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Islam, Caste System and Development

Islam stands for equality of man who is collectively Allah's vice-regent on earth - Khalifatullah-fil-Arz. In Islām the measure of status is piety, not power or position or profession or wealth.

Yet, Muslim India has an inbuilt caste system, quite parallel to what obtains in Hindu India. One may decry it as un-Islamic, denounce it, yet one cannot deny its existence nor ignore it as a social factor.

The caste system in the Hindu Society has two characteristics: every caste is endogamous and every caste has its level of 'pollution'. Untouchability has been outlawed and has practically disappeared under the impact of rural exodus, industrial development and educational progress. There is far greater degree of vertical i.e. social mobility and horizontal movement, in search of better prospects. People no longer live and die where they were born. Sons do not necessarily follow the profession of their fathers. Urban living spaces are no longer inhabited exclusively by people belonging to one caste or profession. Untouchability breaks down in a new milieu, where stranger live, work and more next to each other. The endogamous character persists. People still tend to marry within the caste to which they belong; few dare venture outside, breaking the barrier.

Caste came into Indian Islam with the converts who not only retained their traditional occupations but their inter-relationships. Their descendants account for overwhelming majority of Muslim Indians. Islam could and did unite them within the Masjid, and in the graveyard, but not outside the Masjid, in the living society.

Like the Hindu Savarnas, the Muslim elite, largely of foreign extraction (Iranis, Turanis, Afghans, Mughals, Arabs) but also including some converts from the Savarnas, (Brahmins became Sheikhs; the Rajputs became Pathans) translated their proximity to the institution of state into economic dominance and social status, even monopoly of education and employment. With modernisation of education and the rise of nationalism, the elite, Hindu and Muslim, perpetrated their hold over the State apparatus, the means of production, the bureaucracy, the land, the polity, the economy.

Thus the Muslim India developed social stratification - the so-called Ashraf, the Ajlaf and the Arzal. The vast majority were the Arzal. So long as the power was in nominally Muslim hands, the lower strata basked in reflected glory. During the British regime, a section of the Ashraf, like that Hindu Savarnas picked up English, adopted European ways of living and made peace with the British presence. Reciprocally it received many favours, including some fruits of progressive Indianisation of administration. Even their right to 'special status' and role was recognised by the British rulers and the Savarnas and the Ashrafs, by virtue of 'merit' and proximity represented their entire communities. They also made

demands on the system in the name of the nation or the community. Incidentally, it was disparity in education and level of modernisation and a disproportionate share going to the Hindu elite, which ultimately led to the demand for Partition.

There is yet another parallel: like Sanskritisation. Many socially mobile caste groups have given themselves Arabic/Islamic surnames. The qasabs call themselves Quraishi; the barbers call themselves Salmani; the jolahas call themselves Ansari; the peasants call themselves 'Ra'een'; the tailors call themselves Idrisi; the Bhishtis call themselves Abbasi; the iron-smith and carpenters call themselves Saifi, and so on. In the process of development, with high saving level, they have prospered and have organised themselves into 'Jama'ats' with a nationwide or statewide network. The baradaris are now set to demand their share of political and administrative power, just like the prosperous Shudras emerging from the Green Revolution.

What is important is to realise that both the elites spoke in the name of the whole and yet never entertained a thought to secure the participation of all 'castes' or all 'Baradaris' in the business of governance or a fair distribution of welfare and development measures to all sections of the collectively in whose name they struggled, and sometimes quarreled with each other. Of course, in situation of conflict, both tried to widen the cleavage lines in the opposite camp. If the Muslim elite supported the recognition of the Shudras, the Untouchables and the Adivasis as non-Hindus, the Hindu elite persistently sowed discord in the Muslim community by fomenting the Shia-Sunni conflict or by arousing the assertion of 'caste' identities which were till then politically dormant. In many ways, they are still playing the same game of consolidating themselves in the name of religion while destabilising the solidarity of the others by playing up the caste factor.

Two generations of adult franchise have given a new legitimacy to caste identity. Call it primitive, primordial, tribal, clannish and yet the caste has served for long as security net and as social insurance. In India a person is first conscious of his caste before he is conscious of his religion or his region or his country. In this situation, it is not surprising that the Muslim Indian society also is today suffering from a crisis of identity the like of which it did not, during the Freedom Movement. Then it was a clear choice between being first a Muslim or an Indian. Today the choice is between first being a Muslim and belonging to a caste or baradari.

The caste structure among Muslim Indians has led to formation of Jama'ats which has further promoted the internal solidarity and cooperation within each 'Baradari'.

The Muslim India society thus consists of discrete and identifiable social groups, essentially occupational in origin, which have shed the pollution element of the

Hindu caste system but retained the principle of endogamy. Endogamy has been legitimised, by the enunciation of the principle of 'Kufu', virtually banning inter-marriage between the so-called Ashraf and the non-Ashraf.

Since marital outreach, generally speaking, has spatial limits, the members of a given 'baradari', organised under a Jamaat, in a given town, Tehsil or district, tend to be inter-related.

Even though, some members of a Baradari may have moved out of the traditional occupation, most follow in the footsteps of their fathers. To that extent they face common problems and have much more in common, horizontally, with the members of the counterpart Hindu caste group then, vertically, with their so-religionists. In a peaceful social environment, based on law and justice, such linkages would serve as an antidote to Hindu or Muslim communalism and even dilute the sense of religious solidarity which in the case of Muslims, is continuously reinforced by the institution of the Masjid while, contrarily, it is equally continuously undermined by the multiplicity of deities in the Hindu pantheon - many of which are caste-specific.

But communal bias and prejudice and blatant denial of equality and justice to a Muslim as a Muslim leading to inter-religious tensions which frequently explode into violent conflicts do not respect the caste identity and tend to reinforce the vertical solidarity at the expense of the horizontal, and even raise walls of misunderstanding and ill-feeling between the two communities.

The sum total is that while the Hindus, generally because of their numbers, tend to break along the cleavage lines into castes, making increasing demands upon the system and functioning as such in the political arena, Muslims as a minority group, as a target of injustice and deprivation and even persecution, tend to articulate their problems as a community, even within secular formations.

The pre-independence political game continues: the Muslim elite sees hope in the break up of the Hindus into high castes, the Shudras and the SC of achieving numerical 'parity', over the Hindu elite and the reciprocal Hindu elitist game, using all possible means to break up 'Islamic' solidarity by playing upon the political exploitation and social and economic degradation of the non-Ashraf, except that 12% Muslims can no longer constitute a viable political threat to 82% Hindus, or even to 15% Savarnas. But the Muslim Indians have become a pawn in the Shudra's struggle for social justice and empowerment. The Shudras (and the Achhuts) seek support of the Muslims. But like the Savarna elite, the Shudra elite is not prepared to share power equitably with the Muslims.

Both the Savarnas and the Shudras realise that if Muslim solidarity persists in any scheme of things, the dominant Hindu caste combination cannot enjoy a monopoly, even if it wants to. So while their attempt to break the Muslim Indians along caste lines continues, the

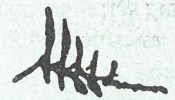
shortsighted Muslim elite ignores emergent leadership of the non-Ashraf and makes the task of Hindu communalism (operating even through secular formation) easier!

Today, the situation has reached a point where a section of the Muslim non-Ashraf, calling themselves Muslim Backwards, wish to join with the Shudras, another section (occupationally identifiable with Hindu SC's), with the Achhuts, while the Muslim elite are promised grouping with the Savarnas. Nothing would delight the Hindutvadis more than such trifurcation. In each grouping, the Muslim components would be passed over due to bias and backwardness. And the Muslim Indians shall sense to be an element in the political equation.

Muslim Indians, if they wish to get their due place in the national scheme of things, have to rise above sectarian, linguistic and caste divides and articulate their common aspirations in the political arena through the secular parties. But to achieve such unity of vision and purpose, the so-called Ashraf have to engage in an agonising reappraisal of their attitude towards the non-Ashraf and take corrective action - promote inter-marriage when educational and cultural levels approximate, recognise the special problems of the various Baradaris (apart from the common problems faced by all Muslims), admit their Jama'ats into consultation fora, show due honour to the younger leaders, emerging from the ranks of the non-Ashraf and promote them to position of authority and decision-making within the community and above all recognise the first claim of the long-deprived non-Ashraf to any gains and benefits by and for the Muslim community.

The secular forces in the Hindu community must realise the legitimacy of the religious identity and the consolidation urge of a minority, which is after all a target of religious hostility and they know that nothing has the potential and the power to unite a religious community more than hostile discrimination and repression. The secular forces must also realise that the secularisation of the Indian society is a distant dream and that our immediate objective should be to construct a secular state based on equality before the law and social justice. The only way to fade out the religious and caste differences is to universalise state welfare or to ensure just distribution either proportionate or on the basis of common and uniform economic criteria.

The emergent forces must know that in the battle for power and dominance, which they are raging in the name of social justice, they should win Muslim support by promising equality and justice to the community, as a whole, no more, no less, and not by pitting one section against another and breaking them into warring baradaris which would cancel each other out and be of little value in the arena of struggle.



New Delhi,
1 March, 1997

(SYED SHAHABUDDIN)

Bal Krishna on State's Role in Religious Institutions

The verdict of the Supreme Court in Vaishno Devi shrine case holding that the service of the priest is a secular activity and that it may be regulated by the State clearly defines the role of the State in the matter of religion. Making a distinction between religious service and the person who performs the service, the court says that performance of the religious service according to the tenets, customs and usages prevalent in a place of worship is an integral part of the religious faith and belief and it cannot be regulated by the State.

But the State has powers to regulate the appointment of the priest and can fix his emoluments. The Government can also abolish his customary share in the offerings to the deity. The ruling was given by a division bench comprising Mr. Justice K. Ramaswamy and Mr. Justice G. B. Pattanaik while upholding constitutional validity of the J&K Shri Mata Vaishno Devi Shrine Act, 1988, which was enacted to provide for the better management, administration and governance of the temple and its endowments.

... The 62-page judgement ... made it clear that though performance of the ritual ceremonies was an "integral part" of the religious freedom guaranteed under Article 25 of the Constitution, but securing the service of a priest, who performs ritual ceremonies, was not.

Therefore, when the hereditary right to perform service in the temple can be terminated or abolished by sovereign legislature, it can equally regulate the service conditions ... of a priest.

The judges say though a priest integrally associates himself with the performance of ceremonial rituals and daily pooja to the deity, he is the holder of an office of a priest in the temple. He is subject to discipline on par with other members of the establishment.

Abolition of emoluments attached to the office of the priest, therefore, cannot be said to be invalid. The customs or usages in that behalf were not an integral part of the religion.

The judges cited the apex court judgement in A.S. Narayana Deekshitulu vs State of Andhra Pradesh case in which it was held that the word "religion" used in Articles 25 and 26 of the Constitution is personal to the person having faith and belief in the religion.

... Right to religion guaranteed under Articles 25 and 26 of the Constitution is not an absolute or unfettered right but is subject to legislation by the State limiting or regulating any - economic, financial, political or secular - activity associated with its religious belief, faith, practice or custom.

These are subject to reform as a social welfare measure by appropriate legislation by the State. Though

religious practices and performance of acts in pursuance of religious belief are, as much a part of religion, as faith or belief in a particular doctrine, that by itself is not conclusive or decisive.

What are essential parts of religion or religious belief or matters of religion and religious practice is essentially a question of fact to be considered in the context in which the question has arisen and the evidence placed before the court. Therefore, the judges said, a balance has to be kept between right to religious belief and faith and the restrictions that can be imposed by the State in such matters. In other words, the court has defined the ambit and scope of Articles 25 and 26 of the Constitution which protect matters of religious doctrine or belief as well as acts performed in pursuance of their rituals, observances, ceremonies and modes of worship.

The judgement also demarcated certain areas in which the State can make laws regulating or restricting any economic, financial, political or secular activity which may be associated with religious practice.

Under Article 25 (2b) of the Constitution, State has been given power to make laws providing for social welfare and social reforms even though these might interfere with religious practices...

The court has also directed that those priests who had rejected the offer of employment by the Board and had suffered economic losses as they are no longer allowed to collect offerings, are entitled to compensation from the Board after they file their claim before a tribunal to be set up for this purpose within two months...

(Source: The Hindustan Times, 20 January, 1997)

Power of Superstitions

Not only in peasant homes, but also in city skyscrapers, there lives alongside the twentieth century the thirteenth. A hundred million people use electricity and still believe in the magic powers of signs and exorcisms... Movie stars go to mediums... What inexhaustible reserves they possess of darkness, ignorance and savagery!

- Leon Trotsky, Germany

Importance of Scientific Method

The method of science, as stodgy and grumpy as it may seem, is far more important than the findings of science... If we teach only the findings and products of science, without communicating its critical method, how can the average person possibly distinguish science from pseudoscience.

- Carl Sagan, Cornell University, in "The Demon Haunted World" Science as a Candle in the Dark"

Ram Jethmalani on Secularism

The cup of national misery is overflowing... The nation is made to suffer ... indignity and humiliation ... to tolerate the rule of mediocrities with questionable antecedents and dubious propensities. Why must we helplessly watch the total eclipse of the country's economic, political and international image? These are troubling questions, calling for convincing answers. But the rulers have no answer ... save one: the country has to be saved from communal forces, the Hindutva brigade in particular, secularism is the answer to all our ills.

This atrocious answer should cause consternation to the sensible but ... there are many who are willing to buy it... Fifty years of uninterrupted secular rule having produced this sorrowful scene, is it not a reasonable deduction that the former is the most efficient cause of the latter? Far from being a solution it may well be the problem of our time. Let us have a closer look and make a fresh assessment...

We do not have to search long to discover the meaning and import of secularism. It has been authoritatively defined for us by a series of judicial pronouncements of the highest court. Its essence lies in a cluster of constitutional provisions, the key ones being Articles 14 and 25... There is nothing ... to warrant the secularist's oft-repeated cliché that religion be separated from politics. It is like saying that in any kind of political action the fear of God has no place at all. In a country where religion is the main prop of morality the cliché has done an incalculable harm to our character... The secularism practised for the last five decades is a negation of the wholesome variety bequeathed to us by B.R. Ambedkar and his brilliant colleagues. The handiwork of giants has been wholly undone by the puerile pygmies who have managed to occupy their seats.

The pristine-constitution-placed emphasis on education and religious freedom was subordinated to the needs of public order morality and health. No one shall quote the scriptures as conclusive argument. No Shloka, Ayat or Commandment shall supplant reason and the rational needs of the Republic. No unjust law will operate even though sanctioned by Holy Writ. This constitutes the essence of secularism and yet repeatedly we have allowed obscurantism to perpetuate the most pernicious forms of injustice.

For example, annulment of the Shah Bano judgement by legislation was a parody of secularism...

The frequent communal riots, including the Masjid-Mandir strife, are the manipulation of leaders who carry secularism in one hand and a dagger in another.

Secularism of the Congress has been no different from a vast scheme of deception of the ignorant and innocent calculated to corner their votes, climb to the terrace of power on their backs and then rob them with impunity.

The Muslims have been the worst sufferers. Their

misery does not allow them to forget Pakistan and any slight manifestation of pro-Pakistan feeling pushes them further into isolation and occasionally expose them even to mayhem and murder. Every atrocity is then laid at the door of Hindutva and parties that own it. A vicious press and covertly bribed minority leaders help to sustain the mendacious propaganda. The Indian Left, the ... Janata Dal, the Paswans, the Yadavs, the Kanshi Rams, the Karunanidhis and the Chidambarams all join the chorus. A Deve Gowda takes over where Narasimha Rao leaves off. Fake secularism ... rules the roost and the nation hurtles down the road to decline and fall.

(Source: The Indian Express, 26 December, 1996)

Shahabuddin's Unpublished Letter to The Indian Express, 26 December, 1996

In his long diatribe against the secular order as perceived by him, Mr. Ram Jethmalani projects his basic contention that the root cause of all, that is evil and ignominious in the present state of the nation is the principle of secularism itself. He calls it fake secularism but nowhere does he spell out the elements of genuine secularism. Secondly, he sees the sufferings of the Muslim Indians but does not pursue the matter to its logical conclusion. If the Muslim Indians have been forced into isolation and voluntarily confined to ghettos where they live, happily or otherwise, why should they be exposed to mayhem and murder? By whom? For what? For the sin of alleged transcendent laps into pro-Pakistan feeling? For the sin of the withdrawal into the ghettos?

Thirdly, he sees Muslims as a backward community. Though he pities them he does not suggest any remedy. But there is no remedy for the persistent pattern of discrimination except reservation. Why does not Mr. Jethmalani support this legitimate demand?

This is where and how Hindutva seeps in. Otherwise, why should a liberal democrat, a lawyer of international repute, a man of culture with a heart brimming with compassion like Mr. Jethmalani gloss over the physical persecution and economic deprivation of a religious community and the constant pressure for its religious and cultural assimilation? What controls his mind and his thinking? This is indeed what many of us perceive as Hindutva? This is where secularism pits itself against majoritarian communalism and tries the best it can to ensure a fair share for the religious minority and the protection of its life and identity.

No, Mr. Jethmalani, the secular order is our glory. It is the majoritarian communalism which constitutes the grievous threat to our moral and spiritual heritage and to humanist values. A nation cannot be part virtuous and part vicious. Justice, equality and fraternity must permeate through the system before it can reach the moral pinnacle and tackle successfully the demons surrounding it.

S. Ausaf Saied Vasfi on Indian Secularism

... Communalism, unable to digest tolerance, derives nourishment from hatred, which keeps it constantly motivated. It feeds on superiority complex, suspicion sustains communalism. Apprehensions rejuvenate it. With a view to gaining respectability, it traces its parentage to patriotism and nationalism. It is, in fact, their illegitimate offspring.

Communalism which thrives on brutalisation allows no quarter to values like generosity and magnanimity. Catholicity to it is what a red rag to a bull. Parsimoniousness, myopia, and shortsightedness keep it floating.

For a clearer appraisal and assessment, the same questions can be asked in a different language also.

Freedom may not be, today, in peril. But secularism is in jeopardy. Hence the need to defend it with "all your might" because it keeps the country integrated. Let "integrated India" enter into the 21st century.

It cannot, we fear, until and unless you strive hard to consolidate the country - and keep it consolidated.

... Indian secularism thus stands for a combination of the two principles of a non-discriminatory or non-preferential state and a religiously plural and tolerant society.

Why Secularism

It can be legitimately asked why and how secularism is necessary for the integrity of India?

The brief answer is: India is basically a plural... society. Its character is, and has been, heterogeneous down the centuries. It is multi-religious, multi-cultural and multi-lingual... The only way to ensure and safeguard its unity is allowing full play to diversity. As secular approach ensures free play, within the legitimate limits, to diverse persuasions; its protection is necessary....

The Saffronites of various hues and colours are also known as a group of people who are "anti-Muslim and anti-Dalit". They vehemently deny the charges. Mr. L.K. Advani has gone to the extent of saying that the BJP is not anti-minority... For the sake (of power) he has not hesitated to dilute his party's very *raison d'être*...

it would have been far more upright morally had Mr. Advani plainly admitted his party's Hindu character and constituency. But he wants to have best of both the worlds. It is sheer hypocrisy. Let him ask his admirers whether they believe in his secular credentials.

BJP Cousins Role

Cunning as the communalists are, now the BJP is trying to route the temples issue through its cousins. The BJP is planning to focus on the "temples" issue - Ayodhya, as well as Mathura and Kashi - courtesy the

VHP and Bajrang Dal. Honouring the code of ethics, forbidding exploitation of religion for electoral purposes, the BJP would naturally keep quite when its cousins would orchestrate demand for scrapping the Places of Worship (Protection) Act, 1991 which protects the status of the places of worship as on August 15, 1947. ...

... A recent report in the *Organiser*, the Sangh Parivar's mouthpiece, referred to the efforts being made by the Vishwa Hindu Parishad towards the "awakening of Hindus" in the Caribbean. It referred to the setting up of a holy "teerth" named Gangadhara on a river in Trinidad. This feat was accomplished with the observance of a poojan, the launching of 2,000 lighted lamps on the river and an offering of 2,000 yellow flowers. Not only that, a deity called Trinidadeshwar was also installed.

Questions

Let our Hindu brethren ask: can a *teerthsthan* (pilgrimage centre) be established overnight? And can a deity be ... added to the Hindu pantheon?

Mr. Amulya Ganguli (*Indian Express*, 8 August) has rightly questioned this "teerth" and "Trinidadeshwar": "Given the manner in which this new member of the Sangh Parivar, along with its even more belligerent partner, the Bajrang Dal, has aggravated communal tension in India, its forays into distant lands on the pretext of setting up new deities is bound to cause considerable uneasiness. Instead of spreading the message of love and brotherhood, such enterprises may achieve exactly the opposite by creating fissures among the Indian Hindus and Muslims living abroad."

Nearer home crudely, caring a fig for authenticity and truthfulness and above all, tinged with vulgarity, Sadhavi Rithambhara pleads the case of "disunity" between the two principal minorities of Bharat: "How can unity ever come about?" she asks. "...The Hindu writes from left to right, the Muslim from right to left. The Hindu prays to the rising sun, the Muslim faces the setting sun when praying (sic). If the Hindu eats with the right hand, the Muslim with the left (sic). If the Hindu calls India 'Mother', she becomes a witch for the Muslim (sic). The Hindu worships the cow, the Muslim attains paradise by eating beef (sic)... Whatever the Hindu does, it is the Muslim's religion to do its opposite. I said, "if you want to do everything contrary to the Hindu, then the Hindu eats with his mouth; you should do the opposite in this matter too!"

... It is in this horrifying backdrop that we plead for secularism and stress the need to strengthen those forces which stand for egalitarianism...

(Source: *The Radiance Viewsweekly*, 18-24 August, 1996),

Swapan Dasgupta

On Nationhood Based not on Statehood but Dharma

Although Republic Day has been celebrated since 1950 - for two decades before that, the Congress observed it as Independence Day - it is only since 1993 that the "Republic" has entered the national lexicon. The point of departure was the demolition of the Babari shrine on December 6, 1992. That traumatic event propelled a section of the editorial classes to posit a form of constitutional patriotism against nationhood - a far more problematic, subjective and emotional construct. To offset the largely imaginary fears stemming from Hindu assertiveness, the "Republic" was conferred with an autonomy from the "nation"

(It is not possible) to assess whether or not there now exists an entity called the Republic of India which is both distinct and separate from the Indian nation. However, it is clear that there is an emerging polarisation between those whose primary loyalty to India is via the Constitution, and those who view nationhood as being unconnected to the vicissitudes of statecraft. The former is centred on politics while the latter stems from culture and society.

The resurfacing of the hoary controversy over Mahatma Gandhi's status as the father of the nation reflects this conflict at its most basic level. If Gandhiji's main contribution lay in enabling the formation of the post-1950 Indian state... it is inaccurate to describe him as the father of the nation. Indian nationhood has its roots in Vedic culture and bears no obvious relationship with state and government. If, on the other hand, political unity is the determining criterion, it would be far more accurate to consider Lord Curzon as the father of modern India... What is important is to recognise that equating the Republic with the nation involves stepping into a treacherous minefield of history.

In part, it is a typical Hindu problem. For centuries, the Hindu crafted an elaborate sense of community based on the commonality of values. The usage of the term "Hindu" may be relatively recent and it is problematic to talk of Hinduism as a religion in the Western sense, but only the secular fundamentalist is likely to deny that sanatana dharma formed a central plank of nationhood.

History informs us that Indian nationhood never involved a parallel vision of the state, and certainly not a state which bound the people of India in centralised harmony. In the 600 years before the British Raj established a loose rule of law, Indian nationhood was primarily concerned with the imperatives of survival... Mohammed Ali Jinnah saw nothing odd in dedicating himself to the creation of a new constitutional order

without, at the same time, identifying with Indian nationhood.

Nor has this dichotomy ended with "we, the people of India" giving ourselves a worthy Constitution. The past four decades have witnessed a steady emigration of Indians to the West. Some of these NRIs remain Indian passport holders, while the great majority have become citizens of their country of adoption. What exactly have they jettisoned? Not their nationhood, but merely their allegiance to the Indian Constitution. In short, it is possible for the NRIs to remain a part of the Indian nation, albeit the diaspora, without countenancing loyalty to the Indian state. What is more, this is not a novel occurrence. For many centuries, the Bengali or the Tamil was tied to the Rajput or the Gujarati by the bonds of nationhood, regardless of the separateness of political existence.

Today, the traditional absence of both territoriality and statecraft from nationhood has a direct relevance. The state, as it has evolved for the past 50 years, has become an agency for regulation and control. Through systematic encroachments, it has both taken over the functions of local communities - but without a corresponding measure of accountability - and imposed unacceptable obstacles in the path of individual initiative. From being a benign and distant backdrop to civil society ... it has become an intrusive institution in the hands of a cynical political-bureaucratic elite. Its power and legitimacy stems from a Constitution which sees the state as being above the individual. All moves to whittle down its scope are opposed in the name of modernity and sovereignty.

As India readies for 1997, there is a growing conviction that it has been 50 wasted years. Yet, despite ... acknowledged inadequacies we continue to cling to the belief that the central thrust of statecraft is sacrosanct.

India needs a state, a euphemism for a common market; it also needs to nurture its nationhood. But a Republic which has done its utmost to deny India its sense of being and its citizens the freedom of opportunity cannot hope to be enduring. The state has always been ephemeral to Indian nationhood. The time has come to institutionalise that experience, by abolishing this Republic and all that it stands for....

(Source: The Indian Express, 25 January, 1997)

The United Front Government is trying to stand on worn-out crutches that have been offered to it by the Congress and the communists.

- K.L. Sharma, BJP Vice-President

C.P. Bhambhri on Revival of Congress

... Kesri has adopted a well-known but out-of-date strategy... Mrs. Indira Gandhi split the party in 1969 and 1978 and got busy with a cleansing process by removing leaders... whose loyalty was suspected by her. Kesri has followed the same route of replacing suspects by loyalists...

Kesri has also projected important Muslim and Scheduled Caste leaders ... to win over the support of the Muslims and the Scheduled Castes. This strategy is premised on the basis of his flawed thinking that Muslims and Scheduled Castes, the traditional "vote bank" of the Congress, deserted it because of serious acts of omission and commission of the Narasimha Rao Government. Kesri is concentrating on the traditional social base of the Congress by championing reservations in public services for Muslims, Dalit Christians, and the other so-called 'deprived communities' which have been left out under the present reservation quota.

This strategy of the Congress leadership will not at all help in the revival of the party because they are unable to make a distinction between the wood and the trees. First, the leaders who had walked out of the Congress have not shown that they have any extraordinary political base which will strengthen the Congress by their own homecoming... Second, the TMC ... played the regional political card and underplayed their erstwhile Congress credentials. Third, the policy of reservations in public services ... has exhausted its political potential and it cannot be a rallying point for the Congress because all political formations have accepted and implemented the reservation policies. Kesri is not offering any new programme for the Muslims and Scheduled Castes and he cannot win them back by wearing the old hat of ... contenders like the BSP, the Janata Dal and other regional political formations.

The national political space was occupied by the Congress because it laid down the national political agenda of modernisation and economic development and other political formations were just reactive to the policies and programmes of the Congress. Mrs. Indira Gandhi could not have won the Fifth Lok Sabha elections of 1971 without her social agenda of 'Garibi Hatao', the nationalisation of banks and the abolition of privileges of the feudal princes. During election studies in the villages of India, Indira Gandhi was perceived as a leader with a 'New light' and she won two-thirds of the then Lok Sabha seats. The story repeated itself in 1979 when Mrs. Gandhi contested the elections on the basis of the programme of a "Government that Works" as opposed to the conglomerate immobilised Janata Party government. It needs to be mentioned that in the Lok Sabha elections of 1971 and 1979, Mrs. Gandhi was politically extremely vulnerable and the so-called explanation of her charisma as a factor in electoral victories sidelined the positive aspect of Mrs. Gandhi's politics where she made 'programmatic' issues as the agenda of politics.

The Congress party failed to secure a majority in the 1989 Lok Sabha elections because the national political

agenda of 'clean politics' was laid down by V.P. Singh and Congress leadership failed to project an alternative national political agenda. Further, the BJP's strength and weakness is its national agenda of Hindutva. The BJP has a distinct presence in the political landscape of the country, and it has narrow and limited electoral appeal because of its religion-based politics. Similarly, the Janata Dal factions have assured support of backward caste middle peasants because of their sole agenda of 'governance for the benefit of the backwards'. Kanshi Ram and Mayawati have created an enthusiasm among the 'very Dalit' because these most vulnerable strata of society have developed a feeling of "oneness" and identification with the BSP leadership.

... India has witnessed two competing models of political mobilisation during the last fifty years. The Congress model was accommodative and responsive to the developmental needs of the Indian society. Congress mobilisation was non-sectarian. While the ... local alliances (were) based on primordial loyalties of the voters, the national agenda was always forward looking and generated a feeling of hope for the future among the diverse sections of highly heterogeneous Indian society. Kesri has to perform the task of laying down an all-India political programme for development with justice in the tradition of Nehru and Indira Gandhi...

Uttar Pradesh and Bihar are on a 'non-developmental' road. Both the States have acute poverty and gross inequalities. Public interventions for the 'development' of these two States have not only proved to be non-starters, a minority population has successfully privatised public institutions for their governance. It is tragic that history has been frozen and time has stopped in these two large States of India.

... The revival of the Congress Party in UP and Bihar does not depend on projecting special community interests and community leaders because political space is now occupied by formations which care for social sectional interests. The Congress revival depends on projecting concrete programme for the removal of backwardness and social distortions in rural UP and Bihar.

The two most backward States of India have been referred to only as an illustration to strengthen the argument that the Congress revival does not depend on the politics of caste versus caste or religion versus religion. It depends on targeting the social needs of sections of society which can be met only on the basis of growth and justice. ...

... The Congress leadership does not have to concentrate on its old 'vote banks', it has to address itself to the basic question of the directions of Indian development it has also to make a thorough critique of its past developmental performance. The cleansing of party organisation is a necessary but not a sufficient condition for the revival of the Congress. Congress can be revived only on the basis of a social perspective which carries conviction with large sections of the Indian society...

(Source: The Hindustan Times, 28 December, 1996)

Neerja Chowdhury on 'Regionalised' India

Power is shifting. The last general election and the present Government have only reinforced this reality. ...

The shift of long-term consequence ... is power moving away from the Centre to the regions. For several years now, regional party governments have wrested power in the States...

It is the regional leaders, once peripheral to central politics and playing second fiddle to national leaders, who are in the saddle now. Parliament is dominated by those with a regional agenda. Gone is the breed of national leaders (and Kesri is probably the last of them).

The elevation of Deve Gowda as Prime Minister is symbolic of the dominant position regional leaders have come to acquire. Selected by a process of elimination, regional bosses chose him because they did not want a towering personality who would erode their relevance...

The Congress, which has a nation-wide presence, has lost the right to be called a national party with its vote percentage in UP and Bihar (which account for one-third of the Lok Sabha seats) dipping to single-digit ratings. Even if Kesri ... manages to gather together the splinters of the Congress, it would not lead to the Congress touching the magic figure in the near future. In UP, he will have to rely on Mulayam Yadav to garner Muslim votes, despite the apology for the Babari Masjid demolition, and on Kanshi Ram for the support of the Dalits.

With the progressive fracturing of the polity, the Congress has yielded the space it once occupied as an overarching umbrella party, with an appeal for all communities and a middle-of-the-road policies, to other forces. The umbrella may remain in name but that, too, is tattered and leaky today...

The BJP tried a different experiment - of gathering together all except the minorities - but the shortcomings of this approach have been apparent with no other party prepared to touch it...

Alliance with others, then, is the compulsion today for Gowda, Kesri or any group which emerges as the largest. Compromise will be the buzzword of who ever comes to power, at the cost of the accepted agenda... The compulsion for these compromises will make for an increasingly amoral politics. We have already witnessed political immorality touching new depths...

The decline of the "national party" may not be a 1996 phenomenon, but it is one that has come home as never before. There is nothing to prevent a UP-type of situation emerging at the Centre. There is not even the provision for President's Rule at the Centre. That is why the President's precedent of calling the single-largest party may prove to be a farsighted step.

(Source: The Indian Express, 30 December, 1996)

Harish Khare on Congress Revival

... Pawar was reported to have observed ... that the Congress had no mandate to form a government in New Delhi. This assertion goes beyond the by now familiar formulation that only the CWC could review the decision to continue or withdraw support to the United Front Government. Pawar was clearly queering someone's pitch.

... Kesri himself ended that honeymoon when he decided to allow the State leadership in Madhya Pradesh and Punjab to nominate Kamal Nath and Buta Singh in the parliamentary by-elections.

His political secretary, Tariq Anwar, did not help matters by arguing publicly that the "people's court" was higher than a court of law. It was an argument unbecoming of a functionary of a party whose leader wants the country to believe that he is leading a crusade against corruption. ...

Though, he has emerged as the leader, Mr. Kesri is by no means regarded, in and outside the Congress, as the "undisputed" leader. While no potential challenger has the strength or the issues or the credentials to challenge him, there are many who are trying hard to position themselves for a challenge. ...

Unless Mr. Kesri wants to get bogged down in endless demands ... from the "leaders", he should take immediate steps to legitimise his "election" as the Congress President. The sooner he calls an AICC session to get ratified the CWC decision of "electing" him as the party president, the better it would be for him and the party. Simultaneously, Mr. Kesri should put in motion the process of internal debate and introspection. In particular, he has to convince the Congressmen and the country how as a leader he was different from Mr. Rao and how the Congress would be different under him. The exercise has to be undertaken seriously and sincerely...

Only then Mr. Kesri would be able to exploit the most useful asset the Congress has - the formidable experience and insight its senior leaders have in governing the country. Without finding ways and means of harnessing their talent and skills, it may not be easy for Mr. Kesri to take on the United Front. ...

(Source: The Hindu, 2 February, 1997)

Bosnia: EC's Report on Mass Rape

More than 20,000 Muslim girls and women were raped in Bosnia since fighting began in April, 1992, according to a European Community fact-finding team.

Teenage girls have been a particular target in Bosnia and Herzegovina, and Croatia, according to the State of the World's Children 1996 Report. The report also says that impregnated girls have been forced to bear 'the enemy's child'. ...

Ambitious Kesri Moves Close to the Brink

M.D. Nalapat in *The Times of India*, 28 January, 1997

H.D. Deve Gowda need not lose sleep wondering what it is about him that generates negative vibes in Sitaram Kesri. Had V.P. Singh or Jyoti Basu been Prime Minister in his place, the AICC president's reaction would have been no different. The truth is that Kesri wants as PM an individual who can effortlessly bridge the gap between fraternising with the super-rich and the very poor. One with decades of experience in public life and in the higher reaches of government. A leader who is pro-minority without baiting for majority, and who is pro-Backward even while having cordial links with the Forwards. In short, Kesri himself. ...

Sadly for Kesri and his endeavours at becoming Prime Minister, his verbal thrusts against Gowda are not generating the same appreciative echo as the digs against Rao. In fact, even among the middle classes, the constant gripes against the UF government are having a negative impact. However, the AICC president evidently hopes that his prophecy will become a self-fulfilling one. By constantly emphasising the UF regime's vulnerability, it is expected that Mr. Deve Gowda's ability to run an efficient ship will be impaired, and the resulting economic and administrative meltdown will create the conditions needed for the Congress to withdraw support without generating an adverse public reaction...

The three imponderables facing Kesri are Bofors, Bhattal and the Budget. Should inconvenient information tumble out of the Swiss bank records; should his hand-picked choice as Punjab chief minister fail at the polls; and should the 1996-97 Union Budget differ from the earlier ones in giving benefits to Indian companies and taxpayers besides foreign ones, there will be cause for dismay.... Should all three of these imponderables turn out to be negative for him, Kesri is likely to face a challenger in the crucial AICC elections this May. At present, the strongest contender appears to be Sharad Pawar. ... Key players within the AICC hope that the CPI will soon "agree in principle" to ally with the Congress rather than opt for a mid-term poll. They are hopeful that CPM's ... Surjeet, whose ties with Kesri ally ... Ramoowalia are close and many-faceted, can be brought around to the same view. Both Laloo and Mulayam ... have already indicated their empathy with the Kesri doctrine, that political VIPs should not be hassled by inconveniences such as CBI probes...

However, unless there is an economic meltdown in the form of high inflation and recession, such party games are unlikely to succeed. The reason for this is the democratisation in the structure of Indian political parties. Except for the BSP, all other major political parties have evolved plural decision-making structures. In the case of Kesri's party, whereas formerly it was practically owned by the Nehru family, today there are some 20 major shareholders (including Sharad Pawar,

A.K. Antony, Digvijay Singh, Madhavrao Scindia and others) and around 2,000 minor ones. To implement a decision on, for example, withdrawal of support, Kesri will need to bring into line not just a 20-member Working Committee but at least 15 of the major shareholders and a thousand of the minor ones. ...

Similar is the case with the other political formations. Should Chandrababu Naidu or Mulayam Singh Yadav ally with the AICC against Deve Gowda, the bulk of their MPs can be expected to defect, given the incompatibility between the two formations on the ground level. Apart from Gowda's own Janata Dal - which like plasticene, can assume any form - very few of the present UF partners can formally ally with the Congress without losing much of their *raison d'être*. And the Janata Dal is unlikely to coalesce with the Congress unless such a process includes Deve Gowda.

Conventional wisdom has it that it is the Prime Minister who has the most to lose should Kesri's shows of temper continue. In fact, it is the AICC president who is the loser in this game. Instead of gaining an important ally, he has opened up a new front at a time when all his attention needs to be concentrated on getting elected as the permanent president... Should that take place, while it may not be possible for him to cobble together a majority to install himself as Prime Minister, Kesri may yet be able to parlay his support into a 5-year residency at Rashtrapati Bhavan. ...

Neena Vyas

On Kesri and Muslim Community

Over the last few months since Mr. Sitaram Kesri took over as president of the Congress(I), he has been relying heavily on the political triumvirate now very much in charge of the party affairs - Mr. Ghulam Nabi Azad, Mr. Tariq Anwar and Mr. Ahmed Patel.

Among them, with some help thrown in by others, they have successfully managed the first phase of the operation to help Mr. Kesri consolidate his position - the ousting of Mr. Narasimha Rao as the leader of the CPP. Now, in the second phase, every effort is being made to install Mr. Kesri in his place to give him full control over the organisational as well as the parliamentary wigs of the party. ... But ... the most important factor about the political triumvirate ruling the Congress is that all belong to the minority community. This has sent a strong signal that Mr. Kesri wants to reverse the trend that had set in after December 1992 - the growing alienation of Muslims from the Congress. The return of the Muslims to the Congress(I) is certainly one of the factors that Mr. Kesri is counting on to strengthen the party and make a bid for power. And, he is apparently counting on his three trouble-shooters to help him bring them back.

(Source: *The Hindu*, 29 December, 1996)

BJP: Report on Virar Conclave

... For the BJP, 1997 will be a year of reorganisation, of building, consolidating and at the same time also keeping in mind, that the means of achieving the target (laksha), should not conflict with the deesha (direction).

The BJP confessing to a need to reorganise itself came after a three-day brain-storming "chintan shibir" at Virar area near ... Mumbai last week. The conclave of 33 top BJP leaders was guided by the RSS general secretary H.V. Seshadri. The year 1996, despite the party's elevation to being the largest single party in the Lok Sabha had not been a very kind one. The "14 day wonder" Government as many critics refer to the BJP is a cruel reminder to its leaders of the "near, yet so far" dilemma that the party finds itself in. The results of UP elections which were more or less a repetition of the general elections has finally set the BJP think-tank mulling about what has gone wrong, where, with the party. "The common voter sees a ray of hope in the BJP. Any ganging up of the anti-BJP opposition is invariably followed by phenomenal growth of the party", said Advani... at the briefing. Yet, the BJP President conceded that the BJP had "organisational problems and there was need for the BJP to re-organise itself".

Even though Advani denied that the RSS had frowned on the deesha (direction) that the BJP was taking the fact of the matter is the RSS has not been very happy with the direction some of the BJP leaders in their ambition to grab power had taken. The emphasis by the RSS was how to reconcile to the BJP bid for power in keeping with the RSS ethics. In addition, the RSS at the Virar Conclave stressed on the need for a greater cooperation between the BJP and the Sangh.

The BJP has decided to organise itself, post-Virar, by streamlining fund raising procedures which are vital to any party's success in politics. At the Chintan Shibir, in order to make donations to the party more transparent, the party has devised a way of recruiting lifelong associates for the party irrespective of whether they are party members or not. According to the scheme, the BJP will have a list in its computers, of associates, who are proud to declare their life long association with the party and would be willing to contribute donations in the denomination of Rs.1,000, Rs. 5,000 and Rs. 10,000. Those who donate to the party would necessarily be willing to declare their public support to the party with their names, address on the records.

Yet, another area that the BJP has recognised is the need to work on party indiscipline. Advani candidly admitted that indiscipline within the party was a major problem in the organisation. The party will be ... holding conclaves in every state....

(Source: Ketan Tanna in The Hindustan Times, 19 January, 1997)

Neena Vyas

On BJP's Reversion to Hindutva

... The ... political resolution ... says that the BJP's relentless crusade against "minorityism" had contributed towards bringing into sharp focus the national debate on secularism. This has become the focal point for the gathering of all non-BJP political forces under an "opportunistic alliance" leading to the installation of the UF Government. And the fight against "pseudo-secularism" was the last political battle the BJP would have to fight and win in order to "lead the nation into the 21st century".... The ... resolution held no surprises, except for the re-affirmation of the party's faith in Hindutva which suggests that the BJP may go back aggressively to the tried old political card it had played so well in between 1986 and 1993. The resolution suggests that it will try to sharpen the polity further and polarise it along communal lines while decrying the polarisation along caste lines. The fact is that the BJP played the caste card in UP but not successfully and it may go back to playing the Hindutva card, with more that some help from the RSS "sister" organisations like the Vishwa Hindu Parishad... (Source: The Hindu, 18 November, 1996)

NATIONAL PRESS ON SHIV SENA

... Shiv Sena supremo Bal Thackeray's own affair with intemperate and abusive language appears to be an enduring one... For someone used to attacking cricket pitches or mugging dissenting journalists, it was quite in character... The Shiv Sena chief's abusive outbursts were unlikely to do any good to him or the government of which he is a part... It would have been easier to dismiss his tirade against the Mahatma as the perverse outpourings of an ageing "lion" (or was it tiger?), but for the collateral damage that such outbursts cause to the quality and content of political debate in this country. It may be that the Shiv Sena chief is not alone in this category and easily could have the likes of Laloo Yadavs and Kanshi Rams for company - who, like him, seem incapable of telling the difference between vulgar abuse and rational argument. For them, expletives seem to do in place of explanations...

Editorial, The Hindustan Times, 28 Dec. 1996

... Bal Thackeray has joined the denigration squad by publicly showering sarcasm on the Father of the Nation... This is not the first time Mr. Thackeray has bad-mouthed the Mahatma; in the early 1990s he invited widespread condemnation when he eulogised Nathuram Godse at a public rally. ... Time and again, the Sena supremo has shot his mouth off at public figures in an attempt to evoke humour, often in bad taste...

... Wisecracks or vulgar remarks against national
(Contd. on page 114)

M.G. Devasahayam

On Limits to BJP's Ladder Politics

Addressing his year-end press conference, the Bharatiya Janata Party president, Mr. L.K. Advani, stated, "perhaps the BJP's biggest worry is how to end the political untouchability being practised against it and how to get around the factors that had prevented the Vajpayee Government from consolidating its position..."

The serious ailment afflicting the BJP over the years is not "untouchability" but its own blatant practise of "ladder politics". Throughout its existence, first as Jana Sangh and then as the Bharatiya Janata Party, this political entity has craftily used parties and personalities as "ladders" to climb to prominence or power and then has ruthlessly kicked them out as soon as the purpose was achieved...

... In the elections ... in 1991 ... the BJP emerged as the largest Opposition party, thus successfully achieving Phase I of their strategy.

With the minority Narasimha Rao Government at the Centre, besieged by scams and scandals throughout its tenure, the BJP found the ground fertile for its final assault to capture power at the Centre. By positioning itself as the "defenders of the Hindu faith", the BJP gained large segments of the high caste votes. It already enjoyed a good following among the urban middle class...

The backward communities, however, proved a hard nut to crack. The party then turned its attention to Dalit votes by propping up ... Bahujan Samaj Party Government in UP, headed by Mayawati, thereby staking claim for some Dalit votes across the country. Soon, Mayawati was dropped like a hot potato. ...

In the 1996 elections, the BJP had planned to capture power with absolute majority... The party fell far short of absolute majority and the supporting parties could muster only a handful of seats. With the ruling party drawing a blank in Tamil Nadu, the BJP's fate was sealed. Yet, the party made a valiant effort to form the Government at the Centre which lasted for 13 days. It could not garner enough support because of the party's total isolation. This anguish was soon compounded by its misfortune in Gujarat where the party split and the rival faction leader captured power with the support of other parties.

JP Betrayed

If the BJP is feeling the pangs of "isolation" and "untouchability" it is because of its own folly of practising a politics of opportunism and hypocrisy. The Jana Sangh/BJP has deeply hurt the feelings and sentiments of their own benefactors...

... In 1979, JP died, a disillusioned and dejected man, totally shaken by the betrayal of the RSS-Jana Sangh

combine. This has been the experience of Mr. Devi Lal, Mr. V.P. Singh and several others.

Even within the BJP there is this ruthless practice of "ladder politics" as it transpired in the wake of the party's temporary ascendancy to power at the Centre. The "moderate" image of Mr. Vajpayee, the professional profile of Mr. Jaswant Singh, the intellectual trait of Mr. Chaturvedi and the oratorical talent of Ms. Sushma Swaraj are all "steps" for the RSS hard-core to climb to the pinnacle of power. When this is achieved all these faces will be banished into oblivion. This, however, did not work since the Vajpayee Government could not last more than a fortnight.

Even in the practice of its four mantras, the BJP has been selective, erratic and inconsistent. The party's stand on corruption is a typical example... Several of the party's leaders, both at the State and national levels, strongly support the unprecedented corruption and venal rule of Jayalathia and her decadent coterie in Tamil Nadu.

Similarly is the BJP's hypocrisy in trying to "promote" social harmony by having alliance with a rabidly communal Shiv Sena and the virulently casteist BSP. The BJP's idea of "Swadeshi" seems to strike deals with "select foreign investors" and make noises against beauty pageants in the guise of "protecting our ancient culture".

... As of now the line dividing the BJP and its frontal organs which are the votaries of communalism, fundamentalism and corruption is too thin...

... The majority of Indian people feel uncomfortable with the BJP and are not willing to trust the party with power at the Centre. Naturally, the political parties are also wary of joining hands with the BJP...

If the BJP is to get out of this untouchability syndrome, the party should learn to stand on its own feet and not indulge in "ladder politics" by searching for props and crutches adopting opportunistic and hypocritical means. The Indian electorate expects the political party that aspires to rule the country to be principled, consistent and acceptable to all segments of society. The party should be sober and balanced and its leadership should neither draw intense admiration nor intense hatred.

The BJP leaders ... should ... take stock of the situation and adopt strategies which can ... make it acceptable to all the sections of society. This is the only way the party could aspire to come to power at the Centre...

(Source: The Hindu, 21 January, 1997)

Kuldip Nayar on the Problems of Being Deve Gowda

...Prime Minister Deve Gowda and Congress president Sitaram Kesri are on the same ego trip. The first says that he knows how "to manage to stay in government". The second warns that this party "will not condone wrong things".

Both exaggerate their capacity. Neither of them has strength or courage to hurl a challenge. They may talk big. But they are aware of the limited space in which they have to operate. Still they will exhibit how one is better in brinkmanship than the other. The country should be prepared to witness ad nauseam the maneuvers and the counter-moves they and their supporters will display in days to come.

The danger in such games is that often things go out of hand. In this case, it can end up in fresh elections which no political party, not even the Bharatiya Janata Party (BJP) ... is willing to face. Moreover, all political parties realise that they will not gain much at the polls. In fact, there is a perception in some quarters that the electorate's disillusionment with politicians may cut into their vote.

Kesri is conscious of unpredictability of results more than others. He realises that the Congress has retraced little ground either in UP or Bihar, the two states which command in the Lok Sabha 85 and 54 seats respectively. His reports from other states also do not suggest that the Congress is back in people's choice. His game is to malign the Deve Gowda government as much as he can.

The two cells he has set up, one on foreign affairs and the other on the economic situation, are meant to pick holes in the government. There will be obiter dicta by Congress leader on Gowda's performances off and on. The criticism on foreign affairs may not stick...

His government is, however, vulnerable in the economic field. Exports are lessening; industrial units are declining in production and domestic savings are decreasing. Inflation looks like touching a double digit. But Deve Gowda can justifiably argue that the downward trend in economy cannot be because of the seven-month old government. Former Finance Minister Manmohan Singh, who heads the Congress cell on economy, will have to answer a lot. Still, lack of concrete steps for the future will come in handy to Kesri...

Instead of meeting the Congress challenge squarely, Deve Gowda is trying to placate it. He has been doing so since Narasimha Rao was heading the party. ... Deve Gowda ... on tip toes ... dealing with Kesri. ... Kesri's purpose is to keep pressure on Deve Gowda to prove to Congress MPs that he would fulfil their hopes...

His main attention at present is on G.K. Moopanar from Tamil Nadu so as to make him return to Congress.

The latter is not enthusiastic because Kesri cannot match the offer the United Front made to him... Moreover, DMK leader and Chief Minister Karunanidhi, at present a close associate of Moopanar, has no liking from Congress.

Kesri's predicament is that even with Moopanar and Karunanidhi, Congress does not reach anywhere near the figure of 273, required for a majority in the 545-member Lok Sabha. He is reportedly in touch with Bihar Chief Minister Laloo Prasad Yadav, also the Janata Dal chief... Kesri, also from Bihar, believes that he can assuage the feelings of Laloo Yadav by promising that Congress will have strict control on the CBI.

Laloo Yadav, even if prevailed upon to support Congress, can at best take 15 MPs with him. Still all this will not give Kesri the number to challenge the government in power. He has to have on his side both the communists and regional parties like the Telugu Desam and Asom Gana Parishad (AGP), which together have 110 members in the Lok Sabha. The communists are dead set against the Congress. As H.S. Surjeet, the CPI(M) secretary-general, says they would have no truck with the Congress... He has special reason to oppose Congress: in West Bengal, Kerala and Tripura, where the CPM is in power, Congress is its rival. The Telugu Desam and the AGP also have Congress as their sole opponent.

Deve Gowda knows that and therefore keeps Surjeet on his side. But what he does not realise is that Jyoti Basu has reopened the question of leadership by observing that the CPM's "historic blunder" was not to have joined the UF government. He was not only reminding his party of the impact they would have made if they had been in the government but he was also warning Deve Gowda that his prosaic performance was not good enough for the closure of leadership subject.

There is no immediate danger to Deve Gowda but his position may become untenable as the days go by. He has been at best a plodder, who has not shown any distinctive or decisive qualities...

He should not be bothered by Kesri, who would pull him down if he could. His problems are from within the United Front, not without. Increasingly, the Front members are restive. They are not consulted even on important matters or appointments. And his posture of hostility towards the media is not to their liking. Nor is his attitude that he knows best... People realise that he does not have the answer to all of their problems. But they expect him to say so. ...

(Source: *The Radiance Viewswedly*, 19-25 January, 1997)

Yogesh Vajpeyi

On Kanshi Ram, the Undependable

You may not love me but you can't leave me" seems to be the motto of the BSP chief, Kanshi Ram, whose fickleness as a political ally has earned him the epithet of "Mr. Undependable" from those who have dealt with him in the past. The unpredictable Dalit messiah who has befriended the Congress, the BJP, the Akali Dal (Badal) and the Samajwadi Party at various stages of the BSP's phenomenal growth as a political entity in North India, knows this. On the eve of Punjab assembly elections, the BSP chief kept the Akali Dal (Badal), the BJP as well as the Congress - his one-time allies in the market place of politics - on tenterhooks till the end and finally ditched them all.

And he is candid enough to admit that his objective is not to win but to act as a spoiler. "It will be our endeavour that no political party should set up a government without our support", Kanshi Ram said in Ludhiana after entering into a last minute electoral pact with Akali Dal (Mann)... Tightrope walking seems to fit in his scheme of Dalit empowerment and Kanshi Ram openly boasts about the fact that he can change his political allies faster than his clothes.

In 1993 when the BSP chief first joined hands with Mulayam Singh Yadav's Samajwadi Party he found him fit to rule UP. At that time, the BJP was his chief target. But within two years, he started seeing Mulayam as "the greater evil" and teamed up with the BJP to topple Mulayam and install the BSP general secretary Mayawati as the UP Chief Minister. By the time fresh UP Assembly elections were held in 1996, Kanshi Ram had discovered the "positive" side of the Congress, a party he had all along branded as the Bahujan Samaj's sworn enemy.

He teamed up with the Congress to fight the BJP in Uttar Pradesh but when he realised that Congress could not help in installing a BSP government in UP he had no qualms in opening fresh negotiations with the BJP.

The Congress ... has now been dumped again...

The BSP supremo justifies his shifting alliances by insisting that he is working in the interests of the Bahujan Samaj. But leaders of other parties and groups who have had a taste of his style of politics do not think so.

"The BSP is resorting to the politics of blackmail and the Dalits will see through its game soon. By continuously hobnobbing with the BJP, Kanshi Ram's stands exposed today", asserts Samajwadi Party general secretary Ram Gopal Yadav... Both the parties share a common perception on Kanshi Ram. Even a suave negotiator like Atal Behari Vajpayee had to throw in the towel after several rounds of talks with Kanshi Ram on forming a coalition government in UP. ...

The Shahi Imam of Delhi's Jama Masjid is ... blunt. "We have been deceived once again. I never felt that Kanshi Ram will betray us so soon," says Bukhari, who had campaigned for Kanshi Ram in the last UP assembly elections...

(Source: The Indian Express, 24 January, 1997)

JD: Ramanagram Defeat, Disgrace for Deve Gowda

Janata Dal's defeat in the Ramanagram constituency in Karnataka has raised demands of Prime Minister H.D. Deve Gowda's resignation. The bypoll result is being viewed as a rebuff to Mr. Gowda who is alleged to have neglected his erstwhile constituency after becoming the Prime Minister.... The Dal camp was too stunned to react to the crushing defeat of its candidates in all the three constituencies. (It lost Chikkanayakanahalli and Mysore South Graduates, too). A senior leader said, "We are in no position to conduct a postmortem of the debacle. Any discussion will put the blame straight at the feet of the Prime Minister and his sons who had selected the candidates and masterminded the campaign.... But it is an eye-opener to the fact that all is not well within the party.

Another Dal leader believed that Union Minister C.M. Ibrahim was to be blamed, too. He said Mr. Ibrahim had promised the Muslims much in the 1994 Assembly polls when he campaigned for Mr. Gowda. But he failed to live up to his promises. This, according to him, turned the community against the Dal. (Source: The Pioneer, 14 Feb, 1997)

Laloo, the Cannon Fodder

Editorial, The Times of India, 10 Jan., 1997

The Bihar JD ... is apparently miffed with U.N. Biswas, Additional-Director, CBI for going public ... when in fact, propriety demanded that he go about the matter in the strictest confidence. Mr. Yadav's aggrieved acolytes have a point, but it would be stretching it too far to ask for Mr. Biswas's head. Granted that Mr. Biswas was somewhat more theatrical than required ... this licence is available to political rivals and media critics, not to an investigating officer who must consciously appear to be fair. And yet, the most that Biswas can be accused of is overzealousness. Indeed, if anything, Biswas has shown himself capable of standing his ground against the mightiest. Witness the crude official attempt to fudge his report on the scandal. It was entirely due to the courage Biswas displayed - he exposed the farce in the Patna High Court - that today the highest courts in the land are not just in complete control of the case but are showing a rare determination to see it through to its logical end.

...Mr. Laloo Prasad Yadav has been tirelessly making the point that he is under attack only because he is seen as a saviour of the poor... There are two objectionable assumptions here. One, that concern for the poor automatically places even the guilty above reproach. Two, that a politician's popularity gives him immunity from investigation. We are not disputing Mr. Yadav's phenomenal appeal among the less well to do... But what is not acceptable is for him to decide that any attack on him is an attack on this vulnerable section... If justice to the lowest of low is his claimed goal in life, the best way to prove it is by offering himself for scrutiny. After all, if he is not guilty he has nothing to fear. It is not a witch-hunt... The investigations ... are in the competent and fair hands of the judiciary which will most certainly throw out any chargesheet that is frivolous. Mr. Yadav should face and fight the charges rather than ... run away from them.

UNGA Agenda, 1996 (Extracts)
I - Declaration on the Rights of Persons
Belonging to Minorities

At its fortyseventh session in 1992, the General Assembly adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (resolution 47/135).

At its fiftieth session, the General Assembly urged States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities by giving effect to the Declaration, and in particular by facilitating their full participation in all aspects of the life of society; called upon the Secretary General to make available qualified expertise and technical assistance of the Centre for Human Rights to assist in the prevention and resolution of disputes involving minorities and to continue the dissemination of information on the Declaration; called upon the United Nations High Commissioner for Human Rights to promote, within his mandate, the implementation of the Declaration and to continue to engage in a dialogue with Governments concerned for that purpose; urged all treaty bodies and special representatives, special rapporteurs and working groups of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities to give due regard, within their mandates, to the promotion and protection of the rights of persons belonging to minorities; and requested the Secretary General to report to the Assembly at its fifty-first session on the implementation of the resolution under the item entitled "Human Rights Questions" (resolution 50/180).

II - Elimination of all
Forms of Religious Intolerance

At its fiftieth session, the General Assembly reaffirmed that freedom of thought, conscience, religion and belief was a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination; urged States to ensure that their constitutional and legal systems provided adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without discrimination, including the provision of effective remedies in cases where the right to freedom of religion or belief was violated, as well as to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respected different religions and beliefs and did not discriminate against persons professing other religions or beliefs; called upon all States to recognize, as provided in the

Shahabuddin's Letter to Chairman,
National Human Rights Commission,
30 December, 1996

I have read your interview in the Hindu of 30 December, 1996.

I feel that even violation of human rights of an individual in our context has a social aspect. He or she often suffer discrimination and his human, legal and constitutional rights are violated, sometimes by official agencies, or by another social group, because he/she belongs to a particular social group. Thus assault, murder, loot, destruction and even rape in situation of social violence - whether religious, caste or the racial or linguistic - are motivated not against individual victims but against the other group (generally a local minority) to settle accounts, past or present. In this circumstances, protection of the collective rights of minority groups (the word "minority" to be defined in a comprehensive sense) assumes great importance.

I hope that under your guidance, the NHRC shall constantly keep both the Universal Declaration of Human Rights and the UN Declaration on Minorities Rights, 1992 under its purview to monitor persistent pattern of deviation from the internationally accepted norms in the case of all groups which at the local of the conflict form a minority.

Reply of Chairman, National Human Rights
Commission, 24 January, 1997

... I entirely agree with you that there is indeed a social aspect to the violation of Human Rights of an individual when that individual is seen as the anthropomorphic symbol of the 'other' group. Your suggestion to follow up on the Delhi High order regarding payment of "compensation" for those killed in the riots of 1984 as a norm for application as a uniform yardstick, will be taken up by the Commission.

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief, and to establish and maintain places for those purposes; expressed its grave concern at any attack upon religious places, sites and shrines, and called upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert utmost efforts to ensure that such places, sites and shrines were fully respected and protected; and requested the Special Rapporteur of the Commission on Human Rights to submit an interim report to the Assembly at its fifty-first session (resolution 50/183).

Asghar Ali Engineer on Minorities Question

The minorities, religious or linguistic, always have problems vis-a-vis the majority. Theirs is a universal problem existing in all modern nation states, Western or Eastern, Asian or African. The problems often explode if they are not handled carefully and with sensitivity. We are completing 50 years of secular democracy and various organisations are arranging seminars and conferences to take stock of the situation of the minorities. The Rajiv Gandhi Foundation recently organised a one-day seminar in New Delhi on the "Minorities in India".

In his inaugural remarks, Dr. Abid Husain, Vice-Chairman, RGF, said the question of the minorities was quite important not only for India but also for the neighbours. In a democratic society, dissimilarities and diversities were tremendously important. The American experiment of melting pot had failed and dictatorship also did not succeed... Mr. Akil Bilgrami, who teaches philosophy in the Columbia University, New York, said it was foolhardy to define the minorities... Numerical strength and socio-economic conditions were only the bare minimum for the definition. Minority was a relative term, crisscrossing with different concepts. Mr. Bilgrami quoted Dr. Ambedkar as saying that both majority and the minority were wrong; majority, because it wanted to deny the existence of the minority and the minority because it wanted to perpetuate itself. The ... Muslims were under pressure to give up the personal law and adopt a common civil code.

Prof. Iqbal Ansari of the Aligarh Muslim University, disagreeing with Mr. Bilgrami, felt that the concept of the minority had been defined by the Declaration of the UNGA. The minority could be either dominant or be dominated. If it was dominated, it had a different problem. Identity for the minorities could be negative, as for blacks in America and the Dalits in India. The Dalits wanted to throw away the negative identity imposed on them. So the idea of the minorities perpetuating themselves was more complex. Again, identities were changeable and changing. Some identities were cherished and some loathed.

Archbishop Angelo Fernandes said two principles had to be kept in mind: one was the basic human dignity and the unity of all human beings. The objective should be to make life more human. If one injected the idea of injustice in the minds of majority, it might lead to greater trouble. A balanced society was to be created.

Syed Shahabuddin ... considered the concept of minority as valid. India was a country with all types of diversities. Not only this, in every identifiable community

there were sub-identities. Hence, one must talk in terms of social groups and all social groups were a minority. The legitimate uses of identities should be kept in mind.

Mr. S.S. Gill thought that minority could be defined in a particular context. Today Muslims were a genuine and authentic minority... It was discrimination which created the feeling of minority.

Prof. Zoya Hasan of the Jawaharlal Nehru University said the problem was that ... though after independence there had been a descriptive acknowledgement of the minorities, there had not been democratisation of Muslims. The Indian State had abdicated its role and created a public-private domain. So the personal law could not be reformed as it belonged to the private domain. Thus duality was the problem.

Mr. Virendra Dayal of the National Human Rights Commission said ... what was important was the perspective. One often talked of human rights and minority rights... The minority rights ... should be seen within a wider perspective of human rights. They not only belonged to a minority but functioned within a certain context... The minorities cannot be allowed to persecute and oppress their own sub-groups. ...

Syed Hamid, former Vice-Chancellor, AMU, (said that) ground situation was more important than academic expertise. It was not true that minority and minority identities were not important. It was also not true that the minorities were not democratic or that they had not been democratised. They were very much part of the democratic process. But there was no honesty and transparency in dealing with them... There were government documents which clearly brought out that Muslims had slid back and yet much was not being done to remedy the situation.

Mr. K.F. Rustomjee ... posed a question how they allowed the Babari Masjid to be destroyed? Why did they descend to that level? Could they not have prevented that? Who created the minority problem? A deeper look would show that the problem was created by the British and Muslims like Jinnah exploited it. The Kashmir conflict was exploited by Pakistan, further accentuating it. Democracy essentially meant dialogue. The Babari Masjid issue could also have been saved by dialogue, concessions and compromise. But the democratic norms were violated. There was also the problem of communal riots and communalisation of police.

Prof. Bhargav said the claim that the minorities were pampered was only a propaganda... The social, cultural and economic structures were so built that benefits accrued only to the majority. Thus the idea that the

(Contd. on page 113)

Imtiaz Ahmad on Limits to Minority Rights

There is growing recognition the world over that arming the individual with a battery of civil and human rights alone does not help. Many of those rights remain on paper, but the individual is denied the opportunity to enjoy them in reality... It is necessary to recognise the minority groups as collectivities and to grant them certain group rights so that persons belonging to them can enjoy their individual rights. This resulted in the inclusion of (Article 17) in the International Covenant on Civil and Political Rights, Article 27....

Following the adoption of the Covenant, there has been a substantial evolution in the concern for the minority rights... The Declaration on the Right of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities (hereafter the Minority Declaration) was adopted by the UN General Assembly in 1992....

... The emerging consensus is tending towards the position that any framework for group rights should combine two principles: the promotion of human rights and pluralism within the groups and the protection of the territorial integrity and political independence of states against external intervention as well as secession.

The group right of the minorities to participate in and enjoy their culture, religion and language is inherent in the Universal Declaration Article 27. However, this is not an absolute right. Groups are obliged in the enjoyment of this right to the limitation that, as stated in the Minority Declaration Article 4 para 2, their cultural and religious practices cannot violate national law and be contrary to international standards. The limitations set by national law cannot also go beyond what is permissible under the human rights law....

While members of all the minority groups must have a collective right to preserve and practise their own culture and religion, they must also acquaint themselves with and show respect to the culture and traditions of the majority... Existence of the minority group does not depend on recognition by the State... (It) is ... a question of fact... When living closely together in a particular region claims for self-government or autonomy might arise. Such claims are particularly likely to arise in situations where dominant elites of the centre exploit the natural resources and very often also the human resources in the periphery at the cost of the weaker, peripheral groups.... Autonomy rights are not explicitly provided for in the Minority Declaration and can only be inferred to apply in special circumstances to give effect to the intentions in the Declaration. The right of groups to self-determination can also give some support for claims of autonomy within the territory of sovereign states,

particularly for indigenous peoples. However, the right to self-determination does not give any right to secession on ethnic grounds...

The possibility exists that the rights given to groups which are numerically minor in fact will constitute privileges for them. Not all the minor groups are vulnerable. National societies do exist where the minorities have managed to ensure for themselves the most powerful positions and use it to benefit their interests to the detriment of other groups in society. Group rights cannot prejudice the enjoyment by all persons of universal human rights and fundamental freedoms. Group rights cannot also be used to engaged in racial or ethnic discrimination or incitement to hatred of other groups. Nor can group rights be used to challenge the sovereign equality, territorial integrity and political independence of States.

(Source: *The Hindus*, 27 November, 1996)

(Contd. from page 112)

minorities should give up their rights was dangerous.

Mr. N.N. Tandon also thought that the rough and tough life of Muslims in towns and mohallahs should be taken into account to understand their problem. The State had been partial. Mr. Mohit Sen felt that the country remained democratic and secular but secularism should not be elitist under democracy. There were tensions between democracy and secularism. Democracy could also lead to majority communalism. Also, a nation state should not be homogeneous. Its strength lay in its heterogeneity.

Prof. Imtiaz Ahmed was of the view that the Hindu-Muslim problem alone should not be focussed. It would be unfair to the other minorities... Over the years there had been an erosion and devaluation of the constitutional rights of the minorities. The minorities resented homogenisation but it was the dominant trend today and market processes and globalisation were also leading towards homogenisation. The minorities should have a right to their religious and cultural identities provided they did not violate the rights of their sub-groups.

Mr. Varadarajan, former member of the Minorities Commission, focussed on the problems of the minorities, specially Muslims and how they had been denied access to the fruits of development. They had not conferred any great rights on Muslims. ... Taking part in the seminar, I stressed that sub-groups within the minorities sometimes suffered acutely. They suffered because minority rights were grossly misused to perpetuate an iniquitous order... While collective rights were important, individual rights and the rights of sub-groups should not be overlooked.

(Source: *The Hindu*, 22 January, 1997)

N. Ram

On India at the Crossroads: Human Rights and Communalism

The first point that strikes anyone about the national political situation is that the country seems to be at the crossroads. The polity stands divided or fragmented...

There is a great deal of uncertainty...

Some issues that should have been addressed in the general election were not... (Some of them are):

1. Challenge to national unity forced by communalism as a political mobilisation.
2. Threat of separatist movements backed from abroad.
5. Challenge of social justice. ...

.. In my view, high priority must be accorded to the question of resisting communalism...

Where does human rights figure in all this? It figures in relation to a number of issues - such as social justice, corruption and separatism. When we talk of the problem of communalism, it involves the human rights of the minorities and of the innocent members of the majority community caught in the crossfire during a political battle unleashing communal passion, tension and violence of the kind that we saw during the demolition of Babari Masjid in December 1992.

What happened to innocent people, particularly the Muslims of Bombay, where the Shiv Sena was involved in a semi-fascist kind of offensive immediately after the Babari Masjid demolition, is a question we must address. How effective are human rights organisations in that kind of communal conflagration? Not very effective, in my opinion. ...

According to Sarvepalli Gopal, the historian, communalism in the South Asian sense is unknown almost anywhere else in the world. We know of the Muslim fundamentalism of the Middle East. Here, it is not merely Hindu fundamentalism. In the Indian context, communalism is a political mobilisation strategy.

It is not a new phenomenon. It is perhaps a 100 years old or even older. There was, for instance, the use of Ganesh Puja as a technique of mass mobilisation during the freedom struggle. The method which Gandhiji himself adopted was sometimes controversial. But the best example of it the RSS attempt to communalise or hinduise the post-partition political state.

It is this new phenomenon that we are concerned with. It is relatively of recent origin. If combated in a determined way through the active practice of secularism in independent India it could have been marginalised. Because of a complexity of factors, it has been able to capture hearts and minds and come to the political centre-stage as India prepares to usher in the 21st century.

There is an apparent absence of capability within the political within the political and constitutional system to keep communalism at bay. This is often demoralising to those who believe in secular democracy and modern civil society but we should not feel pessimistic.

There is a whole literature that goes strongly for our secularism. However, very often when we debate secularism at the intellectual or political level the issues tend to get blurred or confused.

The Indian concept of secularism is *sarva dharma sambhava*, that is, equal respect for all faiths. In its 1991 election manifesto the Congress made an effort to define secularism. It said the fundamental principle of our millennial civilisation was unity in diversity and the rationale of our philosophy of secularism was *sarva dharma sambhava* or good feeling towards all faiths. In the 1996 manifesto it side-stepped the issue of what secularism means and simply stated that "the cornerstone of secularism is the security of the minority". This is a tremendous, and dangerous oversimplification. Secularism demands more than that.

Secularism as a concept must be put to work in all situations. Basically there are at least two fundamental principles of secularism in the Indian context.

The first is that people belonging to all faiths and sections and both sexes are absolutely equal. There shall be no discrimination against anyone on grounds of race, religion, caste, gender and so on. This is what the Constitution mandates. The exceptions to the non-discrimination rule are devices to secure the integration of historically disadvantaged groups and their access to fair equality of opportunity. ...

The second principle of secularism is that religion shall not be inducted into politics... Though constitutionally and legally mandated, it is honoured flagrantly in the breach. Both electoral and criminal laws are quite sensitive to this principle.

(Contd. from page 107)

heroes cannot be a substitute for good Government. Unfazed by criticism, Mr. Thackeray appears to be hastening the demise of the saffron alliance in Maharashtra... One of these days the BJP will have to make a grim choice: Either it willingly drowns itself under the Sena's maverick and dangerous politics, or it speaks out in favour of decency and probity in public life. The choice has to be made sooner rather than later.

Editorial, The Pioneer, 28 December, 1996

Nani Palkiwala on Sardar Patel and Muslim Indians

Excerpts from Introduction to Rafiq Zakaria's *Sardar Patel and the Indian Muslims*,
Bharatiya Vidya Bhavan

... The Sardar's fanatical devotion to the unity and integrity of India and to Hindu-Muslim brotherhood was exemplary. His patriotism was beyond doubt and his nationalism was equally beyond dispute. Yet, the pseudo-secularists openly accused this implacable foe of the 'assassins of nationalism', of communalism and pro-Hindu bias... In reality, there was no place for narrow parochialism or partiality for any caste or creed in the Sardar's heart. As Gandhi said of him: "It would be a travesty of truth to describe the Sardar as being anti-Muslim". The Sardar's heart was so expansive that it could accommodate all.

During the freedom struggle, the Sardar emphasised that "Hindu-Muslim unity is like a tender plant. We have to nurture it extremely carefully over a long period, for our hearts are not as yet clean as they should be".

In fact, Dr. K.M. Munshi, a key member of the Constitution Drafting Committee, and Rajarishi Purushottamdas Tandon, a former President of the Congress, both close to the Sardar, argued vehemently against the incorporation of the word "propagate" in the Fundamental Rights enshrined in our Constitution. But despite stiff opposition, Vallabhbhai, used all his prestige and influence to ensure that the word "propagate" was incorporated in Article 25 of the Constitution as a part of the fundamental right of all religions in India. He was also the Chairman of the Minorities Committee of the Constituent Assembly, where he championed the cause of Sarva Dharma Maitri: Inter-faith harmony.

All his life, the Sardar continuously worked to save the prospect of a united India. He could not get over the fact that the partition was fundamentally wrong. He felt that it would destroy the reality that we were one and indivisible: "You cannot divide the sea or the waters of the rivers. As for Muslims, they have their roots, their sacred places and their centres here. I do not know what they can possibly do in Pakistan".

Even after Partition, the Sardar himself said:

"I recall how, after years of struggle and suffering, India has won independence and shaken off the foreign yoke. All of us who took part in this struggle did so with the idea that when independence was achieved, there would be good government in India. When we accepted Partition, it was with the sincere desire that we should thereby be enabled to work out our own salvation, unhampered by the factors which rendered progress impossible. At the same time, we wished Pakistan well and hoped that under settled conditions, when they

realised that we are really brothers and not two nations of different faiths and ideologies, they would come back to us". ... "India today is free but she has not achieved unity... The old communal division into Hindu and Muslims seems now to have hardened into a permanent political division of the country..."

There was constant pressure on Vallabhbhai to declare India a Hindu State especially as Pakistan had become a Muslim State. He resisted it unto the last. S. Gopal has rightly observed: "Patel is usually depicted as a supporter of Hindu chauvinism but actually his major concern was national unity". ...

Mountbatten's Views as Reported by Kuldip Nayar

"I told Jinnah that his moth-eaten Pakistan will not last more than 25 years". "You know, Rajaji wrote to me the other day to say that my prophecy had come true, and I replied that I remembered that distinctly".

"The Bengalis' cultural lies are too strong; you know how Curzon tried and failed."

"We argued back and forth. Mr. Jinnah's main point being that I must make his Pakistan 'viable'. He quoted the example of the partition of Poland as not having been made on the basis of counting heads or taking into account the will of the people".

"Jinnah then argued that the people of Bengal and Punjab were first Bengalis and Punjabis and then Hindus and Muslims. How could I have accepted that logic? That applied to the whole of India". "Nevertheless ... he (Jinnah) gives me the impression of a man who has not thought out one single piece of the mechanics of his own scheme and he will get the shock of his life when he really has to come down to earth and try and make vague, idealistic proposals work on a concrete basis."

Viceroy Wavell on Gandhiji

"Gandhi at the end exposed Congress policy of domination more nakedly than ever before. The more I see of that old man, the more I regard him as an unscrupulous and old hypocrite; he would shrink from no violence and blood-letting to achieve his ends, though he would naturally prefer to do so by chicanery and a false show of mildness and friendship... His one idea for 40 years has been to overthrow British rule and influence and to establish a Hindu Raj; and he is unscrupulous as he is persistent. ... He is an exceedingly shrewd, obstinate, domineering, double-tongued, single-minded politician; and there is little true saintliness in him."

Abir Padhy on Collaboration between Hindutva and State

The People's Reporter, 1-15 December, 1996

Sixth December, 1992 saw the barbaric dance of Hindu fascist organisations over the ruins of the Babari Masjid, while the state, like an accomplice watched and waited for the destruction to be complete. What followed were some of the most violent and widespread riots ever witnessed in the country since Partition in 1947... in well every two hundred places, in 15 out of our 25 states, killing thousands of people.

... The recent twelve years will go down in history as the period when communalism took a new and ugly turn... The riot became more and more planned and more barbaric, often ending as carnages directed against the minority communities. The Hindu communal organizations grew in strength and influence. The state became increasingly linked to Hindu communalism. Its machinery, especially the police, the para-military, the executive and often even the press, playing a covert or overt role... From the British tactics of "divide and rule" to the caste and religious arithmetic that our ruling class politicians regularly use, communalism is nothing new for us. But what we have been seeing in recent years is something quite different - it is the conscious and systematic attempt to unite the majority community under a common ideological banner. And in the variety of political and pseudo-nationalist organisations that are involved, in the systematic and planned programme against the Muslims, in the deliberate fabrication and propagation of various "big lies" and distortions of history as well as an economic nationalist rhetoric with a pro-monopolist capitalist position, one cannot fail to see parallels to Hitlerite Germany (despite the obviously vast differences in context). For, the Hindu communal organisations have a clearly fascist programme of capturing power and creating a theocratic and fascist state.

It is now clear that the present wave of communalism has its roots in a structural response of the ruling classes to their material crisis and in the fact of the patterns of deprivations and frustrations engendered in society by the specific nature of India's development path. It cannot be identified solely with the BJP and the Sangh Parivar or even minority fundamentalist outfits... And the struggle against it, needs, therefore, to be a real struggle - a struggle to change those social conditions which breed communalism.

Therefore, the attempts to seek a solution within the present political framework by relying on the supposed secular credentials of one or the other ruling class party like Congress, JD, CPI, CPM will not only be just in vain, but also be positively harmful for the democratic movement.

AIMPLB-BMC, BMMCC & AIBMAC Joint Statement on 11th Anniversary of Unlocking of Babari Masjid, 1 February, 97

On 1 February, 1997 falls the 11th Anniversary of the Unlocking of the Babari Masjid under the Orders of the District Judge of Faizabad which unleashed the chain of events leading to the destruction of the Babari Masjid on 6 December, 1992, by the Hindutva forces. The Sangh Parivar which organised the movement throughout the eleven years maintained that their claim and demand were beyond the law of the land and that the judicial process was not relevant to the status of the dispute. However, by fits and starts, those who believed in the rule of law have been plodding the judicial path. The title suit is now before the Special Bench of the Allahabad High Court. It is time to recall, in the interest of the rule of law, the legal course that the Babari Masjid dispute has taken since the unlawful and surreptitious introduction of idols in the Babari Masjid on 21-22 December, 1949.

The Babari Masjid Movement suggests and appeals to all secular forces, to societies, organisations, groups and institutions, political, legal or academic, to commemorate the occasion by holding discussion on 1.2.1997 on the **Legal Course of the Babari Masjid Dispute 1949-1997**, as a public service to awaken the nation to the perils when a society forsakes law and tries to resolve disputes by recourse to violence.

20 January, 1997

Government Statement on Referring Babari Masjid Question to Supreme Court

The proposal to refer the Babari Masjid-Ram Janmabhoomi dispute to the Supreme Court under Article 138(2) of the Constitution is .. in the "Common Minimum Programme" of the Government. The proposal involves intricate legal aspects which are being analysed in detail in consultation with the Ministry of Law.

(Source: LSUQ No. 2717 dated 10.12.1996 by G.M. Banatwalla)

Also harmful is the apologist stand which many of our secularists are now adopting towards the rights of minorities. Protection of minority rights, while cautioning them against and exposing the minority fundamentalist forces, must be an essential component of the anti-communal democratic programme. The events since sixth December, 1992 in particular have clearly shown the complicity of the state in fomenting communalism - the unchecked acts of direct abetment to the communal forces; the numerous acts of covert assistance through errors of omission, compromises etc. and the utter farce of its actions like ban against Hindu communal organisations like the RSS etc. fully expose the state's own role in this process. Only the assertion of independent democratic forces... can provide lasting solution to the problem of communalism...

All India Conference on Haj 1997 New Delhi, 11 July, 1996

Resolutions (Excerpts)

1. **Haj Act:** ... All India Haj Conference 1997 resolve to request Government of India to introduce the new Haj Amendment Bill in the Parliament during the coming monsoon session and to have it enacted in the same session.
2. **Haj Flight Operation:** All India Haj Conference 1997 resolves that providing the aircrafts for transporting the pilgrims to and from Jeddah be the responsibility of the Air-India; the National Carrier of the country, that Air-India should arrange the movement for Haj 1997 ... in consultation with and under direction for the Haj Committee.
It is further resolved that the finalisation of the Haj schedule should take place as early as possible but certainly not later than 31st December, 1996.
3. **Haj Accommodation:** In view of the sharp increase in the Haj quota in last two years, the House resolves to have 3 Tier system of accommodation for the pilgrims in Makkah in the following manner:
Category I New buildings located upto 600 meters from the Haram Sharif.
Category II Buildings within the radius of 850 meters from the Haram Sharif.
Category III Buildings within the parameters of 851 to 1250 meters from the Haram Sharif.
4. **Utilisation of Rubats:** Resolved that the Haj Committee will not accept any Exemptions beyond the authorised capacity of each Rubat (and) that the Exemption certificates will not be granted by the Haj Committee if the Certificates are received after the prescribed date.
5. **Financial Management:** (i) Resolved that the State Haj Committees will strictly adhere to the calendar of activities finalised at the Haj Conference.
(ii) Resolved that from now onwards pilgrims will be asked to deposit only Rs.5280/- along with his/her application...
(iii) Resolved that the State Haj Committees will immediately transfer this amount within 15 days of closing date of (receipt of) haj application forms. If the State Haj Committees are failed to keep this assurance, from next year all payments will be made directly to Haj Committee.
(iv) Resolved that the pilgrims will deposit air fare atleast three months in advance before the commencement of flights along with remaining amount of foreign exchange.
6. **Question of Foreign Exchange:** ... Resolved that there will be only two categories for foreign exchange i.e. Saudi Riyals 5,500/- and Saudi Riyals 4,600/-, subject to the approval of Ministry of External Affairs.

Shahabuddin's Letter to Minister of Welfare On Wakf Properties, 31 January, 1997

As you are aware, many immovable wakf properties, land and buildings, in urban areas, are of immense commercial value. But their full value is not being made available to the community. Subject to religious restrictions, the wakf urban land which is not per se of religious significance can be developed for commercial purposes. This will generate surplus resources which can be used for the educational and economic development of the Muslim community and for its welfare but the Mutawallis may not have the foresight or the vision.

On the other hand, there is rising demand for urban land for educational purposes and many Muslim educational societies cannot afford to purchase land in the open market and fulfill the requirements, in this regard, for affiliation and recognition of the institution. I have, therefore, come to feel that the Central Wakf Council must intervene to find a solution by suggesting and instructing the Wakf Boards that alienation of available wakf land, urban or rural, by the Mutawallis should be permitted or approved only if at least 50% of the land is made available at concessional price to a recognised educational society for educational purposes.

I would request you to place this suggestion before the Central Wakf Council, which should be constituted at the earliest under the Act of 1995.

Government Statement On Quota for Haj 1997

The Haj Pilgrim quota for Haj 1997 has been fixed at 56,000.

For Haj 1997, it has been decided to have three categories of accommodation for Indian pilgrims, located, respectively, at upto 600 metres, upto 800 metres and between 801 metres and 1200 metres from the Haram Sharief at Makkah. The process of procurement of the accommodation is currently underway and over 42,000 units have already been selected so far. Work with regard to selection of remaining units is being undertaken by the Consulate General of India, Jeddah, with the help of the Building Selection team which is currently in Jeddah.

(Source: RSUQ No. 2752 dated 18 December, 1996 by K.R. Khan)

7. **Group Amir-ul-Haj:** Resolved that ... one among 100 pilgrims will be selected as Amir-ul-Haj. This designation will be purely honorary and education and religious awareness of the person will be the main criteria at the time of selection.
8. **Handling Charges:** ... Resolved that the pilgrims do not need the services of (the Haj Coolies) or any organisation on payment, as there are voluntary Anjumans and organisations to serve them free of cost.

Muslim Women and Congregational Prayer

Should or should not be women allowed into mosques? A Thiruvananthapuram-based Imam's decision to permit them inside has sparked a debate on the issue among the state's Muslim community, with the women, for the first time in Kerala, asserting their religious rights from the forefront.

Recently, a section of conservative Sunni youths took out a march to the Palayam mosque in Thiruvananthapuram protesting against its Imam P.K.K. Ahmed Kutty Maulavi's decision to allow women to go inside to pray.

The Imam stood his ground, justifying his decision with quotes from the Quran and the other holy texts of Islam. Women, Kutty argued, are allowed to pray in mosques in even Mecca and Medina on all days, and even at other mosques in the Gulf.

Though the issue is old and discussed almost threadbare, what's different this time is that the "progressive" Muslim women have decided to take matters in their own hands. Leading from the front is Khamarunnisa Anwar, a noted social worker and the president of the Muslim League's women's wing. In a recent statement she asserted that women had a right to pray in mosques and it was "un-Islamic" to prevent them from doing so.

Sunni organisations like the Samastha Kerala Sunni Students' Federation were quick to denounce her, challenging Anwar's party, the Muslim League, to make its position clear on the matter.

So far, the League has steered clear of such factional differences in the community, leaving them for the ulema. This has helped the party emerge as an umbrella organisation... Anwar's comment - she has stuck by it, calling it her "personal view" - has broken that unity myth. At least on this issue, the community is split down the middle. If the so-called backward section - including women - wants the matter left for the Islamic scholars to decide, the "upwardly mobile" group, which is increasingly becoming more assertive, feels there is no justification in denying women "their right to pray in mosques"....

However, K.P. Mariyumma, a lawyer and the president of the Malappuram district panchayat, feels it is a matter best decided by scholars. A Muslim League leader, she argues that there are several views on the matter and only scholars can interpret and pass judgement on them.

Party colleague Panakkad Mohammedali Shihab Thangal, himself an important scholar and religious figure, concurs. "Let the religious scholars speak on the

issue", he said, when asked for his views.

The president of the Kerala Muslim Jamaat, A. Pookunju, on the other hand, would rather let the matter rest as he fears problems if women are allowed into mosques...

But it might not be that easy. As eminent figures among Muslims indicate, this maybe the time to face such controversies "boldly". Argues Ernakulam-based Justice P.K. Shamsuddeen: "Women had the freedom to go to mosques even at the time of Prophet. A controversy in this regard in unwarranted".

Prof. K.M. Bahauddin, former pro-vice-chancellor of Aligarh University, agrees with him...

Hassan Maulavi, who is a Mujahid - a reformist group in the Muslim community - has another question. "We allow even non-Muslims in mosques", he points out. "Why not women"?

(Source: The Indian Express, 27 January, 1997)

Shahabuddin's Statement On Access of Muslim Women to Mosques 25 February, 1997

The controversy is raging over entry of Muslim women in Masjids. The current position is that the Muslim women have a right to perform congregational prayers which are performed daily five times, including the Friday prayer (in lieu of Zohar) and the Special prayers on the Ids, as well as to attend religious discourses held in the Masjids. But the Shariat does not, for obvious reasons of convenience, does not cast any duty upon women to join congregational prayers. However, since Shariat has prohibits any free mixing of men and women, the latter have to perform the prayer or sit in a reserved area or enclosure within the Masjid. Even in India some mosques, for example, in Ahmedabad, have some areas or enclosures or even floors reserved for women. No Khateeb or Imam or manager of a masjid can deny the right of congregational prayer to women.

The important point is whether this demand is merely on assertion of gender equality or an indication of religious piety. If it is the first, it will lie down like a fashion fad or dress. If it is the second, it shall force open the doors of the Masjid to Muslim women, some relevant Imams not with standing.

J&K: Governor K.V. Krishna Rao's Address to Joint Session of Legislature

18 October, 1996

... The election and emergence of the ruling party as the repository of the people's confidence indicates that the citizens of the State aspire for restoration of full autonomy within the framework of the Constitution of India as was the basic plank of the party's election manifesto. This autonomy ... was a reality for several years. Its erosion had contributed greatly to the gulf that developed between the Centre and the people of the State. The explicit autonomy for J&K State is a unique feature of the Federal Constitution. I do believe that by respecting the peoples legitimate aspirations, the vestiges of distrust can be washed away...

At the same time my Government is also deeply committed to the devolution of authority amongst the three main regions of the State and their sub-regions, which have linguistic, ethnic and cultural characteristics of their own. A committee of experts will be set up to examine the issue in depth and to put forward proposals to make this decentralization effective... The balanced development of every area and section of the community will be a sacred goal for my Government.

... The administrative machine of the State is moribund and has to be revived. This will be the foremost task of my Government... The Government will come down with a heavy hand on the slack and the indisciplined; it will not spare the corrupt and the dishonest... My Government shall encourage diligent, efficient and honest officials...

My Government will also make it obligatory for the members of the Cabinet and Legislature to declare their assets annually... The Government is also considering appointing a credible Ombudsman which will oversee the ruling political leadership on behalf of the people.

... Certain sections in the administration (have) indulged in irregularities and corruption. My Government will carefully examine all allegations of this nature and the guilty will not escape punishment.

The Kashmiri Pandit community is an inseparable part of Kashmir. The exodus was a slur on the bright traditions of Kashmir. The return of the migrants will be ensured with dignity and honour and they will be assured of security. The Government will give adequate financial assistance so that they rebuild and refurbish their houses... My Government will naturally, have to depend on the help of the Centre in this matter. The migrants too will have to make the effort to pull themselves out of the trauma ... they have ... undergone...

... A large number of detenues are languishing in prisons in and outside the State. Thousands have fallen victim to violence. Entire families have been destroyed in

mindless killings. A Committee with appropriate powers will be constituted to scan these cases. Detenues held for allegedly minor offences and all those innocent of wrong doing will be set free. Those found involved in wanton violence, loss of life or actually involved in undermining the State shall have to face the consequences under the law of the land. In order to protect the future, we are also committed to establishing a credible Human Rights Commissions to be headed by a sitting or retired Judge of the High Court...

... Road, bridges, schools, dispensaries and other public and private property worth hundreds of crores have been destroyed... We are committed to rebuild and restore these... The Central Government will have to come to the aid of my Government...

... A prolonged attack would, therefore, be necessary to evolve employment generation schemes in the State and also encourage trained youth to join the mainstream of the Central, private and public sector job market... The Central Government would also be urged to give adequate representation to our youth in the Central Public Sector Organizations like Railways, Banks, Insurance, Airlines, Industries and the like on the basis of a reserved quota for a period of ten years.

... My Government will intensify efforts to preserve forests as they stand; and also embark upon bold initiatives for holistic land and water resource management with an emphasis on the watershed development strategy with peoples participation... It would be the endeavour of my Government to evolve comprehensive flood management plans for the State (for) a long-term solution...

My Government intends to begin an "Operation Salvage" to rescue the shrinking Dal Lake and other lakes and water bodies. Acute environmental problems in other parts of the State have also raised their ugly heads. Those will be identified and treated under an extensive project of environmental rejuvenation... There shall be absolutely no compromise on the matter of removing encroachments.

... It would be the endeavour of my Government to formulate new power Projects to ensure supply of cheap and assured electricity. Domestic and external funding will be mobilized...

... New tourist spots will be explored and developed and tourist sectors further extended in Jammu and Ladakh. It will be our intent to put our tourist industry firmly on the world map...

Hill and backward areas of the State will receive special attention... The Central Government will be

requested to accord Scheduled Tribe status for the Pahari community. Early inclusion of Dogri language in the 8th Schedule of the Constitution will also be pursued with the Central Government. Kashmiri, Dogri, Punjabi, Gojri, Ladakhi, Pahari, Balti and other languages and dialects will be encouraged... Efforts will be so directed as to enrich the plural cultural identity of the State...

... My Government will, therefore, prepare a comprehensive policy paper on the new approach to economic development in the State which relies on development of its own resources to usher in a self sustained growth path. ...

... The District Development Boards shall be made truly representative once again and the needs and aspirations of people in developmental matters shall be fully articulated in such fora. It shall be the endeavour of my Government to take the process of development further down to the block level. A system of block level planning shall be started from the next year... Panchayat elections will be held as early as possible.

Our social service sectors which includes Education, Health, Social Welfare, Public Distribution System etc. have suffered a lot... My Government will ensure regular functioning of these institutions...

... There has been a phenomenal growth in expenditure... The wage bill of Government employees ... now accounts for over 60 per cent of the total revenue expenditure. The onset of militancy has also witnessed a steep increase in the security related expenditure. In view of the limited tax base and the declining trend in receipts, the overall State revenue has lagged far behind the ever mounting expenditure. The annual budget deficit has been in the neighbourhood of Rs. 550 crores consecutively for the last three years...

The financial scenario for the current year is all the more grim with an all time high deficit of Rs. 900 crores, which might deteriorate even further in view of the financial commitments already made... There is need for all round tightening up on unproductive expenditure. This calls for severe financial discipline and a well thought out strategy for economic reform and liberalization... My Government shall set up a high level group to ... formulate such a strategy. ...

... Some measures ... were announced by the Prime Minister in Parliament on 23rd July, 1996 and 2nd August, 1996 including construction of railway line from Udhampur to Baramulla, construction of Mughal road, debt relief to small business ... special central plan assistance of Rs.352 crores etc. ... The State Government is preparing this comprehensive package which will soon be presented to the Central Government...

My Government ... shall wipe out the remnants of terror so that our people can once again breathe freely and live in peace with dignity. ...

J&K: Governor K.V. Krishna Rao's Views: Press Conference, 10 October, 1996

... The long spell of President's Rule of about seven years has come to an end... Truth and righteousness have prevailed. The people have rejected outright and foiled Pakistani designs to annex Kashmir and impose an alien culture... Clearly, this is a victory of the people.

I am sanguine that all concerned will respect the verdict of the people. The past mistakes of destabilising duly elected Govts. which had disastrous consequences, must not be repeated. Instead, all necessary and possible help must be extended to the State. The State Govt. itself must provide a competent, clean and responsive administration; and strive hard to meet the legitimate aspirations of the people... The people themselves must display understanding and render all possible cooperation and help in maintaining the hard earned peace and in taking the State forward towards progress and prosperity without ever allowing themselves to be misled again... The Security Forces, particularly the Army, have not only crushed militancy but also defeated Pakistan in this Proxy War... The problem of militancy was dealt with in an imaginative manner; and not by the use of brute force, in which case we would have lost the people and the State. Let the Country be wary never again to allow such situations to arise... Pakistan is unlikely to give up her aim of wresting Kashmir by any means. It has to be ensured that residual militancy; nay, anti-people activities by some criminals, is firmly put down and a Second Proxy War prevented under all circumstances. I trust that the international community has understood the realities of the situation and will fully support us in rebuilding a Naya (new) Kashmir. ... The new Government is entitled to seek a Governor of their choice... I have accordingly conveyed my views to the PM...

Return of Militancy?

Editorial, The Hindustan Times, 4 January, 1997

The massive blast ... in the high security Gupkar area of Srinagar ... is the latest in a series of incident underlining gradual resumption of activity by subversive elements in the Valley... This, together with a spurt in violent killings ... in recent weeks, should be enough to induce some rethinking in the security establishment in Srinagar. The militant groups, which were ... downcast at the time of ... Assembly elections ... have been making their presence felt through a growing number of civilian killings and clashes with the security forces... Obviously, the State Govt. has no time to lose. It should try to capitalise on the support that it received through a popular mandate before it gets dissipated... Dr. Abdullah would need the support of all sections to be able to complete the unfinished task of rooting out militancy from the Valley. It is not an easy or an enviable job - particularly considering that some of his own ministerial colleagues have not been able to make too good an impression on the public mind... 7 years of rule by the gun have generated a local vested interest in the status quo that is coming in the way of effective governance. ...

Special Status not the Issue

Prithvi Ram Mudiam on Kashmir Problem

... Sheikh Abdullah's foremost consideration in opting for India was Kashmir's security... There was also an economic angle. Abdullah realised that Kashmir... The secularism that Abdullah propagated ... was a calculated move. First, it helped Abdullah to present a united front to the Dogra establishment (which was almost exclusively Hindu) by reassuring Hindus that the movement was ... not against Hindus. Secondly, it helped Abdullah to muster the political and moral support of the Congress ... in his fight against the Dogra rule. Thirdly, it was meant to preserve the integrity of Jammu and Kashmir...

... Abdullah's socialistic earnings had a pragmatic side... The NC ... propagated a radical economic reform for Kashmir whose main elements were redistribution of land, the reform of tenancy laws and debt conciliation. Abdullah knew that his reform programme had a better chance of being implemented if Kashmir joined India where the Congress stood for such a programme.

... Abdullah's socialistic philosophy also enabled him to prevent his ... programme from taking a communal colour because most of the land in Kashmir was owned by Jammu Hindus whereas the majority of the tillers were Kashmiri Muslims...

Abdullah's commitment to democracy, too, had a practical side to it. Democracy in Kashmir meant not only the end of Dogra rule but also the establishment and perpetuation of Muslim rule because Muslims constituted the majority in Kashmir.

As far as India was concerned, there were two major gains for it in accepting Kashmir's accession. The first was ideological. A Muslim-majority state voluntarily reposing its trust in the predominantly Hindu India was a political slap in the face of the two-nation theory and its protagonists. The second gain was strategic. It gave India a strategic foothold over the territory adjoining China... and USSR ... which enhanced (its) strategic value in global terms.

Following the 1965 Indo-Pak war ... and 1971 ... liberation of Bangladesh, a chastened Abdullah settled for much less than his maximalist demands for Kashmir in an agreement with Indira Gandhi in 1975...

Be that as it may, it was Indira Gandhi's arbitrary dismissal of Farooq Abdullah's government in 1984, Rajiv Gandhi's political blackmailing of Farooq into ... an alliance with the Congress in 1984 and the ... charges of rigging in the ... election ... in 1987 which were cumulatively the root causes of the rise of militancy in the Valley.

... In spite of everything that happened in Kashmir over the years, the reasons that originally prompted Sheikh Abdullah to accede to India still hold good and Sheikh's preference for India has been vindicated by both time and events.

Pakistan's history since partition provides no hope whatsoever for Kashmiris. The long spells of military rule, the Punjabi domination, the genocide of Bengalis in 1971, the treatment meted out to Baluchis, Sindhis and Mohajirs, the incorporation of Baltistan and Hunz into Pakistan as Northern Areas and the step-motherly treatment extended to "Azad Kashmir" in political and economic terms should act as an eye-opener to those Kashmiris who think that the grass on the other side of the line of control is greener.

On the other hand, Kashmir's association with India has been immensely beneficial to Kashmir, a few aberrations notwithstanding... The changes that have been taking place on the Indian political scene in recent times augur well for a new understanding and relationship between India and Kashmir...

(Source: The Hindustan Times, 21 January, 1997)

J&K: Human Cost of Insurgency (1991-96)

No. of Violent Incidents	: 34,768		
including 13,030 by militants against security forces			
No. of Lives Lost	: 16,698	1993	: 2567
		1994	: 2867
		1995	: 2768
of which Civilians	: 7727		
by Militants	: 5411		
by Security Forces	: 2316		
Militants	: 7660		
Security Personnel	: 1311	Yearwise breakup	
		1990	154
		1991	168
		1992	177
		1993	195
		1994	198
		1995	234
		1996	185

No. of Injured

Civilians	: 1506		
Security Personnel	: 4568		
No. of the Abductions	: 2671	[1990-169, 1991-290	
	(73% killed)	1992-281, 1993-349,	
No. of Militants Detained	: 12312	1994-368, 1995-548,	
	[1993-4780, 1994-4244, 1995-3288]	and 1996-666]	

(Source: LSUQ No. 2728 dated 10.12.1996 by P.R. Dasmunshi)

The Maulana Azad National Urdu University Act, 1996

(Relevant Extracts)

An Act to establish and incorporate a University at the national level mainly to promote and develop Urdu language and to impart vocational and technical education in Urdu medium through conventional teaching and distance education system and to provide for matters connected therewith or incidental thereto. ...

3. (1) There shall be established a University by the name of "Maulana Azad National Urdu University".

(2) The headquarters of the University shall be at Hyderabad. ...

4. The objects of the University shall be to promote and develop Urdu language; to impart education and training in vocational and technical subjects through the medium of Urdu; to provide wider access to people desirous of pursuing programmes of higher education and training in Urdu medium through teaching on the Campus as well as at a distance and to provide focus on women education. ...

6. The jurisdiction of the University shall extend to the whole of India.

7. The University shall be open to persons of either sex and of whatever caste, creed, race or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student in the University or to graduate thereat or to enjoy or exercise any privilege thereof.

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, physically handicapped or of persons belonging to the weaker sections of the society and, in particular, of the SCs and the STs.

8. (1) The President of India shall be the Visitor of the University. ...

10. (1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes. ...

11. (1) The VC shall be appointed by the Visitor in such manner and on such terms and conditions of service as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matters. ...

19. (1) The constitution of the Court and the term of office of its members shall be prescribed by the Statutes.

(2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:-

(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures

for the improvement and development of the University;

(b) to advise the Visitor in respect of any matter which may be referred to it for advice; and

(c) to perform such other functions as may be prescribed by the Statutes.

20. (1) The Executive Council shall be the principal executive body of the University.

(2) The constitution of the Executive Council (EC), the term of office of its members and its powers and functions shall be prescribed by the Statutes.

21. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Ordinances, co-ordinate and exercise general supervision over the academic policies of the University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes. ...

24. The constitution, powers and functions of other authorities, as may be declared by the Statutes to be the authorities of the University, shall be prescribed by the Statutes. ...

26. (1) The first Statutes are those set out in the Schedule.

(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1): ...

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor. ...

27. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:-

(a) the admission of students to the University and their enrollment as such, ... (c) the medium of instruction and examination, ... g) the conduct of examinations (etc), (h) the conditions of residence of the students etc, ... (o) the management of Institutions **established by the University.** ...

(2) The first Ordinances shall be made by the VC with the previous approval of the Central Govt. and the Ordinances so made may be amended, repealed or added to at any time by the EC in the manner prescribed by the Statutes.

28. The authorities of the University may make Regulations, consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances, in the manner prescribed by the Statutes.

29. (1) The annual report of the University shall be prepared under the direction of the EC ... and shall be submitted to the Visitor...

(2) A copy of the annual report ... shall, as soon as may be, cause the same to be laid before both Houses of Parliament. ...

**Shahabuddin's Letter to Minister of HRD
On Abul Kalam National Urdu University,
27 January, 1997**

I have gone through the Abul Kalam National Urdu University Bill 1996 as passed by the Parliament. I have noticed two serious omissions in the Bill which would almost completely nullify its impact on the prospects for development of Urdu as a medium of higher education or for opening avenues of employment for Urdu medium students.

The first relates to the objective of the University as formulated in the title of the Bill. It speaks of technical training and education and not general education. So it is doubtful whether the University shall provide basic degree courses in arts, science and commerce, not to speak of post-graduate courses in these faculties.

Secondly, the Bill does not empower the University to affiliate Urdu medium educational institutions, schools or colleges situated outside the campus. It is absolutely essential because Urdu is spoken all over the country and it has the position of second language in terms of population, in more States/UTs than even Hindi. Thus there are Urdu medium schools and colleges through the country which often find it difficult, if not impossible, to affiliate themselves to the local examining Boards or Universities. Perhaps Urdu University must fulfil this need. Since the University is still in the formative stage, I request you to examine the Bill in order to fill these lacunae.

**Shahabuddin's Letter to Minister of HRD
On Sanskrit, 3 February, 1997**

You are reported to have stated at the recent World Sanskrit Conference that the Government would consider making Sanskrit compulsory in Schools.

As you know, at the High School level, the students have to study 3 Languages Hindi, MIL and English or Mother Tongue, State language and English for a Linguistic minority in a non-Hindi State, the student is forced to choose between his Mother Tongue and Hindi. Now if Sanskrit is added as a compulsory subject the language burden would be intolerably heavy.

I feel that apart from those who offer Sanskrit in place of English, the Hindi course can have a Sanskrit component. This should fulfill the objective of every student learning basic Sanskrit.

**URDU: UPSC: Civil Services etc.
Examination 1994**

No. of applicants who offered Urdu as medium for:

<u>Compulsory Papers</u>			
Indian Languages	58(56*)	Essay	9(1)
General Studies I	9(1)	General Studies II	9(2)
<u>Optional Paper</u>			
URDU	33(34)	Hindi	1027(1052)
English Lit.	59(61)	Total	10,240(9,425)

* Figures in bracket give figures for 1993)

(Source: UPSC Annual Report, 1994-95)

WITH BEST COMPLIMENTS

FROM

KALEEM KAWAJA

**THE ASSOCIATION OF INDIAN
MUSLIMS OF AMERICA**

**THE ORGANIZATION FOR UNIVERSAL
COMMUNAL HARMONY**

WASHINGTON DC USA

Maulana Azad Education Foundation: Report

Introduction

The Foundation was established in 1989 to mark the birth centenary of Maulana Abul Kalam Azad... Maulana Azad Education Foundation is a voluntary non-political, non-profit making, social service organisation established to promote education amongst the educationally backward sections of society.

The aim of the Foundation is to formulate and implement educational schemes and plans for the benefit of the educationally backward minorities in particular and weaker sections in general. The Foundation was registered on 6th July, 1989, under the Societies Registration Act, 1860...

Because of procedural delays relating to incorporation and release of funds the foundation could not find its feet till the middle of the year 1994...

Summary of Objectives:

- i) To establish residential schools especially for girls ... in various parts of the country...
- ii) To promote technical education...
- iii) (To extend) financial assistance for hostel accommodation for girl students.
- iv) (To extend) financial assistance for remedial coaching for students.
- v) To establish chairs and to create visiting professorships in selected Indian and foreign Universities for research into various aspects of the ... personality of Maulana Azad.
- vi) (To) institute an International Award in the name of Maulana Azad to be given annually to an eminent person (for) commendable work in promoting amity amongst individuals and peace amongst nations.

The annual interest on the corpus of Rs. 30.1 crores approximately to Rs. 4.12 crores which is available (for) the Foundation's activities.

Allocation of Funds

The scheme-wise distribution of funds of the Foundation was decided at the planning stage as follows:

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|---|-----|
| 1. Residential Schools | 70% |
| 2. Establishment of Chairs and Research Centres, Translation and Publications, Seminars and Conferences | 10% |
| 3. Aid to vocational centres and polytechnics. | 15% |
| 4. Administrative expenses | 5% |

The first instalment of Rs. 5 crore was released on 29 March, 1993, the 2nd instalment of the grant amounting to Rs. 25.01 crore was released on April 3, 1995.

The grants sanctioned upto December, 1996 to educational institutions of women to establish schools/residential schools and colleges totalled Rs. 4,93,00,000.00. The first instalments aggregating Rs. 1,74,53,500.00 have been disbursed to 14 voluntary organisations...

The cumulative expenditure incurred upto 31 March, 1996 on the broad areas chosen by the Foundation works out as follows:

- | | |
|--|--------------------|
| i) Assistance to residential schools/schools for girls | (Rs. in Thousands) |
| ii) Assistance to vocational training centres | Rs.25,290 |
| iii) Assistance to educational institutions not falling under (i) and (ii) | Rs.8,466.5 |
| | Rs.565.5 |

S.No.	State	Sanctioned	Released
(Rs. in thousands)			
1.	Andhra Pradesh	175	175
2.	Andaman	1,000	NIL
3.	Bihar	12,940	6,040
4.	Delhi	65	65
5.	Gujarat	500	500
6.	Karnataka	5,705	2,455
7.	Kerala	3,230	2,030
8.	M.P.	190	190
9.	Maharashtra	1,680	1,580
10.	Manipur	1,900	NIL
11.	Orissa	532	532
12.	Punjab	3,367	1,684
13.	Rajasthan	3,000	1,000
14.	U.P.	14,920	3,906
15.	West Bengal	11,040	5,540
Total		60,244	25,697

Promotion of Education with Particular Stress on

Women's Education: ... It was decided to assist the establishment of residential schools specially for girls, to be opened or expanded in various parts of the country...

Technical Education: As regards technical education ... it sanctioned and disbursed upto December, 1996 respective Rs. 1,09,44,000 and Rs.82,44,000 to 35 NGOs for purchase of equipment and other paraphernalia for starting and strengthening technical courses...

The ceiling limit for an individual technical/professional institution is Rs. 5,00,000...

Vocational Training Centre for Women

... A Vocational Training Centre was established in Delhi in 1991. The main beneficiaries ... are women from the walled city of Delhi. The Centre provides training in the following trades: Cutting & Tailoring, Textile Designing, Beauty Culture, Arts & Crafts and Computers.

... The Centre is broadly following the courses designed by the New Delhi Polytechnic for Women. The expenditure incurred on the Centre so far is Rs. 5.00 lacs and the number of students trained is 1,404....

Research and Publication Programme

... The following topics were identified by the Academic Sub-Committee of the Foundation for research work, for which number of noted scholars were requested to take up this job:

1. Evolution of Islamic thought in India.
2. The System of education in medieval India.
3. Encyclopaedia on Islam in India
4. Ideas and Ideals, in Medieval India, An Anthology.
5. Contribution of Islam to Indian Culture.
6. The image of Islam and Muslims in the eyes of Non-Muslim Indians.

7. Muslims and Islam as perceived by Non-Muslims in post-independence India.
8. Indic religions as perceived by Muslims through the ages; an Anthology.
9. Muslim contribution to Indian Freedom Movement.
10. Indian Muslim's contribution to Fine Arts.
11. Muslims in renascent India (from Raja Ram Mohan Rai to the present).

... It was decided to translate the selected works of Maulana Azad duly condensed, in English, Hindi and various regional languages...

(It was) also decided to bring out a well documented and researched biography of Azad, an extensive and exhaustive bibliography of the works of and on Azad...

The Foundation has constituted an Academic Sub-Committee to supervise and guide the (implementation of the programme) comprising the following:

- | | |
|-----------------------------|-------------------------|
| 1. Abid Hussain (Chairman) | 2. Khaleeq Ahmad Nizami |
| 3. Ali Sardar Jafri | 5. Rajni Kothari |
| 4. Harish Khare | 7. A. S. Malihabadi |
| 6. Abid Raza Bedar | |

International Award: It was decided to institute an international award in the name of Azad...

Administration: The Foundation is temporarily located at Talimabad, Sangam Vihar, New Delhi - 110 062, by courtesy of the Hamdard Education Society.

The Minister of Welfare is the ex-officio President of the Foundation with the following members:

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|---|----------------------|
| 1. B.S. Ramoowalia, | Ex-officio President |
| Minister of Welfare, GOI | |
| 2. Saiyid Hamid, IAS (Retd) | Exec. Vice President |
| 3. Mahmood-ur-Rehman, IAS | Ex-officio Member |
| Vice-Chancellor, AMU, Aligarh. | |
| 4. Mushir-ul-Hasan, Acting | Ex-Officio Member |
| VC, Jamia Millia Islamia | |
| 5. Mohd. Shakeel Ahmed | Ex-officio Member |
| Ministry of Welfare | |
| 6. P.P. Zacharia, Secretary, | Ex-officio Member |
| Central Wafk Council | |
| 7. Najma Heptulla, | Member |
| Dy. Chairperson, Rajya Sabha | |
| 8. A.R. Kidwai | Member |
| Governor of Bihar. | |
| 9. Abid Hussain. Vice-Chairman, | Treasurer |
| Rajiv Gandhi Foundation | |
| 10. A.P.J. Abul Kalam | Member |
| Scientific Advisor, Ministry of Defence | |
| 11. A.M. Khusro | Member |
| 12. (Ms.) A.S. Desai, Chairperson, UGC | Member |
| 13. Rafiq Zakaria, Bombay | Member |
| 14. Mumtaz Ahmed Khan, Bangalore | Member |
| 15. T.M. Savan Kutty | Member |
| Former Chairman, Kerala PSC | |

The Foundation has a Governing Body consisting of:

- | | |
|---------------------|--------------------------|
| 1. Saiyid Hamid | Executive Vice-President |
| 2. Abid Husain | Treasurer |
| 3. (Ms.) A.S. Desai | Member |
| 4. F.U. Siddiqui | Secretary, MAEF |

AFMI Educational Conference

Resolutions- Extracts

The AFMI Educational Conference and the All India Muslim Educational Conference, meeting at Patna on 20-22 December, 1996.

Calls upon the Union and State Governments -

1. a) To ... shift Article 45 of the Constitution of India (which deals with free and compulsory education of all children upto the age of fourteen years from Directive Principles to Fundamental Rights.
- b) To take immediate steps to introduce universal primary or elementary education... with mother-tongue (as declared by the parents) as the medium of instruction...
- c) To achieve the target of Education for All ...
4. b) To take steps to introduce vocational education ... with special emphasis on computer education, at the higher secondary level. ...
6. a) To take steps to conform Madarsa education to the general pattern of education in the country, namely, primary, middle, secondary, higher secondary and ... collegiate levels with point-to-point correspondence and equivalence between them. ...
- c) To take steps to modernise Madarsa education so as to include courses on humanities, social sciences, physical sciences, commerce, management and vocations including computer education.
7. b) To establish separate schools for girls at the middle, secondary and higher secondary levels in minority concentration.
- c) To establish more colleges for women with hostel facilities. ...
8. To establish (i) non-formal education centres and (ii) crafts centres in minority concentration areas.
9. To take steps to prepare standard text-books ... and make them available before the beginning of the academic session...
11. To formulate, clear and detailed guidelines, for recognition, within a given time-frame of minority educational institutions...
13. To publish ... statistical information from census data relating to economic, educational and employment status of Muslims.
14. To appoint Commissions to collect statistical information relating to all aspects of backwardness of the Muslim community. ...
15. To take steps to weed out communal statements from the text-books....
17. To take effective legislative and administrative measures to stop communal propaganda.

(Contd. on page 136)

Legal Issues as defined by the SC Apex Court

1. a) If a religious or linguistic minority in a State establishes an educational institution, can the members of that group in any other State claim rights under Article 30(1)?
b) Whether it would be correct to say that only the members of that minority residing in that State will be treated as the members of the minority vis-a-vis such an institution?
2. a) What are the criteria for treating an educational institution as a minority educational institution?
b) Would an institution be regarded as a minority educational institution only because it was established by a person(s) belonging to a religious or linguistic minority or it is being administered by a linguistic minority?
3. Whether the minority's right to establish and administer educational institutions will include the procedure and method of admission and selection of a student?
4. Whether the admission of students to a minority educational institution can be regulated by the State Government or by the university to which the institution is affiliated?
5. Whether the ratio laid down by the apex court in *St. Stephen's College vs University of Delhi* is correct, if not, to what order?
6. Can the followers of a sect or denomination of a particular religion claim protection under Article 30(1) on the basis that they constitute a minority in one State even though the followers of their religion are in majority in other States?
7. Whether the decision of the apex court in *Unnikrishnan vs State of Andhra Pradesh* where it holds that primary education is a fundamental right and the scheme framed thereunder requires reconsideration or modification and, if yes, what?

Composition of 11-member Bench of the Supreme Court

Justice M.M. Punchhi	Justice K. Ramaswamy
Justice A.S. Anand	Justice S.P. Bharucha
Justice M.K. Mukherjee	Justice S.C. Sen
Justice S.B. Majumdar	Justice Sujata V. Manohar
Justice Saghir Ahmad	Justice K. Venkataswami
Justice K.T. Thomas	

Nadwatul Ulema, 1996-97

* No. of Students including Resident	2154 1950
* No. of Student in affiliated Maktabas	2163
* Annual Budget (exclusive of construction) Including expen. on indigent students	1 Crore 30 lakhs

Shireen Moosvi on 57th Session of Indian History Congress

The Indian History Congress (IHC) held its 57th annual session at Chennai (Madras), December 27-29, 1996. It was attended by about 600 delegates, and a very large number of research papers were read at ... the Session... The Annual Meeting on December 2 ... passed a resolution concerned the Archaeological Survey of India (ASI). It demanded that the ASI should be made an autonomous organisation on the lines of the ICHR, since its present functioning "as a mere department of the Central Government" was far from satisfactory. Regretting the fact that the Central Advisory Board of Archaeology has not been convened "for years", it suggested that it be converted into an effective "governing body" of the ASI to ensure that the ASI's work is subjected to "transparent academic monitoring". It felt that the ASI should always be headed by "an academic of eminence". The Congress shared the widespread concern in the country over the damage to monuments and archaeological remains from "pollution, land-grabbing, parochial prejudice and administrative indifference". It demanded that no monument should be transferred away from the ASI's realm of responsibility and that the ASI should immediately publish a comprehensive list of monuments protected under the Ancient Monuments Act. The ASI was also urged to repair and restore historical buildings under the control of religious trusts, waqfs etc. The Congress called for immediate legislation by parliament to put its recommendations into effect.

By another resolution the IHC recommended that the *Bharat Itihas Samshodhak Mandal*, Pune, a rich repository of historical archives and materials, be declared an "institution of national importance", and the responsibility for its maintenance and development be taken over by the Government of India from private hands. The ... Session was inaugurated by Tamil Nadu CM Karunanidhi, who called upon Indian historians to pay special attention to the cultural achievements of Tamils inside and outside India.

The President of the Session, Professor V.N. Datta devoted his presidential address to an analysis of the circumstances leading to the transfer of power in 1947. He held that "we cannot say that it was the Congress or the League that was responsible" for the partition. Both "acted wrongly" at one time or another, he felt. He pleaded for "dispassionate thinking and free expression" on the part of the historians. ... A Symposium was held on Concepts of Social Justice in Indian History, the papers being presented by Dr. V. Jha, Profs. Athar Ali and V. Naik. Prof. Iqtidar Alam Khan of Aligarh was elected President for the next Session... Sixteen members were elected to the executive committee, including Profs. Irfan Habib, K.M. Shrimali, Dwijendra Tripathi, Suvira Jaiswal, S. Moosvi and R. Gurukkal, besides Prof. P Jagadeesan, the local secretary. (Source: *The P.D.*, 12 Jan. 97)

Suggestions for Welfare and Development of Muslim Indians

Extracts from Dr. J.N. Mishra's Letter to P.M. dated 25 January, 1997

... In the field of education and professional competence ... special Technical, Vocational and Professional institutes be opened and run in all areas where Muslims have a large presence. A suitable percentage of seats in institutions of higher professional learning may also be reserved ... special disabilities if any suffered by minorities in their access to education.

The two schemes operated by the Department of Education (1) Area Intensive Programme for Educationally Backward Minorities and (2) Scheme for Modernization of Madarsa Education require intensive review... Improvements in the functioning ... should quickly be brought about with particular attention to the Minority Concentration districts. ... Strengthening and increasing the number of community polytechnics, ITIs and vocational training facilities in all schools should be undertaken in all the Minority Concentration districts. Polytechnics and ITIs for women candidates should also be set up in these districts, selectively.

The scheme of University Grants Commission for pre-examination training centres for Minorities ... requires to be reviewed for improving the recruitment...

... The corpus of the Minority Finance Corporations may be substantially increased and their functioning be made result-oriented; (b) Other Schemes like IRDP, Jawahar Rozgar Yojana and P.M. Rozgar Yojana be administered in such a manner that Muslim applicants also benefit from them; and (c) ... proportionate share in quotas, permits, licences and allotments for Muslim entrepreneurs in government sponsored businesses must be ensured.

... Central Government should consider designing a scheme for financial assistance to States for relief and rehabilitation of riot victims... Compensation for loss of life, limb or property to Muslim victims of communal riots must also be at par with ... other victims like victims of Delhi anti-Sikh riots of 1984...

Central Government should impress upon Central and States police force to ensure adequate representation of minorities in these forces. If required, special recruitment drives should be undertaken. Muslims must also be given due representation in Anti-Riot Task Force and other para-military forces... Special arrangements for pre-examination training centres and recruitment drives should be organised in Railways, Banks and Public Sector Undertakings... Muslims must be given due representation on the Selection Boards and Panels at every level for minimising bias against Muslim candidates. Muslim representatives of proven integrity must also be put on Supervisory Boards and Commission like Banking Boards, Railway Recruitment Board etc.) after reconstituting them.

Minorities Corporation should specially focus on promoting self-employment of educated youth and artisans... They should ensure that women are given priority... TADA has been repealed, but TADA victims, mostly innocent Muslims, are still languishing and suffering. TADA detainees be released forthwith, atleast on bail and their cases reviewed...

The powerful impact of the electronic media must be utilised by good programmes, for promoting communal harmony, emotional integration and a correct and positive image of the Muslims. For the same reason use of commonly spoken "Hindustani" language in government radio broadcasts or telecast be vigorously pursued.

For the proper implementation of the Prime Minister's 15-Point Programme for the welfare of minorities, there is a need for constituting a statutory body, in addition to directions ... to the State Governments... The Constitutional safeguard in Article 30(1) ... should be enforced strictly, without much interference from the executive... The Government should extend more facilities for making these institutions play a better role...

... An appeal is made to Urdu language (should be given) the place it deserves in the National scenario.

... The Central government should provide financial support for the 15-Point Programme and other important elements, so as to secure leverage from proper implementation of the policy in States and other relevant organisations.

A Masjid Restored

In a remarkable demonstration of communal amity and the spirit of accommodation, Hindus and Muslims in the historic city of Gulbarga, Karnataka, have reached an amicable settlement to a nearly 50-year-old dispute over the Jamia Masjid in the city.

The Hindus not only agreed to put an end to the encroachments on the land of the mosque but also handed over the land to the Muslim community after clearing it.

Both the communities at the Bhosga Bhimli village, 10km from Gulbarga city, joined hands to ... pave way for the reconstruction of the grand mosque (which) was demolished during the Police Action of 1948 to bring the State of Hyderabad into the Indian Union.

Gulbarga, famous for the shrine of Bande Nawaz, was at that time one of the major cities in the Nizam's dominion. The city witnessed largescale deaths and destruction in the aftermath of the police action.

Gulbarga, along with three other districts, later became a part of Karnataka. Since the police action, Gulbarga has remained a communally-sensitive city...

(Source: Omer Farooq's Report in The Pioneer, 30 December, 1996)

Shahabuddin's Letters to Government

Muslims should not be Trifurcated

Letter to Prime Minister, 28 December, 1996

Your declaration in Patna and then in Chhaprauli (Meerut) on 23 and 24 December 1996 on the question of reservation for Muslims as a community in public employment has disappointed the community and left them in a state of frustration.

Little benefit is going to accrue to the Muslim community is to be trisected and then bracketted with OBCs/SCs and now with High Castes. In each arena the Muslim Section will be forced to engage in an unequal contest which it can never win. The Muslim community has on the other hand been pleading for the Kerala or the Karnataka model i.e. a roster or a quota, based on population and its relative backwardness.

If the Karnataka dispensation or the Kerala regimen is constitutionally valid, why shouldn't a similar dispensation/regimen be so, if adopted by other States or by the Union? If reservation for a caste group on the basis of backwardness is valid, it must also be equally constitutional for a backward religious group.

That Muslims constitute an educationally and economically and, therefore, socially Backward Class is universally admitted, by the Government and by all major political parties. Even the BJP does not deny the fact of backwardness. Thus, Reservation is not a question of constitutionality or legality but one of political will and social commitment. May I, therefore, request you to notify the Muslim community as a whole as a Backward Class and announce a quota of 9% for them in public employment under Centre, considering that it forms 12% of the population and its relative backwardness compared to SC/ST is estimated at 75%. Mutatis mutandis suitable quota can be announced at the State level.

I would like to add that with the contraction of free space, it is becoming increasingly difficult for the social groups like the Muslims, which do not enjoy reservation to compete their way into public employment or professional education. If 12% of the population is left behind in progress and development, the entire country will lag behind and the pace of development will slow down apart from more serious consequences.

Quota Should be Caste-Based, Not Vacancy-Based, Letter to PM, 21 Jan., 1997

Reservation in public employment has so far been applied to current recruitment (either in the case of SC's and ST's or also in the case of OBC's). Obviously it takes years before any beneficiary group has due representation in the cadres as a whole, not only because each of them begins with a very low level representation and secondly because most of them enter at a relatively advanced age and have shorter period of service.

I suggest that, subject to availability of "eligible"

Letter to Ram Vilas Paswan

On Muslim OBCs, 31 January, 1997

I am surprised to find that you inaugurated the Muslim OBC's Conference in Bombay on 8.1.1997. Perhaps you are not aware that Mr. Shabhi Ansari, the main organiser of the Conference, is acting at the instruction of Mr. Sharad Pawar who is anxious to whitewash his role during the Bombay Disturbances in December, 1992 - March, 1993.

Muslim Indians, as a community, constitute a Backward Class and should be given a separate reservation quota because if they are lumped with OBC's or even with SC's or ST's, they would not gain much, as they are relatively backward and would be unable to field candidates who can compete with meritorious OBC or SC candidates. Secondly, to accommodate Muslim Indians the quota for OBC's or for SC's has to be increased. Of course the OBC quota of 27% includes about 2.2% notionally for the Muslim B.C.'s.

Within the Muslim community, my view is, that the Sub-communities notified as Backward Class should have preferential claim on the Muslim quota. Also the elimination of the creamy layer will operate ruthlessly against the "high caste" Muslims.

I, therefore, request you not to be a party to the division of "Muslims" into 3 sections: high caste, OBC and SC and instead, to support the proposal of declaration of Muslim community as a Backward Class (as in Karnataka) with a separate quota, of say, 9-10%.

Government Statement on Jobs for Muslims

Since recruitments are not made on the basis of religion, no data relating to recruitment, religion-wise, is maintained. Some representations have been received by National Commission for Backward Classes from some organisations of AP, Goa, Karnataka, Kerala, Orissa and Tripura for inclusion of Muslim community as a whole in the OBC list. No recommendation to this effect has been made by the National Commission for Backward Classes till date. However, some sections of minorities including Muslims which have been included in OBC list are eligible to take advantage of reservation provisions in the Civil Services and Posts under Government of India.

(Source: LSUQ No. 3718 dated 17 December, 1997 by Mukhtar Anis)

candidates, the intake each year should be pegged at the due percentage of the sanctioned strength of the cadre and not of the current vacancy. This implies that in a given year, their intake may be higher than the percentage of reservation.

I request that the feasibility of this suggestion may kindly be examined with a view to upgrade the representation of the deprived groups within a reasonable period.

S.S. Gill On Reservation

... Reservation for the backward sections among Muslims and other minority groups has been provided in the Mandal report.... As the Constitution lays down the criteria for reservation for the Other Backward Classes, it was easier for us to identify them on the basis of an extensive field survey. Social and educational backwardness was the test for their identification. As social backwardness is caste-based, and case is peculiar to Hindus, it was possible to identify the Hindu OBCs on the basis of the above test. (Courts have held that caste and class are almost synonymous). But how to determine such backwardness among the non-Hindus?

... On the basis of extrapolating the population figures of various castes as given in 1993 census report, it was calculated that 52 per cent of the Hindus belong to the OBCs. Working on the same analogy, it was assumed that the proportion of backwards among the non-Hindus would be roughly the same. As the minority communities at that time constituted 16.16 per cent of the country's population, 52 per cent of that figure came to 8.4 per cent. Consequently, this chunk of the non-Hindu population was clubbed with the Hindu OBCs, thus making them eligible to all the benefits of reservation. Para 12.18 (Vol. I) of the report clearly states that the following is the "rough and ready criteria for identifying the non-Hindu OBCs: "(1) All untouchables converted to any non-Hindu religion; and (2) Such occupational communities which are known by the caste name of their traditional, hereditary occupation and whose Hindu counterparts have been included in the list of the Hindu OBCs. (Examples: Dhobi, Teli, Dheemar, Nai, Gujar, Kumhar, Lohar, Darji, Badhai, etc.)" The Mandal report clearly clubs the non-Hindu communities with the Hindu OBCs for purposes of reservation, and the list of the OBCs contained in Mandal Commission report (Vol. II) includes all the non-Hindu groups listed above.

These are the lists accepted by the Central Government for extending benefits under its policy of reservation. ...

(Source: The Hindu, 29 January, 1997)

Dalit Christians: WCC General Secretary's Letter to Prime Minister, Geneva, 19 November, 1996

The Government of India ... has shown concern for the conditions of the Christians of Scheduled Caste Origin (Dalit Christians). You have also given your assurance that you will consider extending statutory benefits to them. You have accorded high priority to the issue of Dalit Christians by including it in the minimum agenda of your Government.

... We share the concerns of our member churches in India and of the National Council of Churches in India that Dalit Christians have been continually denied the fundamental rights, particularly the rights to profess the

Shahabuddin's Letter to The Hindu On Reservation 31 January, 1997

Apropos Mr. S.S. Gill's article on the Reservation Muddle in the Hindu (29 Jan). We are all aware of the calculation that 52% includes 8.4% for religious minorities. It implies that in the quota of 27%, roughly 4.3% is the notional share of the OBC's among religious minorities. Since Muslims constitute 2/3 of the minorities OBC's, the share come to 2.8% and that too jointly with far more advanced OBC's. So, in practice, they are going to get precious little. In his view they should lump it; the last word has been uttered.

No, neither they nor the MBC's are going to accept the Mandal deal as a fait accompli, as a final solution; each sizeable OBC which feels deprived, will finally demand its own separate quota; the same demand will be voiced by each deprived SC and ST.

The Constitution does not state that all Backward Classes must have a common quota. Indeed the Constitution itself exemplifies the term Backward Classes by mentioning SC's and ST's. How does it follow that all others must be forced to take shelter under a common umbrella?

Secondly, he equates (and finds judicial support for the view) "caste" with "class". But on my reading the word "class" in the term "Backward Class" has not been used in the economic or Marxist sense but in the legal sense of differentiation and classification. Now if Mandal Report has used caste identity as the unit to determine whether a particular caste group fulfill the criteria of backwardness and, if so, put caste coupled with backwardness beyond the reach of Article 14, why can't religion coupled with backwardness claim the same privilege?

Thirdly, social backwardness of any social group is the end result of its educational, economic and political backwardness. These are all measurable. A social group which is relatively poor or under-represented in the public service and the legislatures is SOCIALLY BACKWARD and is in fact looked upon as such. They should be entitled to protective discrimination.

Finally, there is a difference between the quota for a group based on its overall backwardness and the selection of individual beneficiaries from that group. On this Mandal is silent; So is Mr. Gill. But happily the Supreme Court has spoken out, and defined the 'creamy layer', yet to be defined nationally on a reasonable basis, whose purpose is to let the benefits of reservation reach down to the really deserving families of that Backward Class.

religion of their choice and to protect their lives. We share the concern of the churches of India that there is urgent need to amend the Constitutional (Scheduled Castes) Order of 1950.

We respectfully urge that your Government introduce legislation that will have the effect of granting to Dalit Christians these basic rights...

T.N. Gopalan on Communal Situation in Tamilnadu

Communal violence is a relatively new phenomenon in Tamil Nadu. It is not as if the State is some kind of an Arcadia. Caste-related violence, attacks on the Dalits especially, has been a regular feature since Independence, and even before that. There has also been occasional religious brawls, turning murderous sometimes, claiming a few lives here and there - but nothing more than that.

The kind of sustained violence which one has been witnessing in Coimbatore ... for nearly a week ... is a new experience for the people and the administration....

Since the murder of Palani Baba on January 28, eight persons have been killed - six of them in the Coimbatore belt, one in the southern part of the State and another near Madras. Besides, there has been sporadic instances of arson and looting in the south and the west, raising visions of a communal divide and riots as in the northern India. However, the rest of the State has been almost completely normal and there is no sense of panic ... in the state. The media is underplaying the incidents, not in an attempt at containing the violence but simply because it is generally felt that conflicts will remain localised by themselves and that there would be no serious law-and-order break-down. Ahmed Ali - better known as Paiani Baba ... himself had been a notorious rabble-rouser. He was a much sought after preacher and his crisis-crossings were often marked by a trail of bloody clashes. However, his murder came at a time when he had withdrawn into a shell, apparently for the fear of his life.

If the Muslim youth today take to violent protests, it is less out of solidarity with the ... Baba and more by way of giving vent to their own frustration. "Lack of adequate employment, foreign-funded and committed cadres, an insensitive and biased administration and venom-spouting fundamentalists, that is a classic explosive mix", points out a noted sociologist in the State.

Dravidian scholars point out that because Tamil Nadu had never experienced any Muslim invasion and also because Muslims had played a vital role in the growth of the Dravidian movement, there has been little animosity between them and the non-Brahmin backward castes, which form an overwhelming majority of the State's population.

It was ... Mohammed Ismail, leader of the Muslim League, who first demanded in Parliament that Tamil be made India's official language. He worked in close rapport with leaders like Periyar E.V.R. and C.N. Annadurai, founder of the DMK, and hence a district was carved out in his name.

The seeds of the communal hatred were sown during the Jayalalitha regime when the State police let loose a reign of terror in the Muslim pockets in Coimbatore in an

attempt to flush out the kingpins of an extremist group. The State ... People's Union for Civil Liberties later came out with a damning indictment of the police and the Jayalalitha Government.

The Hindu fringe groups, which protested the abuse of the Hindu gods by the Dravidian leaders, also targeted Muslims. It was because of the rabid Hindu Munnani that public celebrations like the Ganesh Chaturthi rallies became a minefield of contending communal forces. Vulgar slogans were raised and ruckus was created before mosques en route, setting off clashes. Jayalalitha indirectly patronised the Munnani...

It was in such a milieu that the blasting of the headquarters of the State RSS unit took place in 1993, killing 11 persons. It was followed by the murder of a Hindu Munnani leader in Madurai in October 1994. To this day, the assassins have not been apprehended. Such lack of action helped little to check the increasing grudge between the two communities.

The State capital was again rocked by a series of explosions sometime ago. Hotels owned by Muslims which sponsored floor shows were targeted. The bombings were meant as warning against un-Islamic activities. And finally another group sought to forcibly enter a mosque in the Raj Bhavan complex on the fifth anniversary of the demolition of the Babari Masjid.

The murder of Palani Baba at this juncture worked as a flashpoint. The riot-like frenzy which followed the murder caught the police and the administration off-guard. The Karunanidhi Government's current attempts to flaunt its solicitude for the minorities ... may just aggravate the situation. The Government would do well by keeping a strict vigil on the activities of the various groups which may try to exploit the situation.

Shariq Alvi on VHP's Attack on AMU

The VHP chief, Mr. Ashok Singhal in a recent discourse at Bhopal urged the ... closure of the Aligarh Muslim University... Mr. Singhal feels that the institution is a threat to the nation and Hindutva.

... Is it that since AMU has more than 50% Muslims on its rolls and staff it should be disbanded? On this analogy in secular India all those institutions which are dominated by ... one community, namely, Hindus, Christians and Sikhs should also be closed down. Mr. Singhal has also stated that recently in a seminar in AMU some speakers expressed anti-national views which warrant stern action against the university. It is for the district administration and intelligence agencies to haul up the person who violate the law...

(Source: Letter to the Editor, The Pioneer, 21 January, 1997)

Arun Shourie on C.M. Ibrahim

"It is because I happen to be an unfortunate person belonging to the minority," the minister declaimed, pasting a motive on those who were demanding that he resign. "Have there not been in the past as many allegations levelled against ministers belonging to major communities, but was any demand made for their resignation?" he asked. And there is always the invoking of Divine Wrath: "Time alone will furnish an answer to all those questions," the minister declaimed. "But one thing I want impress on every one of you: you may escape human justice, but never Divine Nemesis". There is always that declaration of one resolve. "I will root the BJP out from the very roots", the minister shouted through the din in the House. And in the end there is always the high purpose for which one is making "the supreme sacrifice", that is resigning one's position as minister: "I am seeking my freedom more out of sorrow than anger to defend and vindicate myself in the public eye", the minister said finally as he announced his resignation. "After all, a person is answerable only to God and one's own conscience."

... This was the other, equally luminous, star in Deve Gowda's government, C.M. Ibrahim. He had rejoined the Congress, and had become a minister in Gundu Rao's government. I had recalled at the time the words he had been using in public speeches about Mrs. Gandhi: "voh antar rashtriya vyabhicharini," "that international prostitute". A.K. Subbiah, then a BJP member of the Karnataka Legislative Council, had begun nailing Ibrahim on one thing after another. To everything Ibrahim had a standard answer: it is all a plot of the communal forces, he would say. But he wouldn't answer the specifics that Subbiah and papers like the Indian Express were bringing out about him. Subbiah nailed him on a watch: he had got it as a "gift" from some one in West Asia, Ibrahim acknowledged in the end.

Then came the episode of the flour mill licenses. Issuing licenses for setting up flour mills had become a very lucrative industry by itself. The Centre had sent telegrams to state governments instructing them not to issue any further licenses for flour mills. C.M. Ibrahim, then minister for food and civil supplies, had worked extra well past midnight! The matter had blown up into a big scandal. Ibrahim said it was all a concoction of the communal forces. Gundu Rao stood by him. But, eventually, Gundu Rao had to yield and entrust the inquiry to the CBI. That was the only way time could be bought, in a year everyone would have forgotten the matter. And, in any case, the government at the Centre was of their own party.

But then, came the terrible Padmakka episode. There

was a gruesome murder in Bhadravati involving a man called Khader, the brother, it turned out of the same minister, C.M. Ibrahim. A 45-year-old woman was an eyewitness. She was abducted, brought to Bangalore. There she was subjected to thrashings and the rest. In the end she escaped. On coming out she lodged a complaint with the police that she had been held and tortured and raped at the house of Ibrahim, that she had been threatened by Ibrahim, among others, and warned that terrible consequences would follow for her and her entire family if she gave any evidence against Khader. The judicial magistrate at Bhadravati directed the state's Corps of Detectives to inquiry into the complaint. Based on its findings, the police at Bhadravati filed a formal FIR a few days later implicating Ibrahim, his brother and others in a case of abduction, rape, wrongful confinement and criminal intimidation.

The usual things happened. Ibrahim again alleged that it was a conspiracy of the communal forces. Both the officers who had handled the case and done their job were cast aside: the superintendent of police, B.N. Nagaraj, was transferred out, and the DIG of the Corps of Detectives, N.B. Bhat, was ordered to proceed on leave. The action against the SP and the DIG blew up in Assembly. CM Gundu Rao declared, with the aplomb to which he was accustomed, that these actions were just administrative steps and were not matters of any "public interest". That enraged the legislators all the more. Assembly was having its Budget session. Devraj Urs, then President of the Congress(O), and S.R. Bommai led the charge in Assembly. They as well as 25 other MLAs were suspended by the Speaker for the rest of the Budget session. Once again the government of the day had triumphed, and the conspiracy of communal forces had been thwarted.

But, on June 30 1981, the Indian Express reported that the CBI had found that yes, Ibrahim had indeed given those licenses for the flour mills for collateral purposes. The Opposition demanded the man's dismissal. Gundu Rao declared that it was all a conspiracy, he said several things about us at the Express and declared that the Opposition, apart from just parroting what he paper was feeding it, was in the pay of excise contractors. But the defence didn't work. And, on 4 August 1981, Ibrahim had to resign in disgrace.

But time and secularism are great healers. Today the same Ibrahim is minister for information and broadcasting... in the government of India. He can be seen always at the side of the Prime Minister, his trusted aide and counsellor....

(Source: The Asian Age, 19 July, 1996)

Shyam Khosla on the Law and the Bukharis

... The United Front Government is moving heaven and earth to save the skin of rabid communalist Syed Ahmed Bukhari, the Naib Imam of Delhi's Jama Masjid, who is charged with sedition and inflaming communal passions by his anti-national speech from Jama Masjid in the wake of the demolition of the Babari Masjid.

... Shri Bukhari ... has been evading court notices and made himself unavailable to stall the execution of the non-bailable warrants issued against him by a Delhi Metropolitan Magistrate.

The 'secular' Government headed by H.D. Deve Gowda instructed the Delhi Lt. Governor to move the court for the withdrawal of the case against Abdullah Bukhari's son on the specious plea that dropping of sedition charge against him would help create a peaceful environment in society.

Vinod Kumar Sharma, the Metropolitan Magistrate, was not impressed. He rejected the Center's contention which had sought to put the deputy imam above the law...

The Magistrate referred to the FIR No. 98/93 registered at the Jama Masjid Police Station and said the prosecution had alleged that the accused made attempts to overthrow the Government. He challenged the state's sovereignty. No individual could be allowed to do this. He cited several judgements of the Supreme Court to say that it was the court's duty to see whether withdrawal of a criminal case was in the interest of administration of justice. No interest of the administration of justice would be served by withdrawing the case against the junior Bukhari as no objective material to the effect had been placed before the court.

... The police filed the chargesheet in the case without arresting the accused on the ground that it would cause a law and order problem. The court issued summons and later non-bailable warrants against the accused but these were never executed and the accused never appeared before the court. Bukhari has obtained a stay on the proceedings from the High Court.

... Shyam Lal, resident of 3148, Lal Darwaza, Bazaar Sita Ram, moved an application in the Metropolitan Magistrate's Court opposing the withdrawal of the case. Three others said the same through their lawyers.

Shyam Lal, in his application, said people living in the Jama Masjid area, including he, were in terror following Bukhari's inflammatory speech. There was enough evidence and a strong prima facie case against the Jama Masjid employee. He prayed that the case should not be dropped.

The role of Delhi police in the case is also under a cloud. It never picked up the courage to serve warrants on

Bukhari despite repeated orders by the Court. At one stage, there were heated arguments between the judge and SHO Amarjit Singh. The latter was later hauled up for contempt of court and escaped punishment by offering an unqualified apology.

In the High Court, another unsavoury aspect of the government's manipulation came to light. Bukhari's lawyers pleaded for stay and informed the court that the Government had decided to drop the charges. The standing counsel said he had no information on the subject. He had been bypassed and the Government had hired a senior lawyer instead...

(Source: The Organiser, 2 February, 1997)

Shahabuddin's Statement On Khilafat Movement, 23 January, 1997

The Khilafat Campaign sponsored by the Students Islamic Movement of India, initiated at Bombay, is spreading its poisonous tentacles all over the country. After its abolition by Turkey in 1924, no Muslim-majority State, by itself, not the Organization of Islamic Conference, not even a pan-Islamic NGO like the World Muslim Congress, Karachi, or Rabita al-Alam-al-Islami, Makka, have taken up the cause of revival of the caliphate. It passes all comprehension how a Muslim community which constitutes only 12% of the national population, can reestablish Khilafat in India. And the sponsors do not care to explain how such an India-based Khilafat, even if it were established, will exercise any authority over the 50 odd Muslim-majority States and about 250 million other Muslims in Muslim-minority States. One does not know who is behind this campaign but obviously it has its roots abroad.

There is no doubt in my mind that this is a pernicious and suicidal campaign. Its object is to alienate the Muslim youth from nationalism based on democracy and secularism and to create an avoidable conflict between Islam and the Indian State and to provide grist for Hindutva mills. It is time that the Government of India wake up to nip this mischief in the bud.

Despite our efforts, the United Front did not support us in Punjab and Uttar Pradesh. They are more interested in anti-Congressism than containing communal forces.

- Sitaram Kesri, Congress President

Seema Alavi

On the Muslim Ghettoisation

During a recent visit by Germany I was struck by the squalor of what constituted the "Turkish Quarters" in that country. These were enclaves of the predominantly Muslim Turkish people located in most of the sanitised "high tech" towns like Bonn, Dusseldorf and Kolon. In these Turkish ghettos the local population lives seeking out its living selling Turkish kababs, breads, trinkets and ribbons. The more affluent of them being owners of tiny corner shops or working as industrial labour. ...

The Turkish case exemplifies the grave social and political implications of the ghettoisation of religious and ethnic minorities. In the case of the Turks, ghettoisation is the only option given their financial inability to live in the better parts of the city. But when religious minorities, like the Muslims in India, who constitute a sizeable section of the Indian middle class, prefer to live in spatially, cordoned community ghettos then the issue needs careful examination.

The emergence of middle class Muslim ghettos in the new areas of big cities like Ahmedabad, Mumbai and Delhi is a fairly recent phenomenon. Whereas in cities like Ahmedabad and Mumbai this development is a direct result of the gruesome communal riots of the last two decades, it is difficult to trace its immediate causes in Delhi where middle class localities have by and large been unscathed in Hindu-Muslim conflicts. It is no doubt understandable that the killings in urban middle class localities of Mumbai and Ahmedabad created a general insecurity in the community as a whole and the middle classes in particular who closely identified with the victims. But ghettoisation of the middle class Muslims is not the solution to the fear of riots. This trend inflicts more damage than communal flare-ups. Its ramifications are detrimental to the long-term interests of the community. For such a herding together reinforces as inclusive sense of community identity based on fear and urge for retribution.

But more importantly, ghettoisation is splitting the Muslim middle class into two neat groups... In Delhi the middle class Muslims increasingly prefer to stay in two community enclaves... The social hierarchies between these two "Muslim areas" are very clearly demarcated.

The emergence in the last two decades of a considerably big Muslim middle class raised the hope of social reforms within the community and the eventual changes in its leadership. But a split in this class is all set to extinguish this ray of hope. Such enclaves like the Turkish Quarters in Germany, run the risk of being projected as epitomising the archetypal "Muslim lifestyle" in India. Middle class Muslim ghettoisation thus needs to be checked as it reinforces the mischievous stereotype of the "backward" ... Muslims.

(Source: *The Indian Express*, 7 February, 1997)

VHP's Protest Against Offence to Hindu Sensibilities, Ashok Singhal's Letter to the

Indian Express, 24 January, 1997

... Several write-ups in your paper (have) hurt popular Hindu sensibilities. Some of them are in such bad taste. They, mischievously using the age-old ploy of quoting an ignoramus to abuse or ridicule formidable goodness or sublimity, speak of the 'syphilis' of Lord Krishna or justify nude picturisation of goddess Saraswati (whose dress - bordered, milk-white saree, a symbol of purity, learning and divine feminine dignity - is already a settled fact in the Shaastras, e.g., in the prayer: "Yaa kundendu tushaarhaara dhavalaa, Yaa shubhra vastraanwita" or make criminally erroneous interpretations of Amarnath.

The prejudice behind such write-ups is obvious, notwithstanding the cunning journalistic tactics adopted. The Hindus are second to none in upholding liberty, including journalistic and artistic, but they also know that liberty (swatantrataa) does not mean licentiousness (swechchhaachaarita). Nobody can have the licence to make something sublime ridiculous. Otherwise the principle of reciprocity must also be appreciated by such so-called upholders of 'absolute freedom of expression' which is, in fact, a misnomer. These write-ups include "Hinduism, incomplete and abridged" by Ramesh Menon (December 19) and "The generational voyage of traditions" by Vina Mazumdar (October 28).

Weakening Hindu society, denigrating Hindus and Hindu organisations, practices and faith on one side - and glorifying or supporting non-Hindu and anti-Hindu attitudes on the other, e.g. "The road to Gethsemane" by Girish Bhandari (December 14) "And I became a Muslim..." by Tanmaya Kumar Nanda (November 8) - has become a normal practice with sections of our media.

It looks as though there are some deliberate plans, designs and agencies at whose behest these deplorable write-ups - the authors of most of which might be convent-educated or communist columnists under the grab of Hindu names and seem to derive perverse pleasure from denouncing Hinduism and hurting Hindu sentiments - are creeping into the columns of the media. Should the columns of *The Indian Express* be allowed to be a playground for their poisonous pens?

We strongly feel that it is a matter to be checked up by the authorities of the institutions in the interests of the country and its culture. It is more so when anti-national and extra-territorial agencies are at work with all their designs and resources... Hindus are a tolerant lot... But this does not mean that anybody is free to take liberties with Hindu society and its sensibilities. The limits of freedom have to be kept in mind - lest they lead to clash and chaos. Honest and scholarly discussions on matters of importance may be all right, but they are very different from hawkish, loose, tongue-in-cheek talk.

Shahjahan's Padshah Nama in New Delhi: A Feast of Mughal Miniatures

... Exactly two centuries after The Padshahnama - the imperial Moghul manuscript which chronicles the first decade of Emperor Shahjahan's reign - left the shores of the country, illustrations of this one-of-a-kind document have been brought to the country for a monthlong exhibition.

The exhibition which opened at the Capital's National Museum (on 27 January, 1997) has on view 44 paintings and two illuminations ("shamsa - the sunburst symbolic of divine light which at the start of a manuscript indicates a royal patron). This is the first time that the manuscript - which is now part of Britain's Royal Collection ... in Windsor Castle - is being displayed for public viewing.

Equally significant is the fact that so far only one opening of the bound book could be seen at any one time. This exhibition of all the illustrations together has been made possible because the book was unbound recently as part of a conservation project.

After a monthlong stay in Delhi, the illustrations will be displayed at the Queen's Gallery in London's Buckingham Palace before moving to the United States where it will be mounted at The Freer Sackler Gallery in Washington D.C. The Metropolitan Museum of Art in New York, the Los Angeles County Museum, the Kimbell Art Museum in Fort Worth, and the Indianapolis Museum of Art. Then it will be rebound and returned to the Royal Library.

The exhibition is part of the golden jubilee celebrations of India's Independence... For most of the 200 years of its stay in Britain, the volume has remained wrapped in the very same Lucknawi silk cloth in which it was presented to King George III in 1799... (In 1797) the ruling Nawab of Awadh handed over the manuscript to ... Governor-General Wellesley. ...

Dr. Milo Beach, Director of Arthur M. Sackler Gallery at the Smithsonian in Washington D.C. ... who along with Ebba Koch has catalogued the manuscript was ... unwilling to put a price to the manuscript ... as there is nothing comparable to it.

The Padshahnama ... chronicles the first 10 years of Shah Jahan's reign. In 1639, the Emperor commissioned Abdul Hamid Lahori to create a historical narrative from the meticulous records that his officials kept right from the beginning of his rule in 1628. ... It was written in the official language of the Moghul Court, Persian and only one copy of the document - including 'the colourful

Proposal to Declare Qutub Area as Archaeological Park Sayed A. Shafi's Letter in the Pioneer, 28 December, 1996

... The proposal to create commercial ambience through fashion shops, boutiques, etc. in the vicinity of the Qutab Minar and its historic sites and monuments ... is nothing but a "reverse acculturation" which had its beginning with the way the Hauz Khas village has been transformed beyond recognition.

For sure, it has become a tourist point of attraction and visitors from abroad love it for its up-scale shops, boutiques, haberdashers and trendy eateries with the famous Hauz Khas monuments in its propinquity. However, the village, especially its historical monuments and the tomb of Ghyasuddin Tughlaq, have been left to wreck and ruin.

Very few are aware that within the Mehrauli-Qutab precincts are reposed different archaeological layers and remnants of several ancient and medieval cities that lie buried underneath. For Delhi, Qutub Minar is an acknowledged ... tourist attraction, but let us not forget that it is a part of Delhi's priceless heritage.

The Conservation Society of Delhi has been urging the authorities to declare the entire area as an Archaeological Park, so that whatever development undertaken is sensitively done, scrutinised and permitted so that the environment and heritage are not debased. Hopefully, the Archaeological Department and Delhi Urban Art Commission would take serious note of these plans.

illustrations executed by some of the best artists of the time - has survived.

While the text has not been put on display, all the illustrations have been mounted. Such is the attention paid to detail in the illustrations that it could put modern-day photographs to shame. The medium used is vegetable and mineral dye and the colour has not faded primarily because the paintings have not been exposed to harsh light. Dr. Beach explained. Magnifying glasses are available at the Museum for those who want to study every small detail in the miniature paintings...

If this is the first time that the miniature are being displayed together, it could well be the only time. For the only way this document - described as the jewel among the Oriental manuscripts in the Royal Collection - can be saved for posterity in its original form without corrective "touches" is by keeping it away from harsh lights....

(Source: The Hindu, 28 January, 1997)

I.K. Gujral on Gujral Doctrine

... "Gujral Doctrine" is: no interference in internal affairs. Full respect for sovereignty and territorial integrity. Not allowing Indian territory to be used against any of the neighbours, and resolving any dispute through bilateral discussions. The Ganga Water Treaty ... is the most outstanding example of what we should do. It has generated an internal debate, an inner churning in Bangladesh. People there, especially captains of trade and industry are demanding that their country should open up now that they have got Ganga water. ...

We are getting closer to ASEAN not only bilaterally, but as SAARC also, I would like to promote collective regional cooperation. I shall take it up at the next SAARC meeting, now that India is the chairman. We should have regional ties with the European Union, APEC and others too. (As for) Pakistan ... the doctrine says we ignore needless provocations. We do not respond to propaganda on issues like Kashmir. Let them say what they want. We do not need certificates from the world community, which has seen how we conducted the elections in Kashmir. The intrusion of pilotless aircraft is something we can deal with at the military level. But there is need to talk. We are ready, but they must cover economic, cultural and other ties.

... Talks will resume if and when the (Pakistan) establishment ... will decide. Ties with Nepal and Bhutan are also looking up ... particularly in areas where it had been difficult before. The Mahakali Treaty has been ratified by the Nepalese Parliament with two-thirds majority. The surveys have commenced. In the forthcoming annual budget, the government will seek to allocate a part of the funds India is committed to spend.

With Bhutan also, preliminary talks have taken begun for a water-power arrangement. We have to get power from Bhutan by the end of the century. Earlier estimate was for 4,000 MGW, but it has since been revised to 6,000 MGW. This will ease our power problem. This is besides the waters from Sankosh river for the Farakka Barrage that will help both India and Bangladesh.... (Source: *The Times of India*, 23 January, 1997)

US Senate: US Relations with India and Pakistan

Sen. Grams: ... There is a strong interest in the U.S. developing a more comprehensive policy for this volatile (South Asian) region. One of the obvious concerns is the increasing tensions between Pakistan and India, and especially given the fact that the arms proliferation and the nuclear capabilities in both of those countries.

Second, a greater stability in South Asia would be beneficial to American businesses. ... It is an area of potential economic growth. Do you think the U.S. Should

The Radiance on the Demise of The Two-Nation Theory on Partition

The emergence of Bangladesh as an independent country is being described in the whole country as the last nail in the coffin of the two-nation theory... The two-nation theory is, no doubt, dead... As for the claim that Hindus and Muslims could not form a single nation, it was falsified on the very first day when the Constituent Assembly of Pakistan met and M.A. Jinnah declared that "Hindus will cease to be Hindus and Muslims will cease to be Muslims" in the political sense, in Pakistan. Ever since no Pakistani leader has claimed that the Hindus and Muslims of Pakistan were two different nations, because that would clearly imply that Pakistan was a multi-national State. Nor did anyone of them claim that there were two nations, viz. Hindu and Muslims, in the Indian Union. It was universally agreed that all the citizens of a sovereign State belong to a single nation...

(Source: Editorial, *The Radiance Views* weekly 2, January, 1972)

Benazir Bhutto

On Emergence of Bangladesh

... The democratic mandate for Pakistan had been grossly violated. The majority province of East Pakistan was basically being treated as a colony by the minority West. From revenues of more than thirty-one billion rupees from East Pakistan's exports, the minority in West Pakistan had built roads, schools, universities and hospitals for themselves, but had developed little in the East. The army, the largest employer in our very poor country, drew 90% of its forces from West Pakistan. 80% of government jobs were filled by people from the West. The central government had even declared Urdu our national language, a language few in East Pakistan understood, thus further handicapping the Bengalis in competing for jobs in government or education. No wonder they felt excluded and exploited.

(Source: *The Organiser*, 22 December, 1996)

become more involved in helping Pakistan and India resume negotiations and find solutions to their disputes? And if so, how would you approach that?

Secretary of State (Designate) Albright: ... The whole issue of the subcontinent and Indo-Pakistani relations are obviously of great importance to us, given their importance intrinsically as countries, plus (those which have) to do with the nuclear proliferation issues. We have, in fact, worked to try to get the two of them to talk to each other, and I think we need to pursue that further.

I think I will be looking at that very closely... Clearly the issue of Indo-Pakistani relations specifically and with nuclear proliferation as one of the issues is of great importance to us....

Indo-Pakistan Relations: The Herald's Opinion Poll

*** Do you think Muslims of the subcontinent are better off now than before Partition?**

Before : 42%

After : 56%

In Karachi, a city with a large Mohajir population, the general feeling is that Muslims are much worse-off.

*** Do you think Jinnah intended Pakistan to be a religious state or a modern democracy?**

Religious : 52%

Democratic : 47%

Pakistanis have clearly still not been able to define the nature of their state though those who believe Pakistan was created as a religious state are in a slim majority.

*** Do you think Mujibur Rehman and India were primarily responsible for the creation of Bangladesh, or was it the West Pakistan politicians and the Army?**

Mujib and India : 41%

Politicians/Army : 47%

The results should surprise the military establishment which likes to foster the other point of view. ...

*** Do you think Pakistan should accept the Line of Control as an international border, making Azad Kashmir an official part of Pakistan and Indian-held Kashmir a part of India?**

No : 77%

Yes : 21%

As one travels north, the strength of feeling about any compromise over the Kashmir issue seems to rise.

*** Do you think Kashmir should be part of Pakistan or be independent?**

Pakistan : 65%

Independent : 34%

There is a strong North-South divide on the issue. Karachi actually has a majority in favour of independence.

*** Do you think Pakistan should be on friendlier terms with India?**

Yes : 59% No : 40%

The anti-India sentiment is most pronounced in Sukkur, which is the only city where those against better ties are in a majority.

*** Should Indian artistes be allowed to perform in Pakistan?**

Yes : 34% No : 65%

While Pakistanis seem to want better relations with India politically, the same does not extend to cultural exchange.

*** Do you think Pakistan will fight a war with India in the next five years?**

No : 50% Yes : 29%

Pakistan continues to have wild mood swings on this front.

(Source: The Indian Express, 4 February, 1997)

PTI Report

On Pakistani Opinion Poll

An overwhelming majority of people in Pakistan would like to have friendly relations with India, according to a latest survey conducted by Herald, published from Karachi in its annual number of the golden jubilee year of formation of Pakistan in 1947.

The "path-breaking" survey, which goes on to show that anti-Indian hawks in the establishment are speaking for a minority, reveals that friendlier ties with India have been favoured by most people across the regional divide in the country. Quetta in Baluchistan seems to be the least hostile to India, followed by Karachi, Multan, Lahore and Peshawar.

The anti-India feeling, according to the survey, is strangely, most pronounced in Sukkar (Sind) which is the only city where those against better ties are in a majority.

The city-wise percentage break-up of those in favour of good neighbourly relations with India is: Karachi (67.8), Lahore (52.2), Islamabad/Rawalpindi (50.6), Peshawar (52.2), Quetta (80.0), Multan (61.7) and Sukkar (43.9). There is also a large difference on this issue between the sexes. Men ... are far more pro-India (67%) than women (50%) overall, with affluent and middle-class men the most in favour of breaking down the walls.

Fewer people in Pakistan are apprehensive of a war with India. A majority of the population in Karachi (51 per cent), Lahore (65.5), Multan (61) and Quetta (51) do not think Pakistan will fight another war with India in the next five years. ...

A majority of men in the young, high-income group are in favour of more (cultural) interaction. Poor women, on the other hand, take a diametrically opposite and, dare one say, sterner view of the situation, the survey reports.

Most Pakistanis tend to reject the proposition that the country should accept the actual Line of Control (LoC) as an international border, making the Pakistan-occupied Kashmir (PoK) an official part of Pakistan and the rest a part of India. The strength of feeling about any compromise over the Kashmir issue seems to rise as one travels north.

(Source: The Times of India)

(Contd. from page 125)

18. To reserve seats for Muslims for admission to all educational institutions (including Medical and Technical Colleges)....

19. To declare the Muslim community as a Backward Class within the meaning of Article 15 and 16 of the constitution, and consequently reserve posts and services for them in proportion to their population under Union and State Governments, Public sector undertakings as well as Private or Public companies which enjoy facilities from the state.

Organization of Islamic Conference

Documents on Status of Muslim Communities - II

V - Report on Second Meeting of Inter-Governmental Group of Experts on Situation of Muslim Communities and Minorities in Non-Member States, Jeddah, 10-11 September, 1996

... The Inter-governmental Group of Experts participating in the meeting represented the following Member States:

- | | |
|--------------|-----------------|
| 1. Indonesia | 2. Iran |
| 3. Pakistan | 4. Bangladesh |
| 5. Turkey | 6. Saudi Arabia |
| 7. Senegal | 8. Guinea |
| 9. Libya | 10. Egypt |

The Group of Experts adopted the following recommendations to be submitted to the 24th ICFM, scheduled to be held in Jakarta, Republic of Indonesia from 9-13 December, 1996:

1. To emphasize the necessity of having the Muslim communities and minorities in non-OIC Member States preserve their religious and cultural identity enjoy equal rights, obligations and duties, and to be provided with all their civic and religious rights without discrimination or distinction.
2. To confirm that preservation of the rights of Muslim communities and minorities in non-OIC Member States is, essentially, the responsibility of the governments of these states, on the basis of abidance by the principles of International Law and respect for sovereignty and territorial integrity.
3. It is necessary for the Member States and the OIC Subsidiary, Specialized and Affiliated Institutions, including the Islamic Development Bank (IDB) and the Islamic Educational, Scientific and Cultural Organisation (ISESCO) as well as non-governmental Islamic organisations, bodies and institutions, to provide the OIC General Secretariat, as early as possible, with available information, studies and statistics on the situation of Muslim communities and minorities in non-OIC Member States so as to establish an advanced data-base which enables the General Secretariat to perform the tasks entrusted to it concerning these Muslim communities and minorities in a manner that satisfies the aims and objectives of the OIC.
4. The OIC General Secretariat may receive representatives of some Muslim Communities and Minorities in non-OIC Member States aimed at closely being informed about the conditions of these Muslim communities and minorities whom they represent; this is to be done within the framework of respect for the sovereignty of the States in which they live.
5. To pay special attention to those Muslim communities and minorities in non-OIC Member States who are exposed to persecution or oppression because of their religious beliefs and to know their needs which are to be communicated to the Member States so as to provide the necessary capabilities - material, human and in kind. Also to intensify the cultural and educational Islamic activities as well as various human assistance so as to accord more attention to improving the general situation of the Muslim communities and minorities in non-OIC Member States in general.
6. It is necessary to exert further efforts in order to inform, within the OIC Member States, about the reality of the problems of Muslim communities and minorities in non-OIC Member States.
7. It is necessary to coordinate efforts for preparing able workers who can perform Islamic Dawah missions among Muslim communities and minorities in various countries of the world. These workers should include also qualified women. A series of integrated educational books on Islam, its rituals and principles should be written. These series should be a simplified one and in the form of publications or modern audio-visual messages. Special attention must be paid to translating thoroughly this material into the languages of the areas inhabited by Muslim communities and minorities, especially distant places.
8. It is necessary to hold an early meeting with the participation of the OIC General Secretariat, Islamic organisations and bodies that are members of the OIC Committee for the Coordination of Islamic Action, to consider drawing up an action plan on preserving the rights of Muslim communities and minorities in non-OIC Member States, while giving special priority to the activities of societies that aim at Christianizing Muslim communities and minorities in the different parts of the world.
9. The OIC General Secretariat is to make contacts with the governments of the States that have Muslim communities and minorities in order to be familiar with their problems and needs as well as the conception of these States on finding a cooperation formula with the OIC aimed at making the required

contributions for improving the conditions of these Muslim communities and minorities and preserving their religions and cultural identity. Priority should be given to contacts with governments or non-OIC Member States that have urgent and pressing problems relating to Muslim communities and minorities there.

10. It is necessary that the OIC Member States should exert efforts towards governments of Non-OIC Member States where violations of the rights of Muslim communities and minorities take place so as to urge them to take necessary and immediate procedures to stop these violations and restore matters to normal course.
11. It is necessary to establish a contact group from among the permanent delegations of the Member States at the UN in New York and Geneva so as to deal with cases of violation of the rights of Muslim communities and minorities in non-OIC Member States as well as attempts to obliterate the identity of these communities and minorities. It may also be possible to hold, when necessary, a meeting of the group at Ministerial level.
12. To charge the OIC General Secretariat with following up the UN activities relevant to the minority issue so as to be informed about developments on the situation of Muslim communities and minorities in non-OIC Member States, and to submit a report thereon to the next meeting of the Group of Experts.
13. The Group welcomes the recommendation contained in the report of the Third Meeting of the Inter-Governmental Group of Experts Entrusted with the following up of the Cairo Declaration on Human Rights in Islam, to coordinate with this Group aimed at carrying out a comprehensive survey of the conditions of Muslim communities and minorities in non-OIC Member States, and at a later stage to make the necessary arrangements at the well known international fora for preserving the rights of Muslim communities and minorities.

VI - Report of Secretary General on Muslim Communities in Non-Member States, 24th Meeting of Foreign Ministers, Jakarta, 9-13 December, 1996

... The Inter-Governmental Group of Experts held its First Meeting on 18 May 1996 at the Headquarters of the General Secretariat in Jeddah.

In its meeting, the Group of Experts entrusted the General Secretariat with preparing a working paper including a general framework of the work of the Group in order to define the method, conceptions and tools of action aimed at realizing for the Muslim Communities

and Minorities in Non-OIC Member States all their basic rights, and communicating this paper to the Member States for consideration in enough time prior to the Second Meeting of the Group of Experts. ...

... The General Secretariat prepared two working papers; the first on the basic rights of Muslim Communities and Minorities in Non-OIC Member States; and the second includes a comprehensive survey of the current situation of these Muslim Communities and Minorities together with a proposal on action tools in their favour. ...

The Group of Experts held its Second Meeting at the Headquarters of the General Secretariat on 10-11 September, 1996.

The Group of Experts ... made a group of proposals included in its Final Report No.GEMM/2-96/REP-1/Final...

VII - 24th Meeting of Foreign Ministers, Jakarta, 9-13 December, 1996 (Excerpts) Final Communiqué on Muslim Communities and Minorities:

The Conference confirmed that preservation of the rights of Muslim communities and minorities in non-OIC Member States is, essentially, the responsibility of the governments of these states, on the basis of abidance by the principles of International Law and respect for sovereignty and territorial integrity. The Conference called upon Member States and the OIC Subsidiary, Islamic Development Bank (IDB) and the Islamic Educational, Scientific and Cultural Organisation (ISESCO) as well as non-governmental Islamic organisations, bodies and institutions, to provide the OIC General Secretariat, as early as possible, with available information, studies and statistics on the situation of Muslim communities and minorities in non-OIC Member States so as to establish and perform the tasks entrusted to it concerning these Muslim communities and minorities in a manner that satisfies the aims and objectives of the OIC.

The Conference urged Member States to pay special attention to those Muslim communities and minorities in non-OIC Member States who are exposed to persecution or oppression because of their religious beliefs and to know their needs which are to be communicated to the Member States so as to provide the necessary capabilities - material, human and in kind. Also to intensify the cultural and educational Islamic activities as well as various human assistance so as to accord more attention to improving the general situation of the Muslim communities and minorities in non-OIC Member States in general. It invited Member States to exert further efforts in order to provide information, within the OIC

Member States, about the reality of the problems of Muslim communities and minorities in non-OIC Member States.

It is requested the OIC General Secretariat and the Islamic organisations and bodies that are members of the OIC Committee for the Coordination of Islamic Action, to hold an early meeting to consider drawing up an action plan on preserving the rights of Muslim communities and minorities in non-OIC Member States, while giving special priority to the activities of societies that aim at Christianizing Muslim communities and minorities in the different parts of the world. It invited the OIC General Secretariat to make contacts with the government of the states that have Muslim communities and minorities in order to be familiar with their problems and needs as well as the conception of these States concerning a cooperation formula with the OIC aimed at making the required contributions for improving the conditions of these Muslim communities and minorities and preserving their religions and cultural identity.

The Conference decided to establish a contact group from among the permanent delegations of the Member States at the UN in New York and Geneva so as to deal with cases of violation of the rights of Muslim communities and minorities in non-OIC Member States as well as attempts to obliterate the identity of these communities and minorities. It may also be possible to hold, when necessary, a meeting of the group at Ministerial level.

The Conference invited the OIC General Secretariat to follow up the UN activities relevant to the minority issue so as to be informed about developments on the situation of Muslim communities and minorities in non-OIC Member States, and to submit a report thereon to the next meeting of the Group of Experts. It welcomed the recommendations contained in the report of the Third Meeting of the Inter-Governmental Group of Experts Entrusted with the following up of the Cairo Declaration on Human Rights in Islam, on the need to coordinate with this Group aimed at carrying out a comprehensive survey of the conditions of Muslim communities and minorities in non-OIC Member States, and at a later stage to make the necessary arrangements at the well known international fora for preserving the rights of Muslim communities and minorities and requested the Group of Experts on Muslim Communities and Minorities in non-OIC Member States to continue its work through 1997.

Government Statement on Personal Law

In the recent past, no Committee/Commission has been set up by the Central Government to examine the feasibility of extending personal laws to Goa.

(Source: LSUQ No. 2206 dated 6 December, 1996 by R. Naik)

Benazir Bhutto: Her Own Worst Enemy Editorial, The Times, 25 September, 1996

Benazir Bhutto has buried her brother and bitter political enemy, Murtaza, shot dead by police in the sort of street battle that has become a routine feature of Pakistan's spiralling political, religious and criminal disputes. It will be far harder to bury the anger and tension in her country, where the warfare within her dynasty has come to symbolise the political, moral and economic bankruptcy of the governing elite. ...

Three years into Bhutto's second term as Prime Minister, her country is on the edge of breakdown and her administration has forfeited most of its early promise. Economic liberalisation has faltered, her pretensions to social justice have been discredited by her Government's rank discrimination in favour of the wealthy land-owners who dominate political life, sectarian violence has become relentless and the economy is reeling from mismanagement... Tax evasion remains the norm, the black economy is half the size of the official economy, defence and debt servicing absorb 70% of the budget and, despite high growth ... IMF has withheld its latest standby loan in despair. Bhutto blames everyone but herself - Islamist troublemakers, the World Bank and International Monetary Fund, America and even her mother Nusrat. There is certainly plenty that is unsavoury and unscrupulous about her domestic opponents, both religious and political, and ... Nusrat's hostility adds fuel to fire. But her reluctance to implement reforms that would weaken her own power base - or her family's finances - has contributed heavily to Pakistan's current crisis. ... President Leghari has finally lost patience - above all with the corruption that underpins feudal privileges. He demands the creation of a special judicial panel to investigate corruption charges against politicians and officials. Bhutto, who recently appointed her much-suspected husband Investment Minister - a job which is singularly open to corrupt inducements - retorts that nothing of the kind is needed.

It is, on the contrary, the indispensable first step to restore the moral authority ... Bhutto needs to govern at all - let alone to deal with the sectarian battles... The two recent massacres in the city of Multan are the worst in years. Karachi, where 1,800 were killed last year, is stirring again. In the North West, there is heavy fighting... Pakistan's stability matters... It is an undeclared nuclear power, living in simmering enmity with India and unsettling amity with China. It could, as Bhutto says, be a moderating influence in Muslim central Asia; but it also has the potential to stir up religious extremism instead. Bhutto cannot expect unquestioning support on the grounds of religious moderation alone... It is time to stop berating the technocrats and start to follow their sensible advice.

Malaysia: The Shariah Law and Court Chandra Muzaffar, Just World Trust,

... Far too long Muslim men in Malaysia with very few exceptions have adopted a lukewarm attitude towards some of the severe legal, administrative and attitudinal impediments that confront women seeking justice from the Shariah Courts... There is overwhelming evidence to show that in matters pertaining to divorce, maintenance and custody, Shariah Courts have not always been sympathetic to the plight of women. Men knowledgeable in Islamic law, particularly those who are revered as Ulama should write and speak about concrete challenges facing women in their dealings with the Shariah Courts. It is not enough to go on and on pontificating about how the Holy Quran honours the woman and how the Shariah protects the rights of women. Our Ulama should come to grips with the real situation and expound practical solutions which will enhance woman's position...

There are a number of areas involving the rights of the woman vis-a-vis the courts that our Ulama and others learned in the law could focus upon. One, **the establishment of a uniform Islamic family law throughout the Federation.** Though the Federal government has been working on this since 1984..., the goal of standardized legislation is yet to be achieved... A uniform code will help to curb abuses arising from varying laws, and interpretations of laws, in the different states of Malaysian Federation, some of which are detrimental to women...

Two, **the training and, perhaps, retraining of judicial and legal officers attached to, and connected with, the Shariah Courts to make them more sensitive to the rights of women.** What is required is not just legal knowledge but a deep historical and sociological understanding of the position and role of the Muslim woman in the past and the present.

Three, **the appointment of Muslim women well versed in Islamic law and with sufficient experience in the Shariah Courts as Judges.** ... Since family law which is the principal area of jurisdiction of these Courts is intimately linked to the well-being of the woman. A female judge, needless to say, will have much greater empathy for some of the problems facing women. Indonesia, the world's most populous Muslim nation, with a well-developed Islamic legal system, has had female Shariah judges for a long time now...

But more than reforms of the Shariah Court and the administration of justice, what is urgently needed is a massive transformation in the attitude and orientation of Muslim men, particularly a section of the Ulama, towards the rights and roles of women. ... Radio and television programmes and newspaper and magazine articles suggest that some Ulama have yet to liberate themselves

C. Jayanthi

On Polygamy in Muslim World

... In post-liberal India, bigamy continues to exist among Hindu men. The State does not intervene unless the first wife objects. Often she doesn't with the result bigamy continues. Indian men who leave their villages and migrate to the metropolis often leave their illiterate and socially not-so-savvy wives behind.

Although polygyny may not be all that common in India, the personal laws do give legal sanction to it, giving men the right to acquire multiple wives, thereby lowering the status of women.

Although Islam provides legal sanction for four wives, the stipulation that all four have to be treated equally prevents a large number of Muslim men from taking four wives... In Senegal, in a study done recently by Phillipe Antoine and Jeanne Nanitelamio, on polygamy and polygyny which refers to the practice of men marrying multiple wives, it is pointed out that "polygyny is widespread in West Africa and present in both the cities and the countryside, whatever the law". ...

The report states that contrary to the commonly held opinion, "The practice of polygyny is rare in Arab countries and in Algeria. In Algeria in 1966, less than two per cent married men were polygynists, whereas three per cent were polygynous in Egypt and the frequency of the practice was decreasing in both countries. In Tunisia, polygyny was abolished".

One notices higher levels of polygyny in countries with few Muslims, such as Zaire and Togo, and a weak level of polygyny in Islamic countries, notably North Africa...

(Source: The Pioneer)

Al-Azhar Okays "Incestuous" Marriage

An Egyptian court was reported yesterday to have sanctioned a brother-sister marriage for the first time in recent history...

... The husband said their mother had confessed to having had the girl through an illicit relationship with her own brother-in-law, according to his account in the Cairo weekly Al Maydan.

(He) maintained that under Islamic sharia, brother-sister marriages are valid if either party had been conceived through adultery... Cairo's court for family law referred the case to Al-Azhar, the official religious establishment, which issued a fatwa that the marriage was valid...

from prejudices and misconceptions ... which are antithetical to the letter and the spirit of the Holy Quran, the first religious scripture in the history of the world which sought and secured justice & dignity for the woman.

China: Communist Regime's Attitude towards Muslims

... When ... Chairman Mao Zedong did speak of religion, he spoke of China's "three great religions", meaning Confucianism, Buddhism and Taoism. Yet there are 20 million Muslims in China. Although only 2 percent of the country's overall population, they are important ... in the western provinces of Xinjiang, Gansu and Ningxia, where they make up a tenth to a third of the populations.

Places like this barely resemble the rest of China. The people, known here as Hui, are ethnically different from China's Han majority. The men wear white skullcaps or turbans. The women wear white, black or green head coverings, depending on their age and marital status. And the rhythm of life corresponds to the schedule of prayers held by mosques five times a day....

China's Muslims often say that the roots of Chinese Islam are in Arabia, but the leaves and branches are in China. China's Muslims are Sunnis, descended from Arab, Persian and Central Asian merchants, militia and officials who travelled to China between the Tang Dynasty (618-907 A.D.) and the 14th century. Many of them marked locally and today the Hui look mostly Chinese, with some Central Asian features. Under Communist rule, China's Muslims have had mixed fortunes. Mao relied on help from Muslims when he fled to China's north-west to carry on his fight against the Japanese and the rival Chinese Nationalists, and he promised to grant autonomy to those Muslim regions. Later he reneged, although technically the provinces of Xinjiang and Ningxia and the prefecture of Linxia are autonomous. During the late 1950s, Muslims came under attack as "local nationalists". During the 1966-76 Cultural Revolution, they were targets in the nationwide campaign against "the four olds" - old customs, old habits, old culture and old thinking.

Since 1978, however, under senior leader Deng Xiaoping, the Chinese Communist Party has relaxed restrictions on religion - within certain limits...

That attitude has permitted a reflowering of Muslim observance in Gansu province. All along the road ... mosques are under construction or repair. Muslim schools are crowded and the ranks of the devout seems to be swelling... As China has become wealthier through economic change, so have Linxia's Muslims. The town is a major trading center, and China's Muslims often are traders. Perched on the old Silk Road, which was used by traders between China and Europe, the town has the nickname, "Hong Kong of the Silk Road". Shops that line the streets deal in carpets, Tibetan knives and jewelry and Hui head coverings. ...

In return for this latitude, the government in Beijing expects Muslim leaders to keep the peace and bow to Beijing's authority. Islam in China has no underground religious structure along the lines of the Catholic and Protestant movements. Instead, Muslim religious officials operate in an awkward zone of official sanction and restraint. Although government newspapers in the western

IPS Report

On 'Biharis' in Bangladesh

... Most people in Bangladesh are Bengalis and speak a language of the same name... Muslim Biharis moved to East Pakistan from Bihar, when the India subcontinent was divided in 1947... In December 1971, E. Pakistan broke away from Urdu-speaking West Pakistan after a war that was won with the help of the Indian Army. Then several thousand people, who did not want to live in a Bengali-majority nation, chose to migrate to Pakistan.

But because they had sided with the Pakistani Army ... the Biharis were moved, until their repatriation to Pakistan, into heavily guarded camps, for their safety, by the Bangladesh Government.

The Biharis have been waiting 25 years for the Pakistani Government to arrange for their travel. The two countries have signed several agreements on the repatriation of these stateless people, but only a few hundred have managed to go to Pakistan. ...

It is estimated that there are at least 4,00,000 Biharis living in some 66 refugees camps across Bangladesh. There were twice that number in 1971, but many of them opted to make Bangladesh their home and became citizens.

Mohammadpur camp in Dhaka is the largest camp for Biharis in Bangladesh... The Government which ... provides basic facilities like food, water and electricity, has said it cannot improve the condition of the camp where epidemics of diarrhoea and dysentery have claimed many lives. The Biharis are a strain on its precarious finances, costing the Government some \$ 50,000 every month.

In the first 4 years after Bangladesh's independence, some 1,75,000 Biharis were repatriated. The process slowed down after that: between 1976 and 1982, some 19,000 people went to Pakistan. Under the previous Govt. which was in power from 1991 to 1996, only 325 Biharis were repatriated. This was mainly because Prime Minister ... Benazir Bhutto, was not very keen to allow the Biharis into her country, describing them on one occasion as "disturbing elements". Instead Ms. Bhutto was keen to pass on responsibility to the Muslim "ummah"... Last year in August, Dhaka again raised the issue of repatriation during the visit of the then Pakistan Foreign Secretary Najmuddin Sheikh, but without any luck...

(Source: The Pioneer, 29 January, 1997)

Xinjiang region accuse Muslim Uighur separatists of assassinations and bombings, in many areas ... Muslims avoid confrontation. ...

Because of the Cultural Revolution, there is a generation gap among the imams. One generation trained before the crackdown on religion in 1957 and is now in its late sixties, seventies and eighties. A younger generation schooled after the Cultural Revolution is now emerging. ...

If the crowds on Muhammad's birthday were any indication, Muslim devotion remains strong...

(Courtesy: The Washington Post of September, 1996
Source: The Islamic Horizons, November/December, 1996)

Chronology of the Month

(16 January, 1996 - 15 February, 1997)

NATIONAL POLITICS

Congress Relationship with UF: Throughout the period, Congress attitude towards the United Front shows signs of tension. Congress rejects PM Deve Gowda's suggestion for Coordination Committee to discuss budget, accusing him of undermining President Kesri's authority, of working for his defeat in CPP leadership contest, of by passing him in negotiating possible coalition with Congress direct with Sharad Pawar, Rajesh Pilot (16 Jan), makes an issue of police surveillance on Congress headquarters (17 Jan), demands submission of secret documents to Jain Commission of Inquiry and its extension (22 Jan). PM does not appear at Kesri's Iftar (23 Jan) Kesri is absent from PM's Iftar (25 Jan). CPP flays UF Government's economic performance (24 Jan). Congress moots Congress Government with UF support or coalition Government under Congress PM (24 Jan). Antony and Pawar reject Congress joining UF Government.

* Moopanar rejects proposal of rejoining Congress and leading Congress Government and asks Congress to join UF Government (27 Jan). Congress rejects Moopanar's proposal (27 Jan). Moopanar invites both Congress and CPI(M) to join UF Government (30 Jan).

* PM's 'non-interference' in CBI probe against Kesri on assets further complicates situation (3 Feb).

* Congress plans charge-sheet against UF Government on question of secularism (6 Feb). UF plays down Congress assault, following Congress electoral debacle in Punjab Assembly and Lok Sabha by-elections (8 Feb) but CWC finally puts UF Government on notice by redefining support as 'issue-based' but authorising Kesri to take critical decision (16 Feb).

Congress: Debacle in Punjab and defeat of Buta Singh and Kamalnath and Moopanar's refusal to align with Congress, non-agreement with Samajwadi on forming Government in UP and resurgence of factionalism within Congress place Kesri in a no-win situation. He can neither afford to bring down UF Government nor compel UF to have a coalition under a Congress P.M. Rao group also intensifies criticism.

* Kesri maintains silence on Muslim demands while arch-rival J.N. Mishra harps on minorities problem. Congress fails to attract Muslim support in Bombay (29 Jan).

United Front Government: UF establishes a Secretariat, reorganises its Steering Committee and announces 10 member Standing Committee which does not include Laloo Pd. Yadav (9 Feb). UF's rout in Punjab election and bye-elections in Karnataka (including seat earlier held by the PM) is seen as danger signal (14 Feb).

JD: Laloo Prasad Government in Bihar, facing CBI inquiry in Animal Husbandry and Bitumen Scams and condemnation by Leftist 'allies', tries to buy time by undermining CBI inquiry by exerting political pressure, planning a 'judicial' coup, fomenting 'civil war' within CBI and attacking bureaucracy, CBI, AG's, the CAG, even the Speaker.

UP: UP continues under President's Rule (with Assembly in suspended animation), BJP-BSP negotiation breaks down and is abandoned because of BSP's insistence on Mayawati becoming Chief Minister.

* Mulayam Singh proposes SP's alliance with Congress but idea shot down by UP Congress (4 Feb). Governor Bhandari maintains opposition to inviting BJP, the biggest single group, to form Government.

Left: CPI and CPM become increasingly critical of Laloo; exert pressure on UF Government against reduction of

agricultural subsidies and for enhancing outlay for employment generation and poverty alleviation programmes.

* CPI enters into electoral understanding with Congress in Punjab, but CPM opposes it as 'opportunism'.

Sangh Parivar: RSS gives free hand to BJP to deal with rising dissidence. BJP forms alliance with Akali Dal to fight Punjab election but disowns Anandpur Resolution. BJP-SAD alliance wins absolute majority (9 Feb). Joins coalition government in Punjab. *RSS, for the first time, celebrates Republic Day (26 Jan). *Criticises role of Christian Church in NE (30 Jan).

* Sekhawat government in Rajasthan survives defection (22 Jan). *Shiv Sena chief Bal Thackeray loses legal battle; sentenced to one week's imprisonment (7 Feb).

BSP: BSP fighting on its own in Punjab faces rout. Leadership divided on alliance with Congress or BJP. Totally isolated, Kanshi Ram loses credibility.

Others: Nijaligappa's invitation to collect ex-Congressmen fails. *T.N. Seshan launches a 'patriotic movement'. Supports presidential system, sees himself as Presidential material.

Social Violence: by Bodos and ULFA in Assam, by Kashmiri separatists in Delhi, by anti-Naxalites in Bihar, by communal forces in Tamilnadu.

National Plan: National Development Council approves Approach to the 9th Plan (10 Jan). States demand more allocation.

National Events: Birth Centenary celebration of Subhash Chandra Bose commences (23 Jan). Sangh Parivar projects Bose as 'Vedic Revolutionary' and Apostle of 'Hindutwa'.

Corruption: CBI gets Bofors papers (21 Jan), names Quattorchio, an Italian, close to Rajiv Gandhi family, as one of recipients. CBI interrogate former CAS Gen. Sundarji who voices suspicion against Rajiv Gandhi (9 Feb). Sonia Gandhi denies any complicity. Congress stands by Rajiv Gandhi and demands publication of Bofors papers (10 Feb). *PM unsuccessfully tries to make his prior clearance mandatory for CBI probe into affairs of Ministers and ex-Ministers.

Presidency: President Sharma rejects government suggestions for nominations to Rajya Sabha.

Secularism: President and PM attend Brahmakamani's annual function (9 Feb).

* President and PM continue round of Hindu temples (29 Jan).

Small States: Ajit Singh proposes division of UP into 4 States. Mulayam Singh opposes it and calls idea RSS-inspired. *IMM reiterates demands for separate Jharkhand. *Shahabuddin proposes a Second States Reorganisation Commission.

KASHMIR SITUATION

Insurgency: RDX seized in large quantities (23 Jan). Rockets fired on eve of Republic Day on parade venue in Srinagar (24 Jan). *Republic Day observed in Jammu but boycotted by people in Srinagar (26 Jan). *Hurriyat observes Kashmir Day (7 Feb) organises Bandh against PM's visit (14 Feb). Rejects PM's offer of talks (15 Feb).

Government: CM Abdullah calls for all-out war against militants (14 Jan). warns security forces against custodial death (15 Jan) tells army to search houses in presence of occupants (23 Jan) offers dialogue to militants (26 Jan) calls for rebuilding the Valley (27 Jan) creates Special st up under IOP for personnel security (27 Jan).

*Home Minister Inderjit Gupta notes progress in Kashmir and positive response from militants (30 Jan). *Security forces offer unilateral cease-fire for Ramadan and Id (3 Feb). *CM proposes internationalisation of LOC (4 Feb). BJP and

Congress flay proposal; left parties do not rule out approach (5 Feb). MOS Maqbool Dar criticises it (8 Feb). Congress formally rejects it (6 Feb).

Question of Autonomy: PM visits State and announces economic package; asks people to wait for autonomy (13 Feb).

*MOS Dar rules out more autonomy for State. *Kashmiri Pandit's International Conference (20 Jan) and Ladakh Buddhist Yatra rejects autonomy.

International Reaction: UN S.G. terms Kashmir a bilateral affair (14 Feb). *OIC omits Kashmir from Special Summit agenda (13 Feb).

*US Asstt. Secretary of State Robin Raphel visits India, discusses situation with Farooq Abdullah, proposes resumption of Indo-Pakistan talks.

BABARI MASJID

*CBI pleads conspiracy behind demolition of Babari Masjid before CBI Special Court, Lucknow (29 Jan).

*Babari Masjid Movement organises Seminars and discussions on Legal Aspects of Babari Masjid case to mark 11th anniversary of Unlocking (1 Feb). Emphasises need for day-to-day and expeditious hearing of title suit by Special Bench and assurance to Muslims on prompt implementation of final judicial verdict on title (1 Feb).

*Ex-H.M. S.B. Chavan blames PM Narasimha Rao for demolition of Babari Masjid in TV interview 'Ru-ba-ru' (7 Feb). Congress leaders stunned by revelations; Some Congress leaders lash out at Chavan. G.N. Azad, Congress G.S. demands high level probe (8 Feb) Tariq Anwar promises to deal with charge seriously (10 Feb). Pawar holds Chavan equally responsible (14 Feb).

*BMMCC demands summoning of Rao, Chavan and other Ministers by Ayodhya Commission and interrogation by CBI in conspiracy case (10 Feb).

Mathura/Varanasi Questions: BJP leader Vajpayee disowns VHP move to launch agitation against Idgah and Masjid (27 Jan).

Bhojshala Question: *VHP launches agitation against performance of Namaz in Bhojshala Masjid in Dhar, MP.

MATTERS OF CONCERN TO MUSLIM COMMUNITY

Reservation: Kisan Kamgar Party leader Ajit Singh proposes 8.4% reservation for Muslims.

*Union Government constitute Cabinet Sub-Committee to monitor implementation of legal safeguard and development programme for OBC, SC, ST and Minorities, but without any Muslim member.

*Madras H.C. rules a high caste women married to SC as eligible for reservation.

*MP Government orders a socio-economic and educational teaching of minorities.

*Union Government publishes revised OBC list from Bihar, Goa and Gujarat, Haryana, Orissa, UP and W. Bengal (7 Feb).

Voting Right: E.C. holds yet another intensive revision of electoral roll in Assam (15 Feb). AASU protests against inclusion of names of children of illegal immigrants born in India (25 Feb).

Religious Service: Some Imams in Kerala issue 'Fatwa' against women's participation in congregational prayer, allowed in at least one major Masjid in Thiruvananthapuram.

*Idul Fitr observed all over the country with peace and eclat (9 Feb). *ASI blocks Fridays prayers in Safdarjung Mosque in New Delhi, allowed since 1983.

Urdu: First English translation of Mir Taqi Mir released (4 Feb).

Educational Rights: Union Government places its view before 7-Judges Constitution Bench on scope and ambit of Article 30(1) (29 Jan). Issue referred to 11-Judge Bench (6 Feb).

AMU: Azam Khan, MP, accompanied by members of Minorities Forum of India, hold Dharma in New Delhi on situation in AMU Campus (25 Jan).

*AMU Staff Association stage dharna in Aligarh (30 Jan) boycotts classes (5 Feb).

*AMU pleads for recognition as Minority Institution and exemption from reservation for SC/ST in admission and recruitment.

*UP recognises 53 minority educational institutions.

Islamism: Shahabuddin criticises SIM's Campaign for Khilafat as pernicious and suicidal (24 Jan).

*Palani Baba, President, All India Jihad Committee, assassinated (29 Jan). Tamilnadu C.M. blames Hindu Munnani, RSS criticises CM. Killing causes violent clashes, 6 killed (3 Feb).

Muslim Leadership: CBI raids C.K. Jaffer Sharief's residence in Bangalore (18 Jan).

Communal Violence: Communal clash in Gujarat on cow question (8 Feb).

Cultural Heritage: V.P. inaugurates exhibition of Padshahnama (collection of Mughal miniatures relating to first decade of Shah Jahan, a personal property of Queen of England) in Delhi (27 Jan).

*ASI ordered by Delhi H.C. to evolve plan for restoration of Ghalib's Haveli in Delhi (16 Jan).

Animal Slaughter: S.C. lifts ban on slaughter of buffaloes at Idgah Slaughter House, Delhi (3 Feb).

State Violence: Allahabad H.C. hears petition on expediting trial of PAC personnel indicted for Hashimpura Massacre, 1987 (16 Jan). *NHRC orders compensation for next-of-kin of those killed in encounter and cremated by police in Punjab.

Society: Second group of 46 child beggars, mostly from Murshidabad, repatriated by Saudi Arabia (3 Feb).

Commemoration: 426th Urs of Sheikh Salim Chishti observed in Fatehpur Sikri (2 Feb). *70th Urs of Sufi Inayat Khan observed in Delhi (5 Feb). *Birth centenary celebration of Dr. Zakir Husain commences with Memorial Lecture by I.K. Gujral in JMI (8 Feb). Government form National Committee. *Ghalib Day organised by Anjuman Taraqqi Urdu and Ghalib Institute (5 Feb).

Obituary: Akbar Husain Babar, CPI(M) leader, ex-MLA, 70, dies in Lucknow.

*Sheikh Zulfikarullah, ex MOS, ex President of AIMMM and AIM Majlis, 96, passes away in Allahabad (17 Jan).

*Ataullah Suharwardy, V.P. J&K N.C., 66, dies in Delhi (27 Jan).

*Eminent Urdu poetess Mumtaz Mirza, passes away (29 Jan).

*Mufti S. Ahmed Ali Sayeed of Deoband, '80, passes away (5 Feb).

Indo-Pakistan Relations: Snarif plays down Kashmir in election campaign, offers bilateral dialogue with India on all outstanding questions, desires normalisation of relations (4 Feb). PM Deve Gowda agrees to hold talks at FM's level (5 Feb). Sharif expects change in 3 months (7 Feb). PM subsequently wants to keep Kashmir out of talks agenda (9 Feb). Sharif repeats need for meaningful dialogue with India on all disputes (10 Feb).

Muslim World: Kuwait says no to Shariat as sole source of legislation (3 Feb).

*Iranian Legislator Faezah Hashmi charges men with manipulating Islamic laws (10 Feb). *Rushdie criticises EU for dealing with Iran (3 Feb). *Nawaz Sharif's party Muslim league has landslide victory in Pakistan's General Election (4 Feb). Imran blotted out; Benazir Bhutto's PPP finishes poor second. *Spurt in Anti-Christian and anti-Shia violence in Pakistan (19 Jan). *Taliban renews offer of truce but rules out power-sharing (27 Jan).