harkat-ul-Ansar as terrorist organisation (9 Oct). *US-based Kashmir Standing Group demands bilateral talks, offer no solution (9 Oct).

UK: *Queen urges India and Pakistan to resolve historic disputes; Foreign Minister Robin Cook meets POK leaders.

Russia: *Russia endorses bilateral discussion (10 Oct).

OTHER MATTERS OF INTEREST

Tabligh: *Tablighi Jamaat organises 3-day World Ijtema in Rampur, UP; nearly 7 lakhs congregate (29 Sept).

Communal Violence: *Jamiat Ulema, Hind Working Committee demands legislation for retrospective compensation to victims of communal riots in light of Delhi H.C. decision in 1984 anti-Sikh massacre case (5 Oct) and prosecution of culprits in Babari Masjid demolition.

Muslim Organisations: *Caravan-e-Azadi organised by A.I. Milli Council starts in Srirangapatnam (21 Sept). Another Caravan starts from Silchar (12 Oct). *Alami Rabita Adab Islami, Lucknow, holds 3-day Seminar on Role of Literature in Islamic Renaissance, in Patna (5 Oct). *A.I. Deeni Talimi Council demands withdrawal of UP Govt's order to introduce Sanskrit as a compulsory subject from Class III, resulting in total exclusion of Urdu for Urdu-speaking students (6 Oct).

*Gujarat police conducts inquiry into Madarsas from security angle; Muslim organisations protest (8 Oct); order withdrawn.

Urdu: *AP Govt. introduces official use of Urdu for specified purposes in 8 districts (14 Oct). *Ghalib Academy, Delhi organises Seminar on Modern Thought and Ghalib (29 Sept).

TADA: *Cabinet Committee on TADA expresses satisfaction over progress in review (3 Oct).

Haj: *MEA's Advisory Committee on Draft Haj Bill submits revised bill to Govt.; Govt. promises legislation by 31 December, 1997. Several Muslim organisations demand urgent legislation or reconstitution of Committee as well as inquiry into allegations of corruption (8 Oct).

Objectionable Writings: *Writ petition filed for ban on Bengali history book (21 Sept).

Protected Mosque: *Delhi HC admits writ petition against ban on Namaz (5 Oct).

Rights of Women: *Bombay H.C. rules in favour of

maintenance after Iddat if ex-husband does not make reasonable and fair provision (9 Oct).

*Controversy over participation of women in congregational prayer in Masjids gathers momentum. Bareilvi and Deobandi Ulema oppose but Ahl-e-Hadith favour women.

Shia-Sunni Conflict: *Shias reiterate rejection of Madah-e-Sahaba (24 Sept). *State Govt. suggest separate procession without title during next few years (29 Sept). Stalemate continues.

Use of Public Place: *Bombay H.C. draws up guidelines for use of public places for religious or commercial purposes (26 Sept).

Cow Protection: *VHP organises Virat Hindu Sammelan (20 Sept) and announces stir against slaughter (22 Sept).

Muslim Parliamentarians Meet: *11 Muslim MPs and ex-MP's Co-sponsors first ever Meeting of Muslim MP's and ex-MP's on 29-30 November, 1997 in Delhi (5 Oct).

Emigration: *Export of Bengali children to Arab countries for camel race exposed (19 Sept). *Saudi Arabia deports overstaying Indians and Pakistanis (26 Sept). *Saudi Arabia relaxes curb on recruitment of non-Muslims (14 Oct).

Minorities Commission: *Annual Report for 1996-97 submitted (25 Sept). Reports for 1990-91 onwards yet to be tabled in Parliament. Shahabuddin writes to Minister of Welfare asking for discussion on Reports. *Chairman seeks clarification on "Special Consideration" to Muslims in recruitment to police force (10 Oct). *Inquiries into mob attack on Catholic priest in Dumka, Bihar, in presence of officials on 2 Sept; indicts police and magistracy (6 Oct).

Wakfs: *Kerala Govt. takes over administration of Hindu Trust (11 Oct).

Other Minorities: *P&H High Court quashes reservation in Christian Medical College, Ludhiana (17 Sept). *Jain Mahasabha condemns attacks on Jain Temples in Jalan, Rajasthan (22 Sept). *Indian Christian Association demands removal of toilets from Kalyan Cemetery (11 Oct). *NHRC condemns killing of Anand Margis and directs police to give protection. *Anglo Indian Associates calls upon community to widen employment aspiration (13 Oct). *VHP accuses European Christians of financing missionary activity in India.

Muslim World: Pakistan: *Pakistan President Leghari appeals for liberation of Palestine and Jerusalem (23 Sept).

*Former P.M. Benazir denies charge of maintaining Swiss account though, identified and frozen (16 Sept).

*Jamaat-e-Islami vows to oust Nawaz Sharif Govt (30 Sept).

Indo-Pakistan Relations: *Intelligence agencies accuses India of training MQM terrorists for operation in Pakistan (6 Oct).

*Pakistan and India expel diplomats on charge of espionage.

Egypt: *Supports India's claim to Security Council seat.

UAE: *Legislation to reduce expenditure on marriage, dower and divorce settlement (1 Oct).

Chechnya: *Renamed as Ichkeria (11 Oct).

Palestine: *Israel Army stops use of PA Address in mosques during Jewish Sabbath. *Israel closes mosques near Hebron on charge of sheltering militants (22 Sept).

Minorities in Other States: *UK: Wales votes for elected legislature (19 Sept).

*Russia: Legislation, enacted to regulate religious activity, discriminates against religions other than Orthodoxy, Islam, Judaism (25 Sept).

Commemoration: *Ministry of Welfare institutes Maulana Abul Kalam Azad International Award.

Obituary: *Syed Yusuf, 59, Secretary, Jamaat-e-Islami Hind and AIMMM and Member, BMMCC passes away in Hyderabad; many leaders and organisations pay tribute (30 Sept). *Wasi Khan, Convener, BMAC Faizabad, 48, passes away in Faizabad (30 Sept). *Gul Mohammad, 40, reportedly shortest man in the world, passes away in Delhi (1 Oct).

*Akbar Ali Khan Arshizada, 58, ex-Director Rampur Raza Library, passes away in Rampur (6 Oct).