

**MADHU LIMAYE**

**LAST WRITINGS**

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*Madhu Limaye*



**B.R. Publishing Corporation**

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Indian Institute of Advanced Study	
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**Library** IIAS, Shimla

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97252

*Sales Office:*

**D.K. Publishers Distributors (P) Ltd.**

1, Ansari Road, Darya Ganj

New Delhi-110 002

Phone: 3261465, 3278368

Fax: 091-011-3264368

MADHU LIMAYE (b. 1.5.1922 – d. 8.1.1995)

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ISBN 81-7018-885-7

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*Laser Typeset & Published by:*

**B.R. Publishing Corporation**

[A Division of D.K. Publishers Distributors (P) Ltd.]

Regd. Office: A-6, Nimri Community Centre

Ashok Vihar, Phase IV, Near Bharat Nagar

Delhi-110 052

Phone: 7430113, 7143353

Fax: 091-011-7138265

**PRINTED IN INDIA**

**To  
Shri Vinayakrao Kulkarni,  
For  
Longstanding Friendship  
with Madhuji**

**– Champa Limaye**



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# INTRODUCTION

This collection of 28 articles, being published posthumously, contains Madhu Limaye's writings on current topics during what turned out to be the last six months of his life. They cover the period from July 1994 to January 1995.

The last three articles were written in the first week of January, but published after he passed away on Sunday night, the 8th of January 1995.

Since these are his last writings on contemporary issues, we have decided to maintain the chronological sequence rather than to divide them into sections covering different topics.

Even so, these diverse themes have a central thread running through them, that is Madhuji's lifelong passion to see a strong, secular and economically dynamic India wedded to social justice and amity among its various communities and linguistic groups. Although many articles may have been in response to some immediate past or imminent event, the explanation, analysis and suggestions in these articles enunciate certain enduring principles.

Although Madhuji was a prolific writer, he only wrote when he felt strongly about the issue at hand and where he could articulate a practical and balanced point of view. Therefore, in the main, these articles reflect his major concerns in the past few years. *The important, recurring themes underscore the need for:*

1. Understanding strategic, political, technological and economic changes taking place in the world around us and developing new alliances and strengthening some existing ones to promote India's security and economic interests.
2. Setting aside dogma and hypocrisy on the one hand and naivete and excessive consumerist focus on the other, in working out policies and strategies to meet challenges and to exploit opportunities that today's world economy has thrown up.
3. Developing a responsible work ethos, innovativeness and a competitive spirit to unleash forces of economic development and growth.

4. Summoning the will and courage on the one hand and resisting expediency and partisan considerations on the other, in fighting endemic evils of corruption and criminalisation of politics.
5. Eschewing politics of hatred and violence and developing a sense of tolerance and fairplay in dealing with delicate issues relating to religion, caste, reservation, language, ethnicity and uneven regional growth.
6. Strengthening of the will by the executive and judiciary to uphold "the rule of law" and resisting the temptation of pandering to any kind of communalism, hooliganism and terrorism, without resorting to self-aggrandisement.
7. Democraticising the working of all political parties and allowing honest and studied dissent.

Apart from the 26 articles which deal with the above mentioned themes, there is one article in which Madhuji staunchly argues, with proof, the significance of Dr. B.R. Ambedkar's role in Constitution-making. In the last article, he gives a personal, moving account of Mahatma Gandhi's inspiring influence on him, particularly the impact of the news of Gandhiji's assassination on his young mind.

Coincidentally, Madhuji had finished this article on 6 January, the night on which the fatal asthmatic spasm began. Dr. Mastram Kapoor, a close friend and associate of Madhuji, who had read and translated this article into Hindi that evening, later said that he felt as if Madhuji had presaged his impending end. Finally, death stilled the voice of Nation's Conscience Keeper.

I take this opportunity to thank the Editors of *The Hindu*, *The Hindustan Times* and the *Mainstream*, the newspapers and journal in which these articles were first published. Dr. Hari Dev Sharma of the Nehru Memorial Museum and Library was, this time, the moving force behind getting these writings published as a collection. I also wish to thank the Publishers for bringing out this volume.

B-11 Pandara Road  
New Delhi - 110003  
17 May, 1995

**Aniruddha Limaye**

# 1

## VENKATARAMAN ON PREMIER'S APPOINTMENT AND DISSOLUTION

The former President of the Republic has in an interview to *The Hindu* made an important statement on the role of the President in the matter of Cabinet formation and dissolution of the Lok Sabha. The text of the Constitution barely states that “there shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President” (Article 74), that “the Prime Minister shall be appointed by President”, that the Council of Ministers shall hold office during his “pleasure” and that “the Council of Ministers” shall be collectively responsible to “the House of the People” (Lok Sabha) (Article 75). The Constitution also says that the President “may from time to time dissolve the House of the People” (Article 85).

The Constitution does not say whom should the President appoint as Prime Minister if the elections fail to give a clear-cut majority to any one party. Former President Venkataraman was required to handle a situation of this kind in 1989. Another President—Sanjiva Reddy—was also called upon to act in a similar situation after the break up of the Janata Party and resignation of Morarji Desai in July 1979. What should the President do when he is confronted with a hung Lok Sabha? Both Presidents have explained the action they took on these occasions. Let me quote the relevant portion of Venkataraman’s statement: “You see in 1989 when Rajiv Gandhi was defeated, the question arose as to who should be called to form the government. The Congress was still the largest single party. The second in order of strength was JD-National Front. The third was the BJP and the fourth the Left Front. Now under the British convention I would have called only leader of the largest party, Rajiv Gandhi. Some of the British writers have said that if a government was defeated in the general elections, it should not be called to form the government because it has forfeited the confidence of the public. Well this seems only to be a theoretical approach because in 1933 when the Conservative Government in

England was defeated over the issue of protection versus free trade, Baldwin, the leader of the Conservative Party, was still the leader of the largest single party and the Crown said I would still call only Baldwin to form Government as he is the leader of the largest single party. So the British precedent is that the leader of the largest party should be called."

Venkataraman has mentioned the case of Stanley Baldwin. There is some confusion about the date and circumstances of the case. There was a general election in the UK in December 1923 on the issue of protection v. free trade. The Conservatives were defeated. They got 258 seats as against Labour's 191 and Liberal's 158. Baldwin did not make any attempt to forge a coalition with the Liberals. He took a principled stand under his own leadership. His instinct was to resign. He perhaps, suggested that Liberal Asquith should form a Liberal-Conservative coalition. Ultimately his party persuaded Baldwin to go down to defeat in the House of Commons. He said later Labour should be given a chance to form a Government. They would not wreck the Constitution. It would make them responsible. The Liberals were prepared to tolerate a Labour Government. So Baldwin resigned on 22 January 1923. Next day Ramsay MacDonald formed the first minority Labour Government.

*The Indian situation in 1989 was very clear. There was no ambiguity whatever. Why did the former President think that he had been put in a dilemma? The Janata Dal had captured 144 constituencies. The Left Front had backed V.P. Singh. The BJP, too, had extended its support to him. Not only were all these groups opposed to the Congress, in the elections they had negotiated electoral adjustments among themselves and these had worked in a large number of constituencies. In the UK there was no electoral alliance, either between the Tories and the Liberals nor among Liberals and Labour. Although the elections of 1989 here had not yielded a single party majority, it had produced a parliamentary majority for parties which were prepared to sustain a Government. Rajiv Gandhi wisely declined to stake a claim. But even if he had, the President would have been wise to refuse him the commission in view of the relation of forces in the new Lok Sabha. To appoint Rajiv Gandhi would not have been only "unpopular" as Venkataraman admits, but it would have been farcical, for Rajiv's Cabinet, if installed, would have been immediately defeated on the floor of the House and the President's prestige would have plummeted.*

Venkataraman's statement that the principle that the leader of the largest party should be called had been "established" by him cannot, therefore, be accepted without this rider, *namely only in a situation where there was no clear cut alternative parliamentary majority*. In June 1991 the President was called upon to deal with the situation where his principle of inviting the leader of the largest party was entirely relevant. For in the 1991 Lok Sabha poll not only was there no adjustment between the National Front-Left Front and the BJP, the two groups had fought as sworn enemies. So it was then as proper for the President to call the new Congress-I leader to form a Government as it would have been quite improper for him to give Rajiv Gandhi a chance in December 1989.

The next important principle enunciated by Venkataraman relates to the dissolution of the House, and on this issue he is on solid ground. The following question-answer makes his point amply clear:

Q. You were again spared the embarrassment of taking a difficult decision—this time, by Mr. V.P.Singh. Had he suggested the dissolution of the Lok Sabha instead of facing the House and getting defeated ?

A. *I would have just accepted it because I had always gone by the British Precedent.*

Q. Knowing full well that he (Chandra Shekhar) is a minority PM?

A. *Whatever it is, he is the Prime Minister. He has not been defeated in the House. If he had been defeated also, he has a right to call for the dissolution of the House saying I want to appeal to the country. And this has been accepted by the British Crown every time in the last 100 years. The only occasion when the British Crown did not accept the recommendation was during Freeman's time. Therefore, when the Chandra Shekhar Government asked for the dissolution and as no other party staked a claim on both the grounds I accepted the plea for dissolution.*

*This correct enunciation of the principle on the dissolution of the Lok Sabha ought to be followed by all his successors, for once it becomes known that dissolution would be invariably granted if requested by the Prime Minister, the parties would not lightly withdraw support to an existing Government and invite the punishment of dissolution. If V.P. Singh had asked for a fresh election before the arrest of L.K.Advani, there would have been no violence and no break*



up of his Janata Dal. Its UP Government also would have survived. But V.P. Singh shrank from the challenge of a fresh poll.

The next important point dealt with by Venkataraman is the position of the Governor under the Constitution. The Governor's position he says is "nebulous". "A Governor can be just removed without any notice, without reference to any particular point". The President has no alternative. He has just to sign. Mrs. Gandhi removed only a couple of Governors, but there was a wholesale removal of gubernatorial appointees under V.P. Singh. P.V. Narasimha Rao has been a little more circumspect; at least there has been no mass dismissal of the kind V.P. Singh indulged in. Venkataraman does not want any discretionary powers to be vested in the President and rightly so, for it would place him in opposition to the Prime Minister. However, he would like the Judiciary to have a say. It can be laid down, I think, that if the Centre is dissatisfied with the functioning of the Governor, the Government's letter to him on this point and the Governor's reply should be given to the Chief Justice and his informal opinion be sought before taking any action against the Governor. Any formal provision, I fear, will only create more trouble.

I shall not deal with other points in Venkataraman's interesting interview except what he has said about the irresponsible State-sponsored Bandhs. I had written about this recently and I think his strong statement is very appropriate in view of the existing sloth. Venkataraman said that it was not the duty of the State Government to disrupt the even flow of life, but to maintain it. Its sponsoring a Bandh means that it was not functioning according to the Constitution. Perhaps, the former President goes too far when he considers the wilful State-organised Bandh as equivalent to a constitutional breakdown. But in the context of the total absence of work culture, it cannot be denied that the message he is trying to convey is both right and relevant.

New Delhi,  
19 July 1994.

## 2

### IS COALITION GOVERNMENT WORKABLE ?

The ninth and tenth Parliamentary elections failed to give any single party a clear majority in the Lok Sabha. The V.P. Singh Government was essentially a Janata Dal Government, although the AGP of Assam, Telugu Desam in Andhra Pradesh and Tamil Nadu's DMK were given a share in power. The Left Front did not seek office nor was it in favour of the BJP's participation in the National Front Government. Taking advantage of this BJP-Left divide, V.P.Singh avoided creating even a formal mechanism of consultation among elements constituting the new parliamentary majority which sustained the V.P. Singh Government. The Prime Minister prided himself on being "a good manager of contradictions" and disdained a real coalition between organised parties as also the setting up of a coordination committee. The result: the destruction of the manager within eleven months.

The 1991 election failed to give the Congress a majority in the new Lok Sabha. The so-called sympathy wave after Rajiv Gandhi's assassination, unlike the 1984-85 avalanche, was not really a wave. The BJP emerged as the second party with 119 seats, way behind was the Janata Dal, followed by the Left Front. Instead of a stable parliamentary majority, P.V.Narasimha Rao created "a jumping majority," and alternatively sought the support of the BJP and the Left. Thus the BJP was fobbed off with a Deputy Speakership. The Left Front's support was obtained in the election of the President and an agreement was reached with it on the Vice-Presidential candidate. The Sangh Parivar was very euphoric after the poll; not only did the BJP in Parliament support "the thrust of the new industrial policy", L.K.Advani became its ardent advocate. The brother of the RSS chief, Joint General Secretary Bhaurao Deoras, even talked of a coalition with the Congress. Perhaps, the RSS boss was influenced by charges of opposition groups and journalists that the Congress had been playing the Hindu card since 1983.

The Congress Prime Minister cleverly steered his boat through the first two critical years by playing BJP against the Left. V.P. Singh, who himself favoured an anti-BJP front soon after the elections, was rebuffed by his party. Thereafter, the Janata Dal and its leader both became totally disoriented and failed to pursue a coherent policy. Rao took advantage of the confusion in the Janata Dal ranks and brought about splits in the Janata Dal led by Ramlakhan Singh Yadav and Ajit Singh. This augmented the strength of the Congress Party in Parliament. Other smaller parties were also splintered and Rao succeeded in putting together a majority in the Lower House. Even so, a majority still eludes the Congress in the Rajya Sabha where it is compelled to continue the game of creating “a jumping majority” from issue to issue.

Some political observers and thinkers feel that this cannot go on and sooner or later, the country and its political parties would have to accept coalition as the only method of carrying on the Government. This concept of a coalition Government should not be confused with the idea of national Government advanced by a few do-gooders from time to time. A national Government would become possible only in a national crisis of such vast proportions as would compel even the antagonistic forces at the two ends of the political spectrum to realise the gravity of the danger and the need to come together in the interest of their own and nation's survival.

The latest noteworthy statement on coalition is that of R. Venkataraman, who has filled many big offices under the State. He said: “All other countries are having multi-party system. Take the whole of Europe. Every country there has multi-party system. The whole of Europe has only coalition governments. I suggested that, in future, you cannot expect any single party to get an absolute majority in India and, therefore, they must think in terms of forming coalitions, and this you can do only when before the elections, you are able to get together a few parties who have a common approach to national issues. After you have fought each other bitterly it is difficult to form a coalition. Therefore, the country has to reconcile itself to having coalition governments in future. Unfortunately, we have been trained in the British Westminster system and we continue to think that we can practise the Westminster system in our country. . . . Unless we are able to reduce the number of parties, the coalition is the only solution. We have to reconcile ourselves to the idea of having coalition governments and sharing power with parties.”<sup>1</sup>

To my mind what comes in the way of parties forming a coalition Government and smoothly running the administration is rooted in our ancient and modern history. We created a hierarchical caste system, treated the shudras and ati-shudras badly. The concepts of superiority and inferiority were so deeply embedded in our consciousness that we never could develop the notion of “fair play”. The idea of equal treatment is foreign to Indian nature. This may sound a harsh judgement. But what is booth capturing, if not a complete denial of fair play on the part of those who indulge in these malpractices, deprive others of their sacred right to vote. *The whole idea of coalition and power sharing is based on fair play. Neither the dominant political groups accept fair play nor the minority groups act on the basis of fair play here?*

First of all, I will take the case of the new State of Andhra in 1953. The Congress could not form a Government without the cooperation of other parties. What happened? The Congress, being the largest party, should have supplied the Chief Minister and offered portfolios on the basis of party strength. But the PSP leader T. Prakasam was greedy and wanted to be Chief Minister. The Congress, knowing about Prakasam’s ambition, laid down a condition, that they would accept Prakasam as Chief Minister provided he left the PSP and became a non-party man. Now, all this was violative of the principle of fair play and power sharing: the demand that the minority party should get the Chief Ministership as well as the condition that he should resign from his party and become a non-Party man. In Kerala, too, in 1960 the Congress first encouraged Pattom Thanu Pillai’s ambition and later on eased him out by appointing him a Governor. *The insistence that leaders of smaller parties head coalition Governments is against fair play as well as power sharing on just basis.*

Let us come to 1967 when the Congress sustained defeat in several States. The coalition Governments in Bihar, West Bengal and Uttar Pradesh failed because the partners did not practise fair play and justice. Smaller groups blackmailed the bigger groups and secured not only Chief Ministerships but also a disproportionate share of “the loaves and fishes” of office. In Bihar, Mahamaya Prasad Sinha and not the leader of the largest group—the SSP—Karpooori Thakur became the Chief Minister. Similarly, in West Bengal Ajoy Mukerjee and not Jyoti Basu, leader of the biggest group, and in Uttar Pradesh Charan Singh and not M.P. Tripathi of the largest party—the Jan Singh—became Chief Minister. In 1977 also, the leader of a smaller Congress group—Sharad Pawar—not only became the Chief Minister, but like Charan Singh,

seized a disproportionate number of ministries. This tendency of smaller groups to exploit the situation for narrow selfish aims is not conducive to stable coalition Governments.

There are not many examples of successful working of coalition Governments in India. Most of these coalitions have been ephemeral and in the end were discredited. The only two exceptions are: (a) the two Kerala coalitions—one headed by Achyutha Menon in the seventies and the Karunakaran coalition in the nineties, and (b) the West Bengal Left Front coalition. The two Kerala experiments have been successful because the Congress in Kerala had at last learnt effectively to control its leaping ambitions, had realised its limited strength, and not only agreed to share power but had even given loyal support to the CPI's Achyutha Menon as Chief Minister. Karunakaran, not really to be compared to Achyutha Menon, has always shown a certain talent for keeping his team together.

The other successful coalition has been the West Bengal Left Front Government which has been in office for more than 17 years. The late Pramoda Das Gupta's disciplined CPI-M steel frame, its two-thirds majority in the Assembly, Jyoti Basu's towering personality, his penchant for practical solutions, his patience and his ability to compose differences and share the spoils of office even with the smallest group are responsible for the success of this experiment. The Left Front's *bargadar* campaign in the rural areas was positive. It is to be seen whether Basu would be able to improve radically his dismal performance in the matter of re-industrialisation of West Bengal and removal of urban decay and blight.

As to the Congress, it is not even a pale shadow of the pre-1947 Congress, which Gandhi described as the Parliament of the resurgent nation and which the Socialists and others considered a broadbased anti-imperialist front. Yet, its leadership believes in its divine right to rule and also its right to divide and break other parties. No party has escaped "the attention" of the Congress. All have been the victims of its self-aggrandisement except, perhaps, the CPI-M, thanks to its iron discipline. *The Congress will not accept an honest coalition. It will accept partners only on the condition that it will be allowed to devour them later.* There is total absence of internal democracy in Indian parties. They are also devoid of even a modicum of fair play and justice, and, therefore, these parties are incapable of sustaining true coalitions on the basis of both power sharing as well as service of the people and the state. *Political parties in Europe have developed the art*

*of compromise. The coalitions there are successful because the parties share power on an equitable and just basis. We have much to learn from them.*

### **Reference**

1. *The Hindu*, 19 July 1994.

**New Delhi,  
21 July 1994.**

### 3

## CAN THE PRESIDENT DISMISS HIS PRIME MINISTER ?

The publication of excerpts from Mr. R. Venkataraman's book and his interviews to some newspapers have again brought to the fore the question of the President's powers under our Constitution. Does this power include the power to dismiss the Prime Minister who enjoys a clear majority in the elected Lower House of Parliament, and if so under what circumstances?

This question was fully debated in 1987 when rumours were afloat about the imminence of Mr. Rajiv Gandhi's dismissal by the incumbent President Zail Singh. The matter is being again discussed in the wake of Mr. Venkataraman's "revelations". The sum and substance of this story is that a senior Congress MP and later an opposition leader approached him on behalf of 240 Congress MPs and non-Congress parties respectively, with the request that Mr. Venkataraman, who was then Vice-President, should agree to become the Prime Minister. The former Vice-President says that the sponsors of the move told him that the then President Zail Singh was sympathetic to the proposal.

The "crisis" was intensified by the outbreak of the Bofors and Submarines scandals. It is not known how serious was the plot to replace Mr. Rajiv Gandhi by Mr. Venkataraman, but the whole issue was complicated by Mr. Zail Singh's desire to obtain a second term as President. Mr. Venkataraman is too shrewd and experienced a politician not to realise that the whole scheme was a harebrained scheme and his involvement in it would ruin his fair prospects of becoming the successor to President Zail Singh.

The "senior Congress MP" suggested that Mr. Venkataraman meet Mr. Zail Singh. In fact, the latter visited the Vice-President the next day. The then President asked Mr. Venkataraman "point-blank" about his reaction to the "senior Congress MP's proposal". Mr. Venkataraman



told him frankly that he would not indulge “in underhand dealings”. It was fairly clear to Mr. Venkataraman that he would very likely be chosen as the Congress Presidential candidate and that the possibility of any serious revolt within the Congress was extremely remote. Mr. Venkataraman does not reveal the names of the Opposition leaders who met him on 13 June 1987. It is obvious that the Left Parties were not part of the intrigue. Anyway the strength of the non-Congress, non-Left Parties in the Lok Sabha was negligible. While Prime Ministership was like a pie-in-the sky for Mr. Venkataraman, Presidentship was entirely within his grasp. So, he rebuffed the sponsors of the proposal.

As to Mr. Zail Singh, what he was above all interested in was a second term for himself. Mr. Venkataraman was his only possible serious rival and not Mr. Krishna Iyer. He could get a second term only if (a) the Congress split; and (b) his only rival was elevated to Prime Ministership. The President thought that the circumstances of the elevation of Mr. Venkataraman, involving, as it would, the prior dismissal of Mr. Rajiv Gandhi, would make Mr. Zail Singh’s renomination as President a certainty. The whole conspiracy was the product of fevered ambition of Mr. Zail Singh and idle intrigue of some opposition politicians who had been despaired of getting into power through a vote.

Mr. Zail Singh was in touch with me in those months through his confidant. I wrote to him to say that his motives should be above board. That he was primarily concerned about corruption in public life, the world will accept only if he declared emphatically that he would not seek a second term. This he refused to do. *His threats about dismissal were not inspired by any concern about probity in public life. All he wanted was renomination.*

But the question here is: if Mr. Venkataraman had okayed the proposal, which he flatly refused to do, would Mr. Zail Singh have been within his right to dismiss Prime Minister Rajiv Gandhi? I think the Indian Constitution gives the President no such arbitrary power. There is *no* instance in British Parliamentary history since the middle of the nineteenth century of dismissal of a Prime Minister by the head of the state.

The Constitution, it is true, says that the Ministers, including the Prime Minister, hold offices during “the pleasure” of the President. But it also says that the Council of Ministers shall be “collectively responsible” to the Lok Sabha. If the two provisions are read together, it would be clear that the President cannot, in *normal circumstances*,

remove a Prime Minister who has the backing of the majority in the Lok Sabha. Even in the event of a split in the ruling party and a change in its status as a majority party—a situation which had materialised in 1969—the proper course would be for the President to ask the Prime Minister to test his or her majority on the floor of the House and not dismissal before such a test had taken place.

I said in normal circumstances, for should the President have *conclusive* evidence that the Prime Minister is in league with the country's enemies and is acting in a manner detrimental to the national interests, it would clearly be the President's duty to remove the Prime Minister and appoint a new one and have, if necessary, recourse through his new team of advisers, to dissolution and a fresh election. Or, again, should the President have in his possession *unimpeachable proof* of bribe-taking, he could act in order to protect the integrity and probity of the administration. In 1987, neither of these two abnormal circumstances existed. Mr. Rajiv Gandhi was not in league with the nation's enemies. Nor was there any credible proof of his bribe-taking in the Bofors and Submarine cases. Mr. V.P. Singh who made charges against Mr. Gandhi in 1987 was unable to prove anything, although he was in power for eleven months. Even fully seven years after the first reports on Bofors's, which raised suspicion against Mr. Gandhi, were published, we do not know the truth about the Bofors payments and Mr. Rajiv Gandhi's involvement in them. How could then the President have acted on *mere suspicion*?

That Mr. Rajiv Gandhi was not "coming clean" on the Bofors issue is true. The President could, perhaps, have asked him to take urgent steps to reveal the truth. *But merely on the basis of allegations of corruption and Mr. Gandhi's procrastinations, it would not have been proper for the President to take the extreme step of removal.* For that unimpeachable evidence was needed. It was just not produced by anybody.

In 1975, a situation arose in Australia where there was a deadlock between the two Houses and supply could not be obtained owing to deferment by the Senate of the Appropriation Bills. The administration was likely to come to a standstill. The Governor-General Sir John Kerr acted, dismissed the Labour Prime Minister, and the new Prime Minister went to the polls. The Labour Party was defeated. A Constitutional expert wrote:

The only modern instance of the Royal prerogative being used to dissolve Parliament, and also to dismiss the Prime Minister and

his Government, without the advice of the Government to do so, was in Australia in 1975. There the prerogative is vested in Governor-General, and has nothing to do in reality with the Monarch, and it was exercised when the Federal Government had ceased to be able to persuade the Federal Parliament to pass its measures into law, and had failed either to resign or to call on the Governor-General to dissolve Parliament with a view to a general election. Such a use of prerogative power will clearly be rare, but it illustrates the kind of residuary power of the Monarch which is an important safeguard in the Constitution.

Thus, there is in every Constitution an ambiguity which makes it a flexible instrument, but at the same time opens it to abuse by unscrupulous persons in high office.

**New Delhi,  
25 July 1994.**

## 4

### PARLIAMENTARY DEADLOCK OVER ACTION TAKEN REPORT

There is complete deadlock on the issue of the Action Taken Report tabled by the Government on the recommendations of the Joint Parliamentary Committee constituted to investigate the Stock Market Scam. The use of offensive language in a report like this has not only enraged the opposition—which sees in this a big opportunity to damn the Government headed by Mr. P.V. Narasimha Rao—it has also upset the unflamboyant and quiet JPC Chairman Mr. Ramnivas Mirdha.

The non-Congress parties, although sharply divided by opposed policy perceptions and programmatic differences, have been forced to make a common cause on this issue. The BJP and the rest of the Opposition have decided to resign from all parliamentary committees and boycott the Parliament session. Only the groups led by Mulayam Singh and Kanshi Ram, who need the Congress support in Uttar Pradesh, have not joined the boycott.

Both the BJP and NF-LF marched to Rashtrapati Bhavan to present their point of view, but they did that separately and not together. *The BJP has now come out in favour of floor coordination in Parliament, but without making any sacrifices in terms of direction and goals outside.* The CPI-M will not extend the area of coordinated action outside the precincts of Parliament.

All acute observers of Indian People's electoral behaviour know that here the electorate never votes on economic issues: on liberalisation versus controlled economy; inflation, high prices and so on. But the voters, in this most corrupt country, surprisingly are extremely responsive to the issue of corruption. Our people, though they adhere to the crassest form of materialism, want their leaders to be incorruptible. The main reason why Mr. Sunderlal Patwa and Mr. Shanta Kumar lost the poll in Madhya Pradesh and Himachal Pradesh respectively was the

popular perception that the Governments of which they were the Chief Ministers were corrupt.

In 1989, the Congress was defeated largely because of Mr. V.P. Singh's effective campaign on the Bofors and Submarine deals which turned a significant section of the electorate against Mr. Rajiv Gandhi. The JP Movement in 1974-77 got its impetus from popular disgust with the Congress Party's corruption and Mrs. Indira Gandhi's money collection drive. Even in 1967, the anti-Congress wave originated largely in popular revulsion from the State Governments *controlled* by men like K.B. Sahai (Bihar) and Atulya Ghosh and P.C. Sen (West Bengal).

It is true there are other issues besides corruption which have often swayed the masses. The sentiment in favour of United Maharashtra State or a separate Telangana was so strong that the Congress was swept away in Bombay and Western India in 1957, and in Telangana Region in 1971. In 1991, in the wake of Mr. L.K. Advani's Rathayatra and, especially, the violence in Ayodhya, there was an emotional upsurge among the Hindus and the BJP scored spectacular successes in Uttar Pradesh and Gujarat and it got a big push also in Karnataka. The BJP became the recognised Opposition in both Houses of Parliament.

The fervour over the Ram Janmabhoomi-Babri Masjid has died down and the Sangh Parivar's attempt to revive it has not been much successful. To a party harassed by factional struggle and dissensions over policy, the issue of corruption as symbolised by the insensitive language and mentality behind ATR has come as a great relief. *Probably, it feels that without diluting its stand on temple and Hindutva issues, it would be able to profit by the anti-Congress feeling generated by the Scam. This, again, is a false hope.* The two Communist Parties are confined to a couple of States and some pockets elsewhere and have been unable to fan out and expand. They are simply stagnating.

The Janata Dal's condition is pitiable. It has already lost its base in Uttar Pradesh, and in Bihar it has now split. It is undeniable that Mr. Laloo Yadav has still strong base in the shape of his social coalition, and the erosion of this base so far has not been significant. In evaluating the prospects of the Laloo faction and Nitish Kumar faction, what needs to be borne in mind is the fact that even when JD was united force and Mr. V.P. Singh had a certain appeal to the middle class (early 1990), the Party was able to secure only 120 seats in a House of 324 members. To run the Government Mr. Laloo Yadav had

to rely on his allies like the CPI, Jharkhand groups, IPF and the CPI-M. Mr. Laloo Yadav brought about defections in the BJP, Jharkhand groups and even the IPF. *The largest concentration of the Yadav population is in Bihar and as long as Mr. Laloo Yadav's alliance with the Muslims holds, he will continue to be ahead of other parties.* But the allegations about his involvement in abductions, extortions and corruption might be his undoing as involvement in graft was that of Mr. K.B. Sahai in his own State of Bihar and of Mr. Patwa and Mr. Shanta Kumar in Madhya Pradesh and Himachal Pradesh respectively. Mr. Biju Patnaik's image too has been tarnished.

Mr. P.V. Narasimha Rao has been unable to clean the stables of his Government. He is unwilling to touch any Minister for fear of revolts within his party. He is wary of 10, Janpath also. Mrs. Sonia Gandhi's Trusts have been offering their platform, in a studied manner, to the likes of Mr. Laloo Yadav, Mr. Mulayam Singh Yadav and Mr. S. Bangarappa. Is she cultivating the OBC constituency, long neglected by Mrs. Indira Gandhi, in view of loss of credibility of the political leaders, whether belonging to the Congress or the BJP or the JD and so on?

If Prime Minister continues to ignore the moral imperative, he will land himself in trouble. After all he cannot be unaware of the basic principles of Parliamentary Government. Jawaharlal Nehru accepted the doctrine of the moral responsibility of individual Ministers for departmental lapses. This was the doctrine which Mr. M.C. Chagla's Judicial Inquiry upheld in the notorious Mundhra Case. After all Mr. T.T. Krishnamachari was *not* accused of taking bribes. Yet, as the resolution of the Home Ministry, then under Mr. G.B. Pant said, Mr. Krishnamachari had accepted moral responsibility, and had gracefully resigned (1959).

No Government can last in a democracy if it loses its *legitimacy*. Mr. Rao's Government is on the verge of losing its *legitimacy*. If he does not take drastic action and sacrifice a couple of Ministers, he will not be able to control the damage. Parliamentary proceedings without the Opposition participation are a farce. They have no *legitimacy*.

The greatest defect in the Government's policy of liberalisation was that it was neither well-conceived nor geared to India's needs. It was not oriented towards increase in production and productivity. On the other hand the Communist China's reforms were much more purposeful. China, too, has its quota of troubles. But on the whole, its new economic policy has produced results. Our reforms did not much

encourage innovation and improvement of quality. Why has China been able to beat India in the area of exports of consumer goods? It is mainly the low prices and better quality that have helped China. Our so-called liberalisation and market orientation wrought havoc in the financial sphere and stock markets; and gave a fillip to speculative activities. I was amazed by the complacent, self-righteous and brazen observations of the ATR especially about sleeping Government directors and the role of the Finance Ministry at pages 46-47 and 52-53. The same is true of the official comments on what the JPC had said about other matters.

The crooks had field day in that short period of change. Every body wanted to make quick money. The Ministers were drawn into the net. They could not resist the temptation of making a fast buck. Does Mr. Rao think that all Ministers are indispensable? Nobody is indispensable. The Finance Minister's integrity has not been challenged. But what about others? Let a few heads roll and the process of cleansing start in right earnest. Those who advise a firm stand are certainly not friends of Mr. Rao or his Government. An inflexible stand on this sensitive question—as also on the sugar muddle—would be Mr. Rao's undoing. Let him wake up betimes from his dangerous slumber.

**New Delhi,  
5 August 1994.**



# 5

## THE NORTHERN TRIANGLE

The position of Germany and Russia in world affairs has baffled many statesmen and geopolitical thinkers since the beginning of this century. And in the closing decade of this century a question mark, again, hangs over the Russo-German relationship and its likely impact on world politics in the early decades of the next century.

It was Sir Halford Macinder, the famous geographer who built his geopolitical theory on the fundamental dichotomy between maritime power and land power. Macinder anticipated the decline of the British islands at the time when Great Britain was at the height of its glory and about which it was proudly said that the sun never sets on the British Empire. Macinder wrote that "It may be that the balance of geographical advantage has already inclined against England and that she is maintaining her position by inertia." To him this was part of the secular decline of sea power, ascendant since the revolution in navigation that preceded Christopher Columbus. The Second World War was, perhaps, the last conflict in which the Anglo American *naval* power demonstrated its strength. Macinder, it should be remembered, had called Russia "the pivot state" in 1904.

The demonstration of Germany's amazing war-making power in 1914-18 profoundly shook Macinder. He modified his "pivot state" theory. He reformulated the concept of the "pivot state" by renaming it the "heartland" and extending it in the direction of Central Asia in the East and, more importantly, in the direction of the Elbe and the Baltic and the Adriatic in the West. The possession of Eastern Europe was the key to the control of the "heartland". The continents of Europe, Asia and Africa constituted the World-Island. Macinder said:

Who rules East Europe commands the Heartland;  
Who rules the Heartland commands the World-Island;  
Who rules the World-Island commands the World.<sup>1</sup>

The change in Macinder's perception was brought about by the rise of Germany as a great industrial and military power in the heart of Europe towards the end of the nineteenth century. What would happen if Germany and Russia amalgamated their strength? Two methods had been tried by Germany to accomplish the aims of its *Weltpolitik* (World Policy). Through conquest as in the First World War and Second World War from June 1941 onwards or through agreement—as in the form of Rapallo Treaty (1922) and Hitler-Stalin Non-Aggression Pact (1939). The latter policy was never fully developed and implemented on a long term basis and the military conquest of Russia and the Eastern lands proved to be beyond the resources of Germany as it had been that of Napoleon.

The Soviet Union came very near uniting the “pivot state” with the “heartland” in the late forties. But it controlled only half of Germany. The other half proved to be stronger in economic terms. With the Sino-Soviet rift, the decline of the Soviet economy, Over-extension of Soviet commitments and the wasting war in Afghanistan, the Soviet attempt to control the World Island ended in disaster.

Today there is a vacuum in Eastern Europe and Russia is passing through another “time of trouble”. Germany has emerged as the most powerful state in the European Union. Presently, both Germany and EU are anchored in the US dominated NATO. The preponderant opinion in Germany is at present in favour of integration with Europe and alliance with America. The Russians, too, are currently more interested in cultivating good relations with the United States. Yet Germany can never stop looking Eastwards, nor can Russia act as if Germany does not exist. Things cannot remain static. There is bound to be a change as Germany becomes more assertive and begins to exercise its vast influence in world affairs. Did it not force Catholic Slovenia and Croatia's recognition by Western powers and bring about the end of Yugoslavia as we knew it? Russia also is a vital nation and cannot long remain in the present condition. Forces of renewal and change are bound to come up again. Both powers will then re-examine the foundations of their relationship which in the past was characterised by both conflict and friendship.

There had always been in Germany a school of thought which favoured an enduring alliance between Germany and Russia. Karl Haushofer (1869-1946) was the leading exponent of this point of view. He wanted to use geography as an ally and not as an enemy. Haushofer was a strong supporter of the Rapallo Treaty (1922) and

was in favour of continuing Russo-German cooperation. The geopolitikers were not influenced by ideology or by the character of internal regimes. *To them the geographical situation and scientific and industrial strength of states were more decisive than ideological considerations.* Haushofer, therefore, thought that cooperation with the Soviet State was not only possible but necessary. Such a cooperation would be chiefly directed against the British Empire based on sea power. He was naturally enthusiastic about the Nazi-Soviet pact of August 1939.<sup>2</sup>

But Hitler held contrary views. Hitler had swallowed Rosenberg's anti-Communism wholesale. Hitler disliked liberal democracy, no doubt, but hated Communism much more. As Peter Drucker, basing himself on *Mein Kampf*, wrote Hitler's most cherished foreign policy goal was "a lasting alliance between a British empire that rules the seas and a German empire that rules the continent."<sup>3</sup>

The west European Right wanted German ambition to be diverted towards the East. Tory Prime Minister Stanley Baldwin was quite explicit about this.<sup>4</sup> The young Peter Drucker thought that this was "wishful thinking". He also thought that the Left's talk about the inevitability of the conflict between Fascism and Communism was unrealistic. *He held that Nazi Germany and Soviet Russia would "have to come together because they are similar ideologically and socially."*<sup>5</sup> He wrote that "in addition to the ideological basis, the Russo-German alliance would have a solid economic and military foundation. In fact, it would be the only means by which both countries could overcome their economic and military difficulties."<sup>6</sup>

Peter Drucker wrote this several months before the signing of the Nazi-Soviet Non-Aggression Pact (August 1939). In fact, he wrote this months before Stalin in his report to the Communist Party Congress (March 1939) made sarcastic comments on the Western Powers' efforts to embroil the USSR in a war with Germany.

It was, however, the British guarantee to Poland and revulsion of public opinion in Britain from appeasement of Hitler that forced the Nazi dictator to listen to the voice of the geopolitikers and make a move—much against his inclination—in the direction of an agreement with Russia.

However, Hitler's blind hatred finally confounded both the geopolitical school headed by Haushofer, as well as ideologists like Peter Drucker, and helped Baldwin's wish to be fulfilled.

"If Russian nationalism prevails and recentralisation occurs", in the new Russian state, Henry Kissinger fears, the Russian rulers might find the German option as tempting as American or French options. *The domination of the Eurasian mass by a Russo-German condominium would constitute "a good definition of strategic danger for America."* Kissinger thinks that it was "in no country's interest that Germany and Russia should fixate on each other as either principal partner or principal adversary."<sup>7</sup> It is inevitably the former possibility that appears to worry him more.

Twice Germany suffered because of its abandonment of the teachings of Geopolitick. Maybe German politicians have become wiser by experience. They might substitute cooperation for domination in their *Ostpolitik* and open a new era in their relations with Eastern states, including Ukraine and Russia. This, the Americans fear, would reduce the United States' influence in European and world affairs. Like the prospects of "civilisational conflict", including the clash between the West and Islam, this nightmarish scenario of Russo-German cooperation also haunts the American statesmen and diplomats.

### Notes and References

1. Geoffrey Parker, *Western Geopolitical Thought: Twentieth Century*, London, 1985, pp. 20-22.
2. *Ibid*, pp. 67-71.
3. *The End of Economic Man*, originally published in 1939, reprint 1940, p. 177.
4. See Montgomery Hyde's biography of Stanley Baldwin.
5. *The End of Economic Man*, pp. 231-32.
6. *Ibid*, pp. 233-34.
7. Henry Kissinger, *Diplomacy*, New York, 1994, pp.618-19, 813, and 821-22.

New Delhi,  
16 August 1994.

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## 6

### NATIONAL GOVERNMENT NOT FEASIBLE

It is a sad commentary on the state of public discourse that our press has been discussing for weeks the non-issue of the “desirability” or “propriety” of high dignitaries publishing their memoirs not long after their retirement. The Congress supporters of the Gandhi-Nehru family have plumbed the depths of sychophancy by launching an attack on the ex-President for his having spoken the truth about Mr. Rajiv Gandhi’s “parliamentary inexperience”. If the former President deserved criticism it was not on account of this innocuous statement. Mr. R. Venkataraman should have been criticised on the ground that he proposed *Bharat Ratna* for Mr. Rajiv Gandhi. Mr. Rajiv Gandhi was undoubtedly a great gentleman. But did Mr. Venkataraman honestly think that the late Mr. Gandhi’s contribution to nation-building was in the same category as that of Mr. Jawaharlal Nehru, Sardar Patel, Mr. C. Rajagopalachari and so on? The answer is self evident. The ex-President probably made the suggestion to apply balm to the members of the family which had suffered two cruel assassinations within less than a decade. The point that I wish to make is that there should have been a free and frank discussion not on the propriety of but on the issues raised by Mr. Venkataraman’s memoirs. I have discussed some of these issues in my articles (one of which was on the workability of Coalition which appeared in the *The Hindu*, 27 July). In this article I wish to discuss the question of National Government.

Since we have adopted Westminster type of parliamentary government based on adversary party relations, it would be useful to discuss the British experience of the working of the National Governments. The first example of a National Government—*which by definition must include the major parties*—was the coalition Government under the Liberal leader, Mr. H.H. Asquith, during the First World War. The Tory Party participated in the Government set up on 26 May, 1915. Leading Conservatives like Bonar Law, Arthur Balfour, George Curzon and Austen Chamberlain were Ministers in

this Government. The second National Government was the result of the widespread dissatisfaction with Asquith's direction of the War and an intrigue by a cabal organised among others by the press magnate, Lord Beaverbrook. The new Liberal Prime Minister, Lloyd George, took oath on 7 December, 1916. He was unable to secure support of the Asquith group, but he managed to obtain the support of the Tory Party as also of Arthur Henderson, the leader of the emerging Labour Party. This Government won a great victory in the general election held after the end of the War—it was called a coupon election—and lasted till 1922 when the restless Tory backbenchers, revolt broke it up. But these two National Governments were essentially wartime experiments. The attempt to prolong the Lloyd George Government, as stated above, did not succeed. Party workers seemed to be comfortable only with a party government.

In 1929-30 the world economic system was suddenly laid low by a crisis of terrific ferocity. A minority Labour Government, headed by Ramsay MacDonald, was in office at the time of the Great Crash. To cope with the unprecedented emergency, the Labour Prime Minister, encouraged by the king, decided to form, in 1931, a National Government which included the Tory Party and the Liberals. But only a small section of the Labour Party supported MacDonald. The bulk of the Labour Party felt betrayed and, under Arthur Henderson, kept out. In 1931, General Election gave the National Government a huge majority; the already demoralised Labour Party was routed. This Government was National only in name; it was really a Conservative Government. Later, MacDonald retired and the pretence of a National Government was dropped.

The Second World War saw a Tory Government, led by Neville Chamberlain, commanding a large majority in the House of Commons, in power. Chamberlain showed little zest in prosecuting the War. The Hitler's blitzkrieg against the Scandinavian countries, and the poor showing of the British arms, unleashed a backbench revolt against Chamberlain. A National Government had become an imperative. The Labour Party refused to serve under Mr. Chamberlain, Lord Halifax was not in the Commons, and so the mantle fell on the broad shoulders of Winston Churchill. The Government which Mr. Churchill now formed was a real National Government. It was terminated soon after the War in Europe came to an end. The Labour Party was eager to return to the traditional adversary politics, and was hopeful of winning a clear mandate. It had enough of the experiment of National Government. *Labour's decision established once again the principle that a departure from the practice of party Government was tolerable only in a real emergency such as a Great War.*

This historical survey shows how difficult it is to work out the idea of National Government in peacetime. In India we had three war emergencies after independence—during 1962 Sino-Indian border War, in 1965 during Indo-Pakistan War and during 1971 Bangladesh War. On all three occasions, the War-emergency did not last beyond a month. There were no prolonged all-out wars, such as the 1914 and 1939 world conflicts. The Congress was well-entrenched, and commanded a two-thirds majority in the Lok Sabha. The major opposition groups had extended full and unconditional support to the Government. If any of these conflicts had been a prolonged one, perhaps, a National Government would have been formed. But it is only an if. The fact is that taken singly the opposition groups were small. We still had a one party dominance system, making National Government, in short-term crisis, unnecessary.

In 1989 the political situation underwent a change. Mr. Rajiv Gandhi's Government lost its majority. The second largest group, the Janata Dal—and its National Front allies—had the promise of outside support from the Left Front and the BJP, and thus could depend on a workable parliamentary majority. The Left Front was neither prepared to be a partner in a coalition led by V.P. Singh nor would it allow the BJP to join the Government. This suited Mr. V.P. Singh, who was not inclined to form a coalition and share power with other parties. He gave two portfolios each to his former Congress colleagues who were the first to desert him! The lack of consultation and coordination brought to the surface, with vengeance, the inner contradictions and the National Front lost power.

In the twilight between the departure of the Chandra Shekhar Government and the new Lok Sabha poll in 1991, Mr. R. Venkataraman, in an interview on his memoirs, said that it was BJP's Mr. Atal Bihari Vajpayee who had broached the subject of a National Government with him and had asked the President whether he would be willing to head it. *Mr. Vajpayee denied this and said: "It was Mr. Venkataraman's idea to form a National Government and he put the proposal before me. I asked him whether he was ready to step down and be the Prime Minister, to which he replied in the negative. Actually Mr. Venkataraman had Mr. S.D. Sharma in his mind to head the National Government."*<sup>1</sup>

Mr. Sharma resented this. He hoped to succeed Mr. Venkataraman. Mr. Sharma knew that "the National Government" would be a nine days' wonder. He would lose his chance of becoming the President.

And during the interlude of the so-called National Government, Mr. Venkataraman would inevitably get a second term. Mr. Sharma refused to have anything to do with this. Nothing came out of Venkataraman's proposal.

I need not dwell here on the bizzare episode of Mr. X going to Mr. Venkataraman, who was then Vice-President, and offering him Prime Ministership on behalf of a majority of the members of the Congress Parliamentary Party in 1987. Why Mr. Venkataraman entertained Mr. X at all whose scheme was absolutely harebrained, is a mystery to me. Mr. X is said to have produced a list without *signatures*. Anyway this had nothing to do with Mr. Venkataraman's scheme of a National Government which I have discussed above. Mr. X's plan was in the nature of a palace *coup d'etat* in which President Zail Singh was to play a key role. The Zail Singh idea of a constitutional head dismissing a Prime Minister enjoying the support of a largest ever majority in the Lok Sabha only shows that the high dignitary was then living in a world of fantasy.

Many people talk of National Government without understanding its implication. The BJP is now a major force and no Government can be National without its being part of it. Obviously, Mr. Venkataraman, who talked to Vajpayee, included in his concept all major parties, and rightly so. But the question is whether there is any possibility of the concept—correctly defined in theory as a Government of all major parties—having any chance of being implemented. I don't think a National Government is at present feasible. The parties are at loggerheads. Their mutual incompatibility and antipathy is so great that at the Centre no "all party National Government" is possible.

*Even "a coalition of like-minded" parties is a will-o-the-wisp. The Congress, because of its glorious past, will never share power honourably with other parties, it will always seek to assimilate.*

### Reference

1. *The Hindustan Times, The Times of India and The Hindu*, 10 August 1994.

New Delhi,  
1 September 1994.



# 7

## MUNDHRA AFFAIR REVISITED

The resignations of three tainted Ministers from the Central Council of Ministers towards the end of the Winter session of Parliament reminds one of several such past occasions, chief among them being the resignation of T.T. Krishnamachari, Finance Minister, in the notorious Mundhra Scandal of Mr. K.D. Malaviya in the so-called Serajuddin affair and Krishna Menon's resignation enforced by a virtual revolt of the Congress MPs after the border war debacle in 1962. The current resignations were not willingly offered. They were extracted from the reluctant Ministers and the Prime Minister by the Congress Parliamentary Party in virtual revolt, Mr. Arjun Singh's treat and some clear signals from 10 Janpath, a rival power centre in New Delhi. In the intervening decades shielding the corrupt Ministers had become the standard practice of all Prime Ministers. The credit for the exit of the three Ministers, against whom charges of corruption had been made goes to the Congress ranks. It shows that the Congress is not wholly *moribund*. The average Congressman can take heart and at least hope for the revival of its fortunes if the house cleansing operation is continued under the pressure of the Party ranks throughout the country. After all Mr. V.P. Singh till today has not demanded an inquiry into Jain's Hawala racket, in which, apart from a large number of the Congressmen, three of his Ministers and Mr. L.K. Advani are involved. Mr. V.P. Singh's Power and Civil Aviation Minister has received the largest amount among politicians—Rupees seven and half crores. This will suffice as introduction.

The controversy over the Government's Action Taken Report on the Joint Parliamentary Committee's conclusions and recommendations on the Stock Market Scam reminds me of the fall-out of the LIC Investments Scandal (popularly known as the Mundhra affair) that rocked the Second Lok Sabha and was the focus of public attention in 1957-59. The LIC scandal, of course, pales into insignificance when we consider the magnitude, the ramifications, and the mindboggling

amounts involved in the Stock Market Scam. What is of great interest is the sequel to these two scandals and, especially, the response of the Government and Parliament to them.

The Stock Market “boom” was the subject of a Calling Attention Notice on 30 April 1992. The Minister was either himself confused or was not forthcoming about the cause of this “boom”. The subject began to engage the attention of Parliament in a big way in June-July 1992. The Janakiraman Committee had submitted its Report in May 1992, and Finance Minister confessed on 8 July 1992 that “unscrupulous brokers” in collusion with certain bank officials had manipulated securities transactions in clear violation of established rules, guidelines and sound business practices. Investigations were started and the CBI was also brought in. The matter was fully discussed in Parliament on 8 and 9 July. On 9th July, Prime Minister Mr. P.V. Narasimha Rao announced “a comprehensive inquiry” by a Committee of Parliament. The object was not only to establish “fully the supremacy of Parliament,” but “to unveil the truth” and ensure “the smooth transformation” of the economy “in the larger interests of the nation”. The JPC submitted its Report, and, breaking all past precedents, the Report was discussed in Parliament *even before the Government had considered it and submitted its ATR*. The debate showed that the ruling party had virtually condemned the unanimous report. The sequel is recent history. I cannot say that the Opposition acted with foresight and wisdom in this affair.

Now I come to the Mundhra affair. The whole thing started with a Starred Question (No. 1476 of 4 September 1957) by a Congress Party backbencher, Dr. Ram Subhag Singh. The question was not carefully framed. It asked whether “a sum of Rs. 1 crore” had been invested by the LIC in “a private enterprise” based in Kanpur.<sup>1</sup> Although the Finance Ministry had no doubt what it was all about, Mr. T.T. Krishnamachari deliberately advised the Ministry to stick to technicalities and give a negative answer. *The evasive equivocal and negative answer reflected badly on Mr. T.T. Krishnamachari*. The Principal Finance Secretary H.M. Patel had prepared a draft brief for the answer which said, “The Life Insurance Corporation has not invested, as stated in the report referred to, a crore of rupees in any single private enterprise. *The report presumably had reference to the purchase by the Corporation of preference and ordinary shares in a number of industrial concerns which were the property of one individual, Shri Haridas Mundhra. The total amount thus invested was of the order of rupees one crore and 25 lakh.*”<sup>2</sup>

Thereupon Dr. Ram Subhag Singh made further inquiries and filed another question. The truth came out and, at this stage, Mr. Feroze Gandhi, also a Congress backbencher, joined the onslaught. Feroze raised a discussion on the LIC investment in the Mundhra Companies on 16 December 1957<sup>3</sup>. Mr. Gandhi was the Prime Minister's son-in-law, and his accusation could not be ignored. The Government appointed a Judicial Inquiry under Justice M.C. Chagla, although Feroze Gandhi himself favoured a probe by a parliamentary committee as in the Mudgal Case (1951).

The Chagla Commission completed its inquiry within a very short time. Deposing before this Commission, Mr. Feroze Gandhi referred to H.M. Patel's brief quoted above and said: "*Here is something which the Principal Secretary is willing to tell Parliament and here is the Minister who cuts it out.*"

On 18th February, 1958 Mr. Krishnamachari resigned. He made that curious statement about "maneaters at large"<sup>4</sup> and tried to assert that he was an innocent victim. On the next two days the Chagla Report was discussed in the Lok Sabha. Prime Minister Nehru tried to cast doubt on the appropriateness of the mode of Judicial Inquiry, citing articles published by *The Times of London*. Earlier, he had held that an inquiry by a Parliamentary Committee would not be useful: Mr. Nehru went on to say: "Then there are questions relating to ministerial responsibility, and like questions. They are important . . . they are really for Parliament to determine and usually such questions are matters of convention. I do not propose to go into this matter here except to say that we accept the broad principle of Ministerial responsibility. But to say that the Minister is always responsible for all the actions of the officers working under him may take this much too far."<sup>5</sup>

Subsequent to the receipt of the Chagla Report, the Central Government appointed the Vivian Bose Board of Inquiry to look into the charges against the Principal Finance Secretary, Mr. Patel, and the two top officials of the LIC. The Vivian Bose Report was scrutinised by the Union Public Service Commission. Both the Vivian Bose Inquiry and the Chagla Commission had held that the advice and instructions given to LIC by Mr. Patel and the action of the LIC officials was not justifiable.

The Government Resolution virtually concurred with the findings of the UPSC; and decided to drop the charges against Mr. Patel, and imposed on the two LIC officials "Only the penalty of censure." As to Mr. Krishnamachari only his "constitutional responsibility" was

attracted under the Westminster type of Parliamentary Government, on which the Chagla Commission had relied and he discharged it by resigning from the Cabinet.

The final discussion on the Mundhra affair was held on 7 and 8 September, 1959. The occasion was the Vivian Bose Board of Inquiry's Report, the advice tendered by the UPSC and the Resolution of the Government mentioned above.

*The Mundhra debates had certain unique features. The debates were all initiated by Congress backbenchers.* The Congress was then a lively organisation and it contained many stalwarts who were not afraid to speak: Feroze Gandhi, Dr. Ram Subhag Singh, Harish Mathur, Mahavir Tyagi, R.R. Morarka and many others. The Opposition played no role whatever in uncovering the truth. In fact Feroze Gandhi taunted S.A. Dange for "jumping up in the House" every now and then, and not appearing before the Inquiry Commission producing facts and evidence. *The refrain of the Communist speeches was that such things were bound to happen under capitalism. This was similar to Indrajit Gupta's "mindset" speech on the JPC Stock Market Scam last year—a variation on "systemic failure".* We have only to compare the apologetic speeches of Congressmen last year with the speeches of the Congress backbenchers in 1957-59, to see the difference. A couple of examples should suffice.

Mr. H.C. Mathur, a Congress backbencher, who initiated the second discussion on the Mundhra affair on 7 September, 1959 said that Mr. Patel was primarily responsible for the whole deal. Mathur pointed out that Mr. Krishnamachari as the Commerce and Industry Minister had himself written about the doubtful antecedents of Mr. Mundhra. He had even suggested that some steps should be taken against him. As Finance Minister he should have stopped the deal. But did nothing of the kind. Even when the Reserve Bank drew his attention to the matter, he passed on the buck to Mr. Patel. The reference was to the RBI's conscientious research officer, Mr. Raman's letters of 6 June and 5 September, 1957. Mr. Krishnamachari only wrote: *"The attached report from Mr. Raman does not make good reading. Can we do anything about it?"* Mr. Mathur said that the LIC Act provisions had been "cynically disregarded."<sup>6</sup>

R.R. Morarka castigated Mr. Krishnamachari for saying privately that he would rather prefer Mr. Vaidyanathan gambling away the money—not his own, but public money. But for one Mr. Mundhra who has been caught, there were hundred in the land. "They were still

dogging the footsteps of the Ministers . . . They are in the corridors . . . and this danger will always remain as long as these people pay something to the Congress—the ruling party’s treasury.”

Mr. G.B. Pant, Home Minister, said, with obvious pride, that the LIC matter “was first brought to light by Shri Feroze Gandhi and perhaps, Dr. Ram Subhag Singh, two of the leading members of our party. There has been considerable talk in the House about the maintenance of the highest standards of integrity. *I wonder if the example set by these friends by themselves does not fully prove and demonstrate the anxiety of the members of the party to maintain the highest standards of public conduct.*”<sup>7</sup> The Congress has indeed travelled a long distance between 1957 to 1994.

Although the rapid slide of the Congress into the quagmire of corruption has continued till the end of the fateful year 1994, it is good that the Congress Party ranks have at last found courage and have acted. The recounting of the Mundhra affair would hopefully put more courage into them.

### Notes and References

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3. *Lok Sabha Debates*, 16 December 1957.
4. *Lok Sabha Debates*, 18 February 1958.
5. *Lok Sabha Debates*, 19 & 20 February 1958.
6. *Lok Sabha Debates*, 19 February 1958. See Acharya Kripalani’s Speech; also *Lok Sabha Debates*, 7 and 8 September 1959, cc 6710-28; and (R.R. Morarka) cc 6765-79.
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**New Delhi,  
5 September 1994.**

## 8

### A MISERABLE ELECTORAL REFORM BILL

A lot of misinformation is being published by reputed magazines and journals about the Electoral Reform Bill that is now before the Standing Committee on Home Affairs. One reason for the confusion is the constantly shifting stand of the Government, and the rapidity with which the Constitution Amendment Bills and the Bills seeking to amend the Representation of the People Acts of 1950 and 1951 are being introduced and withdrawn. The latest bill was introduced in the Lok Sabha on 13 June, 1994. The Bill that was withdrawn contained a clause which sought to remove the qualification for the membership of the Council of States which Section 3 of the Act of 1951 had laid down. It said that “a person shall not be qualified to be chosen as a representative of any State or Union Territory in the Council of States *unless* he is an elector for a Parliamentary constituency in that State or Territory.” The object of the proposed amendment was extremely sinister. It was to enable outsiders to capture the Rajya Sabha seats—the Bommais, the Manmohan Singhs, the Dinesh Singhs, the Inder Gujrals and Rajgopalans belonging to various parties. This clause ran into opposition from the CPI-M—a party which had abstained from Carpetbagging—and the Government decided not to include it in the new Bill.

The Bill that is before Parliament is not a comprehensive Bill. Its purpose is limited. There is no provision for the simultaneous elections of *all* representative bodies at fixed five yearly intervals—a measure which would have drastically curtailed election expenditure. There is no scheme for political parties which will require these parties to hold at least biennial internal elections, allow candidates to be picked up by constituency committees and provide for a disciplinary code based on the principles of natural justice. Nor is there any Clause providing for state funding of elections, *linked with democratisation of parties, declaration of their sources of income and accounts open to public*

*inspection.* It only contains a few miserable provisions aimed at tiding over some current difficulties.

Jyoti Basu, Laloo Yadav and Biju Patnaik are all at war with the Chief Election Commissioner. Even Sharad Pawar is challenging the circulars forwarded by D.K. Shankaran, Chief Election Officer of Maharashtra, in the name of the Election Commission, *which say that the Model Code of conduct is already in operation in States which will go to the polls in the next six months.* Jyoti Basu has criticised T.N. Seshan's style of functioning. He wants an ordinance to be promulgated to clip the wings of the CEC "who has been behaving like a mad man."<sup>1</sup> The issue which has upset the West Bengal Chief Minister is not the Code of Conduct—for he faces no Assembly election—but the issuance of the photo-identity cards.

The Bill under discussion contains provisions about both the Identity Cards as well as the Code. There are references to the Dinesh Goswami Committee in the discussions on electoral reform in the press. The Report of this Committee was neither published by the V.P. Singh's Government nor the subsequent Governments. It is necessary therefore to quote from the Report the specific recommendation on identity cards.

There is *unanimity of views* among all the members in regard to the implementation of the scheme of issue of multi-purpose photo-identity cards. The Committee agrees that the steps for successful implementation of the scheme as proposed in Para 3, II of the Notes should be undertaken. *A time-bound programme for covering the entire country with the proposed scheme is desirable.*

- (a) Other Government Departments and Ministeries should be involved to make the possession of the card by every adult citizen *compulsory* for receiving benefits and facilities.
- (b) Bhabha Atomic Research Centre should be associated to prepare fuller details of the scheme from the point of view of cheaper cost and of its interperability.
- (c) Active involvement of the postal agencies for covering all areas and making them to serve as the focal point for the field operation connected with the scheme is necessary.

- (d) *Provision of adequate funds in the annual budgets of the Central Government and the State Governments to meet the expenditure that is necessary.*
- (e) Identifying an agency of the State Government and making it fully responsible for the implementation of the scheme is essential.
- (f) *Fixation of a time-bound programme for covering the entire country is desirable.*

Rule 28 on the ICs had been in existence for three decades before the Goswami Committee was set up. Nothing was done. Even after the Committee's Report, no "time bound programme" was evolved in the last four years. So the CEC-Seshan-applied pressure to force compliance. The new Bill wants to empower the EC to decide *in consultation with the Centre* the manner of the issuance of and the particulars to be included in the Cards. The provision (a) will be effective "retrospectively" from 1 January 1960; and (b) will render "void and inoperative" any unilateral notification issued by the EC.

I am not unaware of the complexity of the problems involved in the issuance of Identity Cards, the enormous cost involved, the need for total coverage and the danger of illegal immigrants and refugees securing Identity Cards through corruption. Nevertheless, the question is why the Governments at the Centre and in the States did not frame any scheme not only before 1990 but even after 1990, despite the consensus in the Goswami Committee on the issue? Can one only or even primarily blame Seshan for the resulting confrontation? *The object of the new provision, I fear, is not to solve the problem in a phased and effective manner, but to put the whole scheme in cold storage.* For this, not only the Centre but the Chief Ministers' Conference held in January this year is also responsible. Having said this, I must express my disapproval of Seshan's threat not to hold elections. If the matter goes to the courts, I have no doubt that Seshan will be overruled, but the Governments will also have to take a well deserved rap over the head for their inaction.

Another important provision (Clause 16) relates to giving statutory sanction to certain items in the Code of Conduct. The Government claims that the relevant provision of the new Bill was based on the Goswami Committee's recommendations. But a careful comparison of the Bill and the Committee Report reveals that one item recommended for inclusion in the statute by the Goswami Committee has been



excluded in the Bill. It is important, and so I quote it: “(b) *Using Government transport, including official aircrafts, vehicles, machinery and personnel in connection with any work relating to elections.*” The omission is striking and its significance clear. The duty of the Opposition is to get the omitted provision restored. Or do the Opposition-controlled State Governments also want to misuse Governmental machinery and transport?

The EC circulars insist that the terms “election in prospect” (Goswami Committee) or “imminence of elections” (Model Code) mean that in the entire period of six months, prior to the expiration of the term of the legislature, during which elections can be held, the Model Code of Conduct would be operative. This is absurd. We are having general elections practically every year in some State or the other. Does it mean that no decisions can be taken and implemented in the States concerned or at the Centre when the Lok Sabha poll is in prospect? This would be disastrous.

The election process commences when these issues, under Sections 14 and 15 of the R.P. Act, 1951, Notifications calling upon constituencies to elect members. This is a joint exercise. *The recommendation for this purpose has to be made by the EC and notifications have to be issued by the President and Governors of the States concerned. The new Bill clarifies that the Code of Conduct will not come into operation six months before the expiry of the duration of the Legislature. It will come into force from the date of the Notification.*

The next important point I wish to touch is the provision with regard to the deregistration of political parties. *It is obvious that the new Section 29 B does not provide for proscribing any party.* It seeks to persuade them to give up communalism in name, creed, policy, propaganda and so on. If the parties refuse to do so, they will not get the advantages which the registered and recognised parties secure under the Act.

The last point is the provision about persons seeking election from a multiplicity of constituencies. The new provision is useless. It permits a person to seek election from *two* constituencies. This should be amended; it must be laid down that no person shall seek election from more than one Parliamentary and Assembly constituencies at any general election. *To permit any candidate to contest from two seats is a fraud on the voters.* It also creates the possibility of unnecessary expenditure on bye-elections. The law should neither encourage the megalomania of politicians nor their pusillanimity.

### **Reference**

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**New Delhi,  
11 September 1994.**

## 9

### EXPLOSIVE UTTARAKHAND AGITATION

The Uttarakhand problem is assuming the proportions of a grave crisis. We must understand that Uttarakhand is strategically very important. It has borders with Tibet and Nepal. It is also an important recruiting area for the army. If immediate action is not taken by the various elements involved, including the Central Government, a situation might arise which would endanger the security of the nation.

The root of the problem is in the non-rational basis of the formation of the constituent units of the Indian Union. Ours is a federal polity, and its success depends upon the all round development of the whole country, including the States *and their regions*. The constituents of the Indian federation are not uniform, even roughly uniform, in terms of area or population. The three largest states, in geographical extent, are Madhya Pradesh, Rajasthan and Maharashtra—over 443,000, 342,000 and 308,000 square kilometres respectively; the three smallest ones are Goa, Sikkim, and Tripura, 3,800, 7,000 and 10,000 square kilometres respectively. The disparity in population is equally striking. The three most populous States are Uttar Pradesh, Bihar, and Maharashtra, the three states with the smallest population are Sikkim, Goa and Nagaland—the population of these States is 13.9, 8.63, 7.87, 0.4, 0.11 and 0.12 crores respectively.

The inequality will also become manifest when we take into account the tax revenue of these States. At the top are Maharashtra, Uttar Pradesh and Tamil Nadu, at the bottom are Sikkim, Arunachal Pradesh and Nagaland. The figures for the year 1992-93 were 7,594, 6,599, 5,369, 47, 108 and 182 crores of rupees, respectively.

The proximate cause for the upsurge in Uttarakhand was the reservation orders issued by the SP-BSP Government in Uttar Pradesh, especially the order in respect of educational institutions. The larger issue is that of separate statehood. There is no controversy in

Uttar Pradesh over the formation of a separate State in the hilly areas in the North. The Uttar Pradesh legislature has passed a unanimous resolution in its favour. But States cannot be created overnight. The Centre has to weigh the pros and cons, consider the repercussions of the creation of Uttarakhand on other parts of Uttar Pradesh and even on other States. The process will take time. It can and must form part of a comprehensive solution of the problem of uneven regional development.

In the millenia-old history of India, before the arrival of the British, there has never been a political and administrative entity similar to what is now called Uttar Pradesh. It was a product of the vagaries and progress of British conquest of Northern India. Uttar Pradesh is an unwieldy, ungovernable State. Over the years its administration has deteriorated. In terms of industrial and agricultural production and per capita income, its relative position today is much worse than at the time of independence. The smaller States of Punjab and Haryana have, on the other hand, registered remarkable advances in agricultural and industrial production. In terms of per capita income also they rank high. In fact 11 States rank above Uttar Pradesh in terms of per capita income. At one time Uttar Pradesh was the largest producer of sugar. Maharashtra outstripped it in 1976 and has been ahead of Uttar Pradesh ever since.

It is imperative in the interests of national unity, rapid economic growth and the maintenance of law and order—the *sine qua non* of all progress—that the monster States of Uttar Pradesh, Madhya Pradesh, Maharashtra, Bihar and so on should be broken up and smaller States formed to remove the widespread dissatisfaction which the uneven development of the different regions of the aforesaid States has caused among people of these states.

The reasonable proposition that the units of a federal polity should as far as may be equal in size and population was stoutly opposed by the Uttar Pradesh Congress leaders. G.B. Pant, who himself hailed from Uttarakhand, was the most ardent supporter of the policy of preserving the “integrity of Uttar Pradesh”. The Uttar Pradesh Congress leaders thought their control over the most populous State gave them an edge over other States in Parliament. In those halcyon days the Uttar Pradesh Congress leadership called Uttar Pradesh the heartland or the core region of India. They thought that the continued existence of Uttar Pradesh would by itself give them uninterrupted sway in the affairs of the Centre and, more importantly, strengthen

national unity. That was an illusion. India's unity does not depend on the preservation of the jumbo State of Uttar Pradesh or any other jumbo State. Any way the fond hope now lies shattered. To defend their own party interests Uttar Pradesh Congressmen not only preserved their own outsize State but helped create another such State—Madhya Pradesh. This artificial State, after nearly four decades of existence, has refused to integrate itself. It was high time it was broken up into Madhya Bharat, Kosal, Chhatisgarh and Vindhya Pradesh. The Bundelkhand districts of Uttar Pradesh, Jhansi, Lalitpur, Jalon, Banda and Hamirpur can be joined to the recreated Madhya Bharat and Vindhya Pradesh States. After detaching Uttarakhand, the rest of Uttar Pradesh can be divided into two States, Western and Eastern.

Bihar also is a very large State. It is useless to experiment with Jharkhand Regional Council or Development Board or sub-State; it would be best to create a separate State of South-Bihar. Maharashtra has implemented the provision about Development Boards for Vidarbha and Marathwada. That is not likely to bring greater integration nor real satisfaction. It would be best to let Vidarbha have its own State and let Marathwada districts cast their lot freely with either Western Maharashtra or Vidarbha.

All these issues should be gone into by a Cabinet Sub-Committee, assisted by experts after the March Assembly polls. The break-up of the giant States will not only stimulate economic growth in backward regions but also strengthen the federal polity.

The immediate and urgent problem is the restoration of peace in Uttarakhand. The present Government depends upon the coöperation of three parties. The SP-BSP by themselves cannot govern Uttar Pradesh. They need the Congress support. A premature poll will not necessarily help the SP-BSP combination. Uttarakhand people claim that they have been neglected all along. The people of the UP hills districts have a long string of grievances. They claim that the industries which have been set up there have not benefitted the local people, but have only destroyed the ecology of the hills. The Uttarakhand people have virtually no share in the services. The technicians, engineers and other personnel employed in industries set up in the hills or the Government departments are mostly from the plains. No network of small, employment-oriented industries has been created to work locally available raw material *and* local man power. Roads and other communications are in a primitive state. The list is, in fact, endless.

The hilly districts have a SC-ST population which is considerable in number. But the leaders of these areas say that the OBC population is negligible. The Uttar Pradesh Government say that they cannot frame policy in terms of regions and districts. It can be formulated only for the State in macro terms. Both sides have points in their favour. Nothing would be gained by stretching things too far. Meanwhile, the quantum of reservation in the universities and colleges in Uttarakhand can be adjusted, pending the formation of a separate State. The need of the hour is peace. A state of turmoil neither helps the hills people nor those living in the plains district. I hope Mulayam Singh, Kanshi Ram and N.D. Tiwari would rise to the occasion and restore peaceful discourse.

**New Delhi,  
11 September 1994.**

# 10

## JYOTI BASU'S INDUSTRIAL POLICY

A news item with 9 September dateline, reported the completion of the countrywide agitation launched by the Left Parties against the Centre's economic policies. The Left claimed that over a million volunteers had courted arrest during the agitation. The two State Governments of West Bengal and Tripura expressed their solidarity with the agitation. "If the stir has gone relatively unnoticed, it has at least helped the Left cadre who have been rather demoralised in the recent past."<sup>1</sup>

Why has the Left campaign gone largely unnoticed? The reason is two-fold. First of all, it is clear that the prolonged agitation has not made much impact on the people because it could not play on their heartstrings. Secondly, most people see a growing hiatus between the Left's strident rhetoric against the policy of liberalisation and the actual practice of the chief Communist countries which have survived the disintegration of the Soviet system—China and Vietnam—and the West Bengal Government controlled by the Left in India.

The Left Front first came to power in 1967, and again in 1969. Both the tenures were shortlived. There was a spate of violence partly caused by the Naxalites, who had broken away from the CPI-M and partly, organised by the cadres of the CPI-M. Both the experiments collapsed. There followed five years of terror of the Siddhartha Shankar Ray's Government against the Marxist Party. The 1977 Assembly elections gave the CPI-M a real break. There has been a remarkable uninterrupted 17 year-rule of the Left Front with Jyoti Basu as the Chief Minister. The achievements of the Left Front Government in the area of land reform and panchayat raj have not been negligible.

But the fact is undeniable that in the matter of industrialisation and the renewal of urban life, the CPI-M led Government's record has been negative. A leading economic journal had in an editorial sarcastically remarked some months ago that the West Bengal Government had

“been successful in deindustrialising the State.” In the context of the Indian Iron and Steel Company’s modernisation it wrote: “The only way to make the labour unions see reason is to stop all budgetary support to the company. The trade unions have been able to put up a sustained opposition to all privatisation moves because workers have been receiving their wages irrespective of the financial health of the company. Once the budgetary dole to IISCO is stopped, the workers will themselves hasten the restructuring process in their self-interest. It is well known that IISCO has a bloated labour force and obsolete machinery. Therefore, investment in modernisation of IISCO is as good as putting money in a green field steel plant. If the Government dithers and delays to arrive at a decision, there may be no takers at all.”<sup>2</sup>

While CPI-M could ignore the local critics of its industrial and labour policy in West Bengal, it could neither deny the fact of deindustrialisation nor turn a blind eye to what the Asian Communist states were doing. After the great waste of the Cultural Revolution, China slowly turned to a pragmatic economic policy. Towards the end of the 1970s, Deng Xiaoping, during his visit to the United States, issued a call for a strategic alliance of NATO countries with America as their leader, Japan and China against the Soviet social imperialism. Internally, he boldly inaugurated a policy of opening China to foreign investment and market reforms. Even as the CPI-M continued to rail against the policy of liberalisation and export-led growth,<sup>3</sup> the Chinese very carefully and in a planned manner modernised their industries with an export potential and, after some years, achieved a near-miraculous success. A Chinese research scholar wrote:

“Opening up China to international markets is an important aspect of Deng Xiaoping’s reform strategy, the purpose being to attract advanced technology and investment from abroad by offering preferential policies. This has proved to be most effective way to narrow the distance between China and the developed world in the field of technology. . . . No longer content with old convention, many are now fond of discussing such useful matters as market competition and management science . . . . China, once closed to the outside, is now making measurable economic gains almost every day.”<sup>4</sup>

No, this assessment cannot be dismissed as self congratulation. The World Bank—the CPI-M’s *bete noire*—in its Policy Research Report called *The Eastern Asian Miracle* asked the question what caused



East Asia's success and proceeded to answer it. "Private domestic investment and rapidly growing human capital were the principle engines of growth." High levels of domestic savings sustained high investment levels. Agriculture, while declining in relative importance, experienced rapid growth and productivity improvement. Now East Asia does not mean only South Korea, Taiwan and Hongkong. It very much includes China. *"Indeed, East Asia could hardly be termed an economic miracle if China were not also growing extremely rapidly . . .* China recorded average annual GNP growth of 9.4 per cent from 1979 to 1989 with a surge to 11.4 per cent from 1982 to 1988." Following a brief slow-down, the economy "resumed very rapid growth, reaching a breakneck 12 per cent in 1992." *"Rapid growth in China relied on a solid agricultural foundation and a Government sponsored export push."*<sup>5</sup> There are indications that the economic advance continues.

The CPI-M is, perhaps, the most dogmatic Marxist Party in the world. It refused to change, Jyoti Basu has been talking about persuading Indian Big Business, NRIs and Multinationals to invest in West Bengal at least for five years. The results have so far been meagre. Why? Because West Bengal has no proper industrial climate, there is no work ethos, the productivity is low. While Jyoti Basu did not pioneer West Bengal's industrial decline—it was visible even before he assumed power—it is quite true that, apart from businessmen's dishonesty and greed, the West Bengal trade unionism, which invented gherao, intimidation of the managers, indiscipline, malingering and idleness, was to a large extent responsible for the flight of capital. Jyoti Basu's efforts to bring about industrial revival has not so far borne fruit largely because he has not been able to "tame" so to say, the Marxist trade unions and other unions.

A change, perhaps, is in the offing. Harkishen Singh Surjeet recently confessed that CPI-M has been forced to go into introspection after the collapse of the Soviet Union. "Our new policy has been not to support a blanket ban on multinationals in all sectors."

The multinational investment must bring superior technological knowhow and *should not merely be limited to the consumer goods sector and cater to the needs of the upper classes.* The new industrial policy being evolved by Jyoti Basu will require the trade unions to follow "a more disciplined role."<sup>6</sup> While they would continue to enjoy the rights under accepted trade union norms, "Gherao would be totally banned and physical assault on or intimidation of the employers or management personnel treated as criminal offence."<sup>7</sup> The new policy

is not very clear about privatisation of the sick and idle industries. But if the conditions are too stiff, there won't be any buyer. The CITU has come round, reports say, but already, voices of protest are being raised against their new policy in the Left Front, and the RSP has started a regular propaganda drive against it. The CPI-M mouthpiece *Ganashakti* is said to be determined to counter this offensive.<sup>8</sup>

In the wake of the opening of the Chinese and Vietnamese economies, the notorious cultural goods of America—Pepsi Cola and Coca Cola inevitably followed. But in these countries, especially in China, which started earlier, there has been enormous economic gains also. China is running a huge export surplus with America.<sup>9</sup> In India even before Mr. P.V. Narasimha Rao and Jyoti Basu's investments in key sectors have materialised, Pepsi Cola and Coca Cola have captured the vantage points. *The irony of India's dogmatic Marxism is that Coca Cola here precedes the actualisation of the investment, improvement in discipline and work ethos, and growth in productivity and employment.* H.K. Surjeet may downplay foreign investment in consumer products or even denounce it, but he cannot explain the welcome *Ganashakti* gave to Coca Cola in Calcutta with a full page colour advertisement.<sup>10</sup> Our priorities are truly topsy-turvy.

### References

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4. *China Today*, March 1994.
5. *The East Asian Miracle*, pp. 5 & 59.
6. *The Telegraph*, 13 September 1994.
7. *Ibid.*, 13 September 1994.
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9. *The Economist*, 30 October, 20 November and 27 November 1994.
10. *The Telegraph*, 30 March 1994.

**New Delhi,  
14 September 1994.**

# 11

## THE BJP'S CHARGE SHEET

The BJP has travelled quite a distance from Bangalore to Patna—in the last one year. The BJP leadership was exuding confidence in the months that followed the Bangalore confabulation. We remember their statements on purity in public life and the integrity of the election process. *Did not L.K.Advani announce that the BJP will collect money for elections only by cheques? Did he not predict a big win for the BJP in the November 1993 polls? Did he not think that the November elections would be the last but one milestone to Rashtrapati Bhavan?* I must cite some authentic words to back my statements. The following questions and Advani's answers in early October 1993, I think, are quite enlightening:

Q: When do you see yourself in Narasimha Rao's place?

A: Frankly, I aspire that BJP comes to power.

Q: You mean you do not have any ambition to be Prime Minister?

A: I have not thought about it.

Q: But you are your party's candidate?

A: I don't want to deny that because the party would . . . (laughs).  
I long to see BJP come to power.

Q: Will you be like V.P. Singh and say you do not want to be PM?

A: No, I will not say that. But I would not like to comment on this.<sup>1</sup>

A month later Advani was even more enthusiastic: "My visits to Madhya Pradesh, Rajasthan and Himachal Pradesh have convinced me that in these States also, where BJP Governments were illegally and unconstitutionally dismissed last December, our party will be able to get a clear majority. The campaign in Uttar Pradesh is being inaugurated

tomorrow . . . . Even our worst detractors concede that in so far as Uttar Pradesh is concerned, BJP is all set to receive a renewed mandate. It is widely acknowledged that in 1990 Assembly and 1991 Lok Sabha elections there was a conspicuous pro-BJP wave. After my visit to the States due for elections, *I can say that the BJP wave this time is even stronger than it was last time.* . . . It is the BJP which is now perceived as the *principal pole* of Indian politics, rapidly increasing in strength month by month and year by year.”<sup>2</sup>

The results of the poll falsified most of Advani's predictions. The BJP's election review said: “Our weakest poll performance was in Himachal Pradesh. Here, in a House of 68, we came down from 46 seats to just 8. Our popular vote also declined from 41 per cent in 1990 to 35 per cent in 1993. . . . Here (in Madhya Pradesh) BJP has come down from 221 seats to 116 in House of 320. We have suffered big losses in the tribal areas with their 75 reserved seats. Here our strength has come down from 54 seats to just 17. . . . Unfortunately, the image of the party in the State was of a divided house which was not to the liking of the people. . . . While in Madhya Pradesh, Himachal Pradesh, Rajasthan and Delhi it was almost BJP *versus* Congress, in Uttar Pradesh it was BJP versus all the rest. . . . However, three factors contributed to UP results: *over-confidence in BJP ranks* (*'We have 280 seats in the pocket'*) and the massive flow of Gulf and Bombay under-world money for the Mulayam-Kanshi Ram outfit, and their casteist and communal appeal . . . . In Rajasthan, . . . . we must take note of the fact that among the losers are 21 or 34 erstwhile Ministers, the Deputy Speaker and the Chief Whip.”<sup>3</sup>

It is strange that after Advani's having officially described the BJP as “the principal pole of Indian politics,” and predicted a stronger BJP wave, the Party's election analysis should ascribe the Uttar Pradesh defeat to the over confidence in the BJP *ranks* (“We have 280 seats in the pocket”) and to the campaign taking the form “of the BJP versus all.”

The BJP leadership was slow to recover from the ruin of its high expectations (Aaj Panch Pradesh, Kal Sara Desh). The demoralised Party took up the issue of hoisting the National Flag at the Idgah maidan in Hubli. An eminent writer, Girish Karnad, has castigated the BJP for raising this issue to improve its electoral prospects in Karnataka. Earlier Professor Venkatagiri Gowda, an economist and a BJP MP from the State, also had blasted the Party's role and warned that the divisive tactics would prove disastrous. He expressed surprise

that a tainted person like Jivraj Alva should be admitted into the Party's fold. One prominent BJP leader was questioned by the Press about the Party's new-found love for the National flag as against the Bhagwa Dhwaja. "If you love the tri-colour so much why it is not hoisted on the Sangh headquarters in Nagpur and Delhi on the Independence and Republic days?"<sup>4</sup> The BJP leader, it need not be said, was unnerved by this unexpected question.

Now the BJP's Patna Conclave has come out with a charge sheet against the Rao Government, which had been letting the public be defrauded "to the extent of Rs. 16 crores a day." Undoubtedly, the image of the Rao Government has been besmirched by the Stock Market Scam and the Sugar muddle. But if there is no wave of indignation throughout the country, the reason is the general prevalence of permissiveness and corruption in the land and the low credibility of parties and politicians. *Atal Behari Vajpayee himself said: "All governments are the same. We also had four States. But power corrupts them all. Some times, I get so fed up that I want to leave all this."*<sup>5</sup> In a tongue-in-check manner, Vajpayee in reply to query from a newsman said: "Criminals in the BJP? You will have to use a magnifying glass to detect them." And yet under the M.A. Hafiz byline a report had been published that in a total of 781 candidates with a criminal history, 106 had been returned to the UP Assembly, out of which the largest number—44—belonged to BJP, 33 to Mulayam Singh's Party and other parties contributing the rest. Significantly, Kalyan Singh, who knew better, did not raise a privilege issue on the floor of the Assembly nor leader of any other party mentioned in the report: G.R. Khairnar's campaign has certainly damaged the reputation of Chief Minister, Sharad Pawar. But nobody regards the BJP and Shiv Sena men as paragons of virtue. S.S. Tinaikar in interviews to two Bombay dailies *Navakal* and *Mahanagar* charged the late Ramdas Nayak of raising hell over illegal constructions and after sometime pleading *the same builders' case before* him. In plain English this is called blackmail and illegal gratification.

This is not all. The mystery of the entries in the Surendra Jain diary, seized by the CBI and which is now in the custody of the Supreme Court, is deepening. The Hindi *Jansatta* is not a mouthpiece of the Sangh Parivar; but it is by no means hostile to it. On 29, 30 and 31 August 1994 it published stories in which charges were made about large amounts being handed out to the (a) Kashmiri militants; (b) those responsible for the RDX blasts; (c) the bureaucrats, including CBI and RAW officials; and (d) 42 political leaders who received Rs. 52 crores.

The first write-up appeared under the byline of two correspondents, one of whom has been a well known RSS activist and connected with JP movement. (The BJP is going to celebrate the JP day as Anti-corruption Day). Twice the newspaper has published the list. Apart from a large number of Congress politicians from the late Rajiv Gandhi to Kamalnath, V.C. Shukla and Rajesh Pilot, there are the names of L.K. Advani (Rs. 60 Lakhs), M.L. Khurana (Rs. 5 Lakhs), of three Cabinet colleagues of V.P. Singh (Arif Mohammad Khan, Arun Nehru and Sharad Yadav) and S.R. Bommai, and several Chandra Shekhar Government Ministers, including Yashwant Sinha who has now taken refuge in the BJP.

The BJP, it need not be doubted, wants the public life to be cleansed. But would its "well-intentioned movement" not become more credible, if it sheds light on its history sheeters in the Uttar Pradesh Assembly, Tinaikar's charges and the entries of the BJP recipients in the Surendra Jain diary?

### References

1. *BJP Today*, 16-31 October 1993.
2. *Ibid.*, 16-30 November 1993.
3. *Ibid.*, 1-15 January 1994.
4. *The Hindustan Times*, 19 August 1994.
5. *The Telegraph* (Magazine), 18 September 1994.

**New Delhi,  
20 September 1994.**

# 12

## THE AYODHYA REFERENCE

The present Chief Justice of the Supreme Court, who heads the Bench hearing the preliminary points relating to the reference made by the President to the Supreme Court about the Ayodhya matter under Article 143, is retiring on 24 October 1994. The CPI-M and the CPI have opposed the reference and counsel representing them or organisations sympathetic to them have argued against the Court's agreeing to take up the matter. Fali Nariman on the other hand forcefully pleaded against the Bench deciding to return the reference. He felt that although the Court was asked to give its opinion on a question of fact as against a question of interpretation of the law and the Constitution, the Court's delivering its opinion would help the distracted people of this country to bypass the contentious issue of limitation and adverse possession which were raised in the suit before the Allahbad High Court.<sup>1</sup>

The substance of the reference in question can best be stated in terms of the issue No.1(b) framed by the Special Bench of the Allahabad High Court on 22 May 1990. It is as follows: "Issue No. 1: whether the building in question, described as mosque in the sketch map attached to the plaint thereafter referred to as the building, is a mosque as claimed by the plaintiffs? If the answer is in the affirmative: . . . (b) whether the building has been constructed on the site of an alleged Hindu temple after demolishing the same as alleged by defendant No. 13?"<sup>2</sup>

Now it is necessary to state the background of the controversy relating to this point. The VHP and its supporters belonging to the RSS family organisations contended that the Babri mosque was constructed on the site where a pre-existing Ram temple existed. Later the expression "Ram temple" was dropped by the Sangh Parivar and "a Pre-existing Hindu temple" was substituted. The issue framed by the High Court also uses the expression "a Hindu temple."

The Muslim leaders of the Babri Masjid Action Committees have been constantly shifting their stand. Earlier they seemed to attach the greatest importance to the issue 1(b) in the suit. They repeatedly said that if the “fact of the pre-existing temple” was proved, they would hand over the site to the Hindus. Shahabuddin repeatedly made this offer. Another Babri Action Committee leader suggested to me that handing over the Central dome of the mosque—which the Sangh Parivar called the *garbhagriha*—to the Hindus could form the basis of an amicable settlement. But these leaders did not have the courage to come forward with a firm compromise offer. The phenomenal success of L.K. Advani’s Rathayatra and the incompetence and indecisiveness of V.P. Singh made the Sangh Parivar adamant. The Rao Government also dithered. It would neither act under Article 143 nor under Article 138(2) which, of course, required the Kalyan Singh Government’s consent and this was not forthcoming. The vandalism of 6 December 1992 had tragic consequences which I need not tabulate here. When the Centre finally came round to seeking the intervention of the Court, they did not try to secure Mulayam Singh’s agreement under Article 138(2), instead chose to act in terms of the late Rajiv Gandhi’s letter to the then Prime Minister Chandra Shekhar. Rajiv Gandhi thought that “the historical fact” of the existence or non-existence of a temple appeared “to hold the key to a resolution of the problem to the satisfaction of all reasonable, secular-minded persons of all communities.” After the reference was made Shahabuddin and others reversed their stand. They said that the “Babri Masjid Movement had made an extra-legal concession in good faith and in national interest but that concession has been withdrawn in view of the vandalism perpetrated at Ayodhya on 6 December.”<sup>3</sup> Now only the expeditious judicial decision in the title suit would satisfy them. What this offer has to do with the act of vandalism—however detestable—passes imagination. For, if there was pre-existing temple, in terms of Shahabuddin’s own statement the Babri Action Committee can have no grievance against the vandals. It would be one act of vandalism cancelling out the other. If, on the other hand, it is proved that there was no pre-existing temple on the site, the Government would be bound to construct a new mosque on the site where the dilapidated structure existed. The shifting of positions by the Muslim leaders weakens the front against the Sangh Parivar on this issue. *The results of the November election should reassure the Muslims that the majority of the Hindus do not approve acts of vandalism.*



The aforesaid Muslim leaders contend that according to their faith, it was the site that was important and not the structure. If the Hindus and followers of other faiths like Judaism take this stand, a disaster would ensue. Everybody knows what and where the site of the Solomon's temple and its subsequent restoration or reconstruction in Jerusalem is. Would the argument of the site entitle the Jews to replace the Dome of the Rock and Al Asqa—sacred to the Muslims—by a reconstructed Jewish temple? Have the Israelis *not* wisely decided *not* to entertain such mad dreams?

In the existing circumstances, it is best that the Apex Court proceeds with the investigation into the “historical fact.” To arrive at a credible finding not only written evidence should be called, but archaeological digging should be carried out in a scientific manner at the site. The idols should be shifted to enable this excavation—the Sangh Parivar vandals themselves had shifted them on 6 December 1992 and so any threat by them to interfere with the removal should be firmly dealt with—to proceed.

A controversy, however, persists about the binding character of the opinion of the Supreme Court under Article 143. One eminent jurist had this to say about the issue:

Article 143 confers a power on the President but does not impose an obligation on him to consult the Supreme Court. . . . Therefore, even if the President consults the Supreme Court, he is not bound to follow the advice tendered by the majority. The advice cannot operate as *res judicata* because *res judicata* operates on parties to a dispute, and there are no parties to a Presidential Reference to the Supreme Court and there is no dispute about legal rights between the President and any other person. Just as the concept of *res judicata* is foreign to “consultation” on a President’s Reference, so is the concept of binding precedents.<sup>4</sup>

This view is at the root of the nagging doubt that perplexed the Bench presided over by the Chief Justice as to whether the Government would implement its assurance to the Court. Let us, therefore, examine the commitment made by the Centre. The Government stated that they were committed to the construction of Ram temple and a mosque “but their actual location will be determined only after the Supreme Court renders its opinion in the presidential reference.” It did not agree to treat the Court’s verdict as “final and binding”. It indicated “negotiations.” If these failed, it said it would enforce a solution

“consistent” with the Supreme Court’s option.<sup>5</sup> Nevertheless, the Court sought a clear and specific assurance that if the evidence showed that there was no pre-existing temple, would they allow reconstruction of the mosque. The Government statement had merely said its action would in the event “be in support of the wishes of the Muslim community.”<sup>6</sup> Did this not give the Government option to seek to manipulate these “wishes”? The Solicitor General said that Centre had asked for help in finding a solution and not the solution itself.<sup>7</sup> The doubt was whether the word “amicable solution” would be used to nullify the highest judicial tribunal’s opinion. Another question was whether a change of Government at the Centre would not result in the repudiation of the opinion. All these questions cannot be answered with absolute definiteness. But if the BJP’s seizing the Central power in 1996 is ruled out as also the possible “perfidy” on the part of the Rao Government, then we can look forward to better prospects of settling this dangerous dispute which has fractured a society which today needs, above all, repose and maintenance of order to stimulate economic growth and employment.

### **Notes and References**

1. *The Hindustan Times* and *The Telegraph*, 21 September 1994.
2. *Muslim India*, October 1990, p. 444.
3. Shahabuddin’s unused letter to *The Hindustan Times*, 17 September 1983, sent to me.
4. H.M. Seervai, *Constitutional Law of India*, Vol. II, Third Edition, 1984, p. 2255.
5. *The Hindu*, 15 September 1994.
6. *Ibid.*, 21 September 1994.
7. *The Hindustan Times*, 21 September 1994.

**New Delhi,  
22 September 1994.**

# 13

## The Return of U.S. Symbol

The budget session of 1977. The general debate on the budget is over. The demands for grants are being discussed. The demand of the Industrial Development Ministry is about to be taken up. A representative of Parle Products—manufacturers of Limca and Gold Spot—comes to me in the morning and tells me about the fishy goings-on involving the Government and Coca Cola company. The same evening an important man in the Delhi Coca Cola establishment visits me and tells me that “your Minister of Industrial Development has been bought over by my company for Rs. 5 lakhs.” I was shocked and reported the matter to the Prime Minister, Mr. Morarji Desai. Morarjibhai acted swiftly. He did not remove the Minister, but he transferred him to the Communications Ministry and appointed Mr. George Fernandes as the new Industrial Development Minister. In my speech on the Ministry’s demand, I mentioned the unsavoury incident, without naming the Minister, and demanded action against the company. The rest is history. Coca Cola had to go.

It was not an easy decision, even in those days of regulated economy. It was not the only multinational company operating in India. There were many others also. And Coca Cola was among the most powerful business concerns in America. E.J. Kahn, author of the interesting book, *The Big Drink*, 1960, wrote, “When my book *The Big Drink* came out, some of the figures—40,000 Cokes consumed in the United States every minute, for instance—were so awesome that they inspired adjectives such as “monumental” and “fabulous.” At my last unofficial count, the worldwide total came closer to 40,000 a second. Gulp! To an observer from another planet, watching Coca Cola’s astounding growth, it might seem that the only statistic escalating at a comparable pace is the United States’ gross national debt.” (Mark Pendergrast *My God, Country and Coca Cola*, Foreword by E.J. Kahn, author of *The Big Drink*, p.xv.)

There was another angle to the vast influence of the Coca Cola company. When Mr. Jimmy Carter was running for Governorship in 1970, Coca Cola had dramatically changed sides and openly contributed to his campaign chest. Coca Cola offered him the company's plane. It ran a limousine service for him to and from the airports. Mr. Carter described the Coca Cola company as his unofficial State Department—his eyes and ears.

Under the impact of Coca Cola, Mr. Carter turned “a friend of business.” He promised he would not do anything to subvert business or discourage foreign investment. The Presidential candidate hired men who had done commercials for Coca Cola. During the Carter Presidency, the relations of the company with the White House were so close that the press openly accused Mr. Carter of favouritism. Under the Democratic President, Pepsi was banished from the White House, and Coca Cola vending machines were installed there. When a Carter aide found a Secretary drinking Pepsi, Mark Pendergrast wrote, a journalist overheard him as saying: “You know, ma'am, our crowd here drinks a good old Democratic drink, Coke”.

And yet the Janata Party Government dared to take action against this powerful business concern, friend of the President and a symbol of Americanism. Pendergrast wrote: “With the implicit Carter clout behind them, the Coca Cola men triumphed in country after country—with the exception of India, where coke departed in 1977 rather than reveal its formula to the Government.”

Coca Cola even penetrated the Soviet Union. It was decided by the Kosygin aids that Coca Cola could be served at special events, although the USSR had an exclusive contract with Pepsi that was valid upto 1984. The Moscow Olympics was a great triumph for Coca Cola. The company “paid 10 million dollars for exclusive rights.”

Coca Cola's advance into China synchronised with the normalisation of American relations with Beijing. China swallowed its past denunciations of the fizzy drink as the opiate of capitalism. A special supplement on Asian development by *The Economist* last year celebrated the triumph of the Coke among other Western consumer products like chocolate, icecream and soups.

In Eastern Europe also the Coke had a cakewalk. Coca Cola was not, however, able to break down the resistance of Mr. George Fernandes, who was fully backed by Mr. Desai. The Coke champions dismissed the Desai Government as “nationalistic.” They said the

Janata Party Government insisted that *all* of the soft drink must be manufactured inside India—which meant turning over the Indian manufacturers the secret Coke formula. This, according to Pendergrast, it absolutely refused to do. Instead it chose to pack up and abandon its 22 bottling plants in India.”

But the Coca Cola banishment was not destined to last long. Where Coca Cola had failed, that is in India, Pepsi succeeded. The “spadework” or “the softening up” of the Ministers and officials of the Central Government and the Punjab Government was accomplished by the Pepsi representatives. The groundwork had been laid by the Rajiv Government but the actual Pepsi structure was raised under the protective umbrella of the V.P. Singh Government. Coca Cola also had been negotiating with the Rajiv Government for the return of the supreme American cultural symbol to India.

The collapse of the Soviet Union suddenly opened new vistas. In the wake of this destitution came the globalisation of the economy. The Vietnam Communists had been successfully fighting the imperialists for well over 30 years: first the Japanese, next the French, then the mighty Americans and finally, their powerful neighbour, China. Mr. Deng Xiaoping wanted to teach Vietnam a lesson or two. But the teaching armed expedition turned into a learning expedition.

Vietnam had won a military victory over the West, but its Communist Party failed on the economic front. It could not stimulate its stagnant economy. After a dozen years or so, it decided to follow China in the matter of opening its economy to foreign investment and imports. Two huge Coca Cola bottles in Hanoi and appearance on the TV screen of a Vietnam Sundari (beauty queen) sipping Pepsi completed the picture. After “the fall” of Vietnam, could India remain immune to the “infection.”?

Pendergrast wrote that the Coca Cola’s men already “had been working closely” with Rajiv Gandhi, and “they soon enough struck a deal” with the Narasimha Rao Government and the fizzy “Coke is now available in India for the first time since its banishment in 1977.”

From 1991 on, the CPI(M)’s spokesmen in Parliament have been speaking against globalisation and opening up of the economy. They have opposed the entry of foreign concerns which produce only consumer goods. And yet the CPI(M)’s Bengali organ *Ganashakti* exposed the party schizophrenia by publishing a full-page colour advertisement welcoming the Coke’s entry into the one-time Capital of the British Indian Empire—Calcutta.

The BJP spokesman, Mr. Jaswant Singh had declared his party's approval of "the general thrust" of Mr. Rao's industrial policy. Both Mr. Jaswant Singh and Mr. Yashwant Sinha had said that they would not lose their sleep over the return of Coca Cola. And yet the Sangh Parivar flaunts its commitment to *Swadeshi* and opposition to the consumer products manufactured by foreign companies. Like the CPI(M), the BJP, too, pursues a two-faced policy. The only consistent opponent of these typical culture goods of America is Mr. George Fernandes.

Mr. Fernandes has enough enthusiasm. But he is no longer young. Besides, he always has several pastures to tend. Not only our middle class has gone consumerist—it can afford consumerism—but even the poorer sections, which really cannot afford it have consumerist aspirations and so Mr. Fernandes's would prove to be a cry in the wilderness. Madonna and Michael Jackson are mortal, but the Americans feel the Coke is immortal. The only indisputably mass market global brand is Coca Cola, *The Economist* (June 9, 1990) wrote. And a Coke executive told his men: "You have entered the lives of more people . . . than any other product or ideology, including the Christian religion."

"The truth has only grown," Mark Pendergrast triumphantly writes, "more profound with the passage of time."

New Delhi,  
5 October 1994.

# 14

## RAO'S ELECTORAL STAKES

Andhra Pradesh and Karnataka are going to the polls in late November and early December this year. Many regard these polls as a dress rehearsal for the Lok Sabha poll of 1996. The Andhra Assembly poll will be keenly watched as an indicator of the Prime Minister's standing in his own State.

It was Uttar Pradesh which had provided all except one of India's Prime Ministers till 1991. The Congress failure to hold Uttar Pradesh and Bihar led to their loss of power in 1977. Although the Congress had failed to win an absolute majority in the UP Assembly elections even in 1967, it had nevertheless captured 47 out of 85 Lok Sabha seats. Only in the 1977 polls did it suffer a crushing defeat in the Lok Sabha poll. In 1989 the Congress was again routed in Uttar Pradesh in Lok Sabha and Assembly polls and in 1991, too, it was unable to recover the lost ground. The only change was the replacement of the Janata Dal by the BJP as the leading Party in the State—winning 50 out of 85 Lok Sabha seats.

The collapse of the Congress in the two big North Indian States — Uttar Pradesh and Bihar with 139 Lok Sabha seats out of the total 544 seats — and the assassination of Mr. Rajiv Gandhi paved the way for Mr.P.V. Narasimha Rao's rise to power. The Assembly elections and the bye-elections to the Lok Sabha and State Assemblies during 1991-94 have not produced any *decisive* electoral shift in favour of the Congress, although they have definitely been a setback for Mr. L.K. Advani's Party. The BJP, which was hoping to capture power at the Centre, lost Madhya Pradesh and Himachal Pradesh to the Congress, and Uttar Pradesh to the SP-BSP alliance. The overall result has been, from the Congress point of view, a political stalemate. The recent increase in the Congress's Lok Sabha strength has not been achieved through a popular upsurge. It is the result of defection and political manipulation—and also, let it be noted, of the liberal use of money. It is, above all, a fall-out of the failure of V.P. Singh's leadership and the consequent disintegration of Janata Dal.

The Assembly polls in Andhra Pradesh and Karnataka are of *strategic importance*. Even in the dark days of March 1977 and in early days of 1978, when the Congress had suffered a second split within a decade, Karnataka and Andhra Pradesh had stood by the Congress led by Mrs. Indira Gandhi. King Pulakeshin might have failed to establish his ascendancy in North India, but the Congress had succeeded in re-establishing its dominance in the whole country, using the Godavari-Tungabhadra-Krishna valleys as the base of operations in 1980. These two States have become even more crucial for the survival of the Congress as a ruling party and a factor of political stability in the country. The convenience, predilections and prejudices of the UP Congress have been firmly subordinated to the crucial task of retaining power in the two States. The dogged persistence, in the demand for dismissal of Mr. Mulayam Singh's Government, the simultaneous opposition to the formation of Uttarakhand as a separate State, and total indifference to the Party's all India interests cannot but cast reflections on the UP politician, Mr. N.D. Tiwari.

The Congress had been a dominant political force in Andhra Pradesh from 1946 to 1983. Its share of popular votes has varied between 52.3 per cent to 39.3 per cent in this long period. It was the reckless game of musical chairs and the deliberate affront to Telugu pride that provided an opportunity to Mr. N.T. Rama Rao. The Andhra Pradesh film hero would have faded away had not Mr. Rajiv Gandhi and Mr. Arun Nehru helped to revive his fortune by dismissing him instead of letting his Government to be defeated on the floor of the Assembly. The truth of this remark is borne out by the failure of the Telugu Desam Party to retain its dominant influence in the Assembly and Lok Sabha polls in 1989 and the Lok Sabha poll in 1991. What is worrisome for the Congress is not the great resurgence in the popularity of the Telugu Desam husband and wife team, but the factional appetites of the rival Congress groups.

The main fight is going to be between the Congress and the resurgent Telugu Desam party. The BJP and Mr. Kanshi Ram's BSP are at best disturbing elements and not the chief contenders. The latter party is likely to cut into the votes of both the main parties. The new Kapu alliance which the Congress has forged in Andhra Pradesh will certainly help it.

In Karnataka, over a period, the factions in the Congress have tended to become separate parties. The S. Nijalingappa group first became the Congress-O, then the Janata Party and presently the Janata



Dal. S. Bangarappa, too, has now formed a party of his own. The election in that State is very largely a Congress factional contention except, of course, the challenge offered by the BJP. The BJP is desperately in search of issues. Its main effort is to fan anti-Muslim sentiment. The Sangh Parivar, of which the BJP is only a political front, never hoisted the National Flag on its headquarters in Nagpur and Delhi on national days such as Independence Day (15 August) and Republic Day (26 January). Yet it tried to create an unpleasant situation by insisting on hoisting the National Flag at the Idgah Maidan in Hubli. Now an additional news bulletin in Urdu has been made into a big issue. Kannada chauvinists are jumping into the fray. The Government's inept handling is undoubtedly a matter of concern, but even more so is the blatantly cynical manner in which the BJP follows the dictum: the more innocent lives are lost, the larger the harvest of votes for the BJP.

The Congress in Karnataka was in a very strong position for over three decades. In the successive Assembly polls its share of the popular vote was 46, 52, 50, 48, 52, and 44 per cent (in round figures) in 1952, 1959, 1962, 1967, 1972, 1978 respectively. Although the Congress in Karnataka became a minority in the Assemblies of 1983 and 1985, its support never dwindled to the low levels of the Uttar Pradesh Congress. It was over 40 per cent in 1983 and over 41 per cent in 1985. It wrested power again from the fractured Janata Dal in 1989. Now the Janata Dal factions have re-established some semblance of unity—it is only semblance to be sure, for while Mr. V.P. Singh in his funny individualistic style has already coronated Mr. Deve Gowda, Mr. R.K. Hegde's admirers are clamouring for a fresh term for the "Charismatic" leader. Mr. Deve Gowda and Mr. S.R. Bommai, however, are rather playing it cool. Mr. R.K. Hegde's trusted lieutenant, Mr. Jivraj Alva, has mysteriously landed in the BJP. Should there be a hung Assembly, will Mr. Hegde offer his services as Chief Minister to the Congress—as some of his followers are already saying he will—or, in the unlikely event of the BJP doing well in Karnataka, to that party, for it is acknowledged that the BJP has no good leader of its own in that State? Has Mr. Alva joined the BJP as Mr. Hegde's self-advance guard?

The Congress Party has itself to thank for its unsatisfactory condition in the South. It suffers from self-inflicted wounds. Mr. Rajiv Gandhi's treatment of Virendra Patil was as shabby as his treatment of Mr. Anjaiah and other Andhra Chief Ministers. Another sin which the Congress-I continues to commit is one of alternate appeasement of Hindu, Sikh, Christian and Muslim communalism instead of taking a

stand on principles. The consequence is the steady loss of support among all communities throughout the country.

The political parties have long ago lost the ability and desire to attract voters on the basis of their service, performance and programme. Even the issue of corruption has become blunt, because of the strong public perception that all parties in power or contending for power have become corrupt. So political leaders have fallen back on primordial loyalties and emotional issues.

Whatever issues ultimately crystallise, the prospects of a quadrangular contest in Karnataka—the sides of the quadrangle are far from being equal—in Andhra Pradesh they are even more unequal—has created a bit of uncertainty about the results of the electoral trial of strength. The Congress failure in Karnataka will without doubt have an adverse impact on Mr. Rao's position at the Centre, but the defeat in Andhra Pradesh will completely ruin his chances of second term as Prime Minister. The stakes of the Congress as a Party and that of Mr. Rao as Congress President and Prime Minister are extremely high in the Assembly elections in the two Southern States and one can expect him to exert himself like a desperate person fighting with his back to the wall.

**New Delhi,  
9 October 1994.**

# 15

## WHOSE ELECTORAL PRESTIGE?

Four States are going to the polls, and the electoral process set in motion will soon be over. Goa and Sikkim are small States, and while the elections there are quite important from the local point of view, the results—whatever they be—are not likely to tilt the balance of political forces at the national level. For Goa has two representatives in the Lok Sabha and Sikkim only one. A defeat in these two States the Congress-I think, can take in its stride.

To the Congress Party the area covered by the valleys of Krishna and Godavari rivers and their tributaries has always been of the greatest significance. The Congress leaders of the North may talk complacently and arrogantly of Uttar Pradesh being the heart of India and Congress Party. But this is the meaningless prattle of the defeated leaders. The Congress has tasted defeat in Uttar Pradesh several times. Yet it has survived and is still controlling the Centre.

Let us recall the elections of 1926. The Chief contender was the Swaraj Party founded by C.R.Das and Motilal Nehru. It was opposed by Pandit Madan Mohan Malaviya and Lala Lajpat Rai in the Sindhu-Ganga valleys. On 2nd December 1926 Motilal wrote to his son, who was then abroad, about the results. The letter is one long wail:

The counting of votes in Bihar has not yet been finished but this province is not likely to lag behind Madras and Bengal. Bombay and C.P. have fared badly but *there has been nothing short of disaster in the U. P.* Nothing much was expected from Punjab and we are likely to lose all the Assembly seats there—thanks to Lajpatrai's lies. The little province of Assam has done very well. . . . Our strength in the Assembly is likely to be somewhat greater than it was during the last three years *but there is a debacle in the U.P. Council. It was not up to much last time and will be very much worse now.* I had hardly any workers worth the name to help me in my own Province and had to give a good deal of my time to the other Provinces, but *even if I had given all my time to*

*the U.P., I could not hope for better results. It was simply beyond me to meet the kind of propaganda started against me under the auspices of the Malaviya-Lala gang. . . . Communal hatred and heavy bribing of the voters was the order of the day. I am thoroughly disgusted and am now seriously thinking of retiring from public life.<sup>1</sup>*

It was the vital contribution of the UP Congress in the late twenties and early thirties to the Freedom Movement under the leadership of stalwarts like Jawaharlal, Purshottamdas Tandon, Acharya Narendra Deva, Govind Ballabh Pant, T.A.K. Sherwani and others, and especially, its championing of the cause of the abolition of zamindari that sustained the Congress for the next three decades. But then the Congress upper caste leadership in North India refused to move with the times, and become the vehicle of the aspirations of the suppressed people. They would not share power with others. Without a *social* and economic programme, how could they cope with the strong communal forces in the area? While a great social revolution had taken place in the historic South—that is the part of India to the South of the Vindhya and Narmada—in the mid-fifties, no such change materialised in the Congress leadership in the North. *It is not without deep meaning that not a single Backward class leader was elevated to Chief Ministership in Lucknow under the Congress dispensation—from 1937 to 1989. All of them were Brahmins, Thakurs, Kayasthas and Banias.*

The reality caught up with the Congress in 1967, despite the division in the Opposition ranks. It lost in Punjab. It was overthrown in Haryana through internal revolt. In Rajasthan, it had really been beaten but was put into power again through manipulations of Governor Sampurnanand and former Chief Minister Mohanlal Sukhadia. It failed to win a clear majority in Uttar Pradesh, and Charan Singh's floor-crossing sealed its fate. In Bihar and Bengal, it was routed. It was virtually eliminated in Kerala, and in Tamil Nadu Kamaraj tasted a humiliating double defeat—both as Party leader and as a candidate. In Madhya Pradesh D.P. Mishra's autocratic behaviour resulted in the disintegration of the Congress legislature Party. Only the States falling in the Godavari-Tungabhadra-Krishna valleys upheld loftily the Congress banner.

When the Congress split, Karnataka and Andhra Pradesh refused to follow the syndicate leaders, although two of them, Sanjiva Reddy and Nijlingappa, came from these two States. The people of Karnataka and Andhra Pradesh gave Mrs. Indira Gandhi a whopping 70.9 and

55.7 per cent vote in the 1971 mid-term Lok Sabha elections! Even in dark days of political disgrace and wilderness in 1977 the Godavari-Krishna region stood by Indira Gandhi. In early 1978 there was another Congress split. Mrs. Gandhi had no time to set up her organization or popularise her own symbol. And yet, she was forced to face the Assembly polls in the two States. The Godavari-Krishna-Tungabhadra basin stood by her again, and she was given a two-thirds majority in both the Assemblies. Making this area the base, she regained power at the Centre in 1980. In both Karnataka and Andhra Pradesh her share of popular vote in the Seventh Lok Sabha (1980-84) poll was over 56 per cent. The loyal support to the Congress-I of this part of *Dakshinapath* has been truly amazing.

*If the Congress experienced a string of disasters in the 1980s in this zone of India, the responsibility was solely that of Indira Gandhi's sons.* They picked up a quarrel with Devraj Urs and inflicted humiliation on the Chief Ministers of these two crucial States. The ceaseless demand for money by Congress Centre from this area also discredited the local leaders. And yet the people returned to the Congress fold again in 1989, after a spell of JD-Telugu Desam Party rule, and sustained the Congress in Opposition (1989-90) as well as in power (1991-94). Now a test as severe as in 1978 confronts the Congress-I.

The Congress Party's responsible leaders, of course, recognise that Karnataka and Andhra Pradesh polls would have an impact on the 1996 Lok Sabha polls. Even the Congress faction leaders, who secretly want to engineer the fall of the Rao Cabinet, realise that these are no ordinary elections, and hope in their heart of hearts that the Congress-I would fare badly. Mr. P.V. Narasimha Rao had on several occasions in the last month underlined the grave implications of the people's verdict in these States. At Warangal he said the outcome would be "crucial".<sup>2</sup> The polls in Karnataka and Andhra Pradesh were "an acid test for me" he declared at Nirmal in Adilabad district.<sup>3</sup> I notice a slight change in his tone now. Perhaps, his own sixth sense or the reports he has received have made him cautious again. Talking to pressmen he admitted that reverses in these two States would affect popular perception and the Congress-I would be "weaker than before". But he hastened to add that he had never called the elections a referendum on his leadership. However, he agreed that the outcome would have a close bearing on stability and continuity which were important for economic growth and India's image abroad.<sup>4</sup> In conclusion he said that he could not predict "facts and figures", but he was confident that the Congress-I would win.

Other leaders are also making predictions. V.P. Singh is not campaigning, but he has forecast a victory of Telugu Desam in Andhra Pradesh and the Janata Dal in Karnataka. He specialises in distributing non-existing offices. Just he coronated Laloo Prasad Yadav as the future Prime Minister during the campaign in Uttar Pradesh and other States last year, he has already put the Chief Minister's crown—which is not in his power to give—on Deve Gowda's head. S.R. Bommai is silent on the leadership issue, but is sure that the Congress will lose in both States.<sup>5</sup> R.K. Hedge is hogging the limelight by simply withdrawing from the Assembly contest. These are really curious times.

L.K. Advani is a bit cautious this time, but A.B. Vajpayee has stuck out his neck and has predicted “a big win” for the BJP in his talk with the press people at the Hyderabad airport.<sup>6</sup> For the Telugu Desam, it is now or never. Persistent dissidence is its greatest handicap. But it draws solace from open factionalism in the Congress and its non-performance as Government.

To sum up, I think that the outcome of the Godavari-Krishna Valley elections will not have much effect on the future of the left, or Kanshi Ram's BSP or the BJP or even the Janata Dal. But an adverse verdict can *seal the fate* of N.T. Rama Rao-Lakshmi Parvati, and visibly strengthen or cripple Mr. P.V. Narasimha Rao.

### Notes and References

1. *A Bunch of Old Letters*—Written mostly to Jawaharlal Nehru and some written by him—Bombay, 1958, pp. 49-50.
2. *The Times of India*, 19 October 1994.
3. *The Hindu*, 21 October 1994.
4. *The Hindu*, 14 November 1994.
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**New Delhi,  
16 October 1994.**

# 16

## SESHAN'S CHALLENGE TO POLITICAL PARTIES

The Janata Dal's symbol case which was being heard by the Chief Election Commissioner, had an unexpected but a salutary fallout. For the first time since the launching of the Republic, T.N. Seshan has taken up an issue which the party politicians had kept in cold storage for more than two decades: the issue of running the party affairs in accordance with the accepted democratic norms. Most of the *nationally* recognised parties possess apparently democratic constitutions, but they remain on paper most of the time, safely filed away in the cabinets of the party offices and in the office of the Election Commission.

But the Chief Election Commissioner in the course of the hearing of the Janata Dal symbol case, was forced to take out the pamphlet on the Janata Dal Constitution from the cupboard or shelf, wipe off the gathering dust and read it carefully. A light suddenly penetrated the darkness, and the Chief Election Commissioner realised to his dismay that the parties were not at all functioning in accordance with the provisions with *their own* constitutions and had become playthings of oligarchic cliques.

Some of the regional parties, including those with their grandiloquent all-India labels, are virtually pocket parties of single leaders: the Telugu Desam's N.T. Rama Rao, the AIADMK of Ms. Jayalalitha, Samajvadi Dal of Mulayam Singh. Similar—or even worse—is the condition of Balasaheb Thakare's Shiv Sena and Kanshi Ram's BSP.

The bitter denunciation of the new notice, issued by T.N. Seshan, by established parties like the CPI-M and the BJP is an index of the fact that all is not well in these parties and that there is a lot to hide in their internal functioning. That is the reason why they have raised a chorus against him. They are accusing him of rank interference in their internal affairs.

Let us see what Seshan has actually done and find out whether he really deserves the condemnation of the Party hierarchs.

As recognised political parties, whether national parties or State parties, they enjoy certain privileges and are given certain facilities by the State. This naturally imposes certain obligations on them. Parties are collective entities and they cannot be allowed to be run as Zamindaries in a democracy. Really, there ought to have been a law on political parties, and I have been demanding such a law for decades. But Parliament has failed to take any action on this important issue. However, I think the Election Commission is not entirely powerless in this regard. *That Seshan's predecessors did not act reflects on their docility and lack of drive rather than on Seshan's motives.*

Seshan has expressed surprise that *ad hoc* committees have prolonged their existence in the Janata Dal. There were no regular elections. He said: "Party functionaries at the highest levels who themselves are holding their offices on such borrowed life, perpetuate the lower bodies by granting them *ad hoc* extensions because of the postponed organisational elections." He further says: "Confronted with such a situation, the Commission finds itself in a helpless situation to grant relief to those who approach it seeking protection against the tyranny of the privileged few who have been treating the political parties headed by them as their fiefdom."<sup>1</sup> The situation in the Janata Dal would not have taken the turn it took in Bihar and Orissa and also in Maharashtra, if there had been a strong democratic Centre and if curbs had been put on the warlordism of Laloo Yadav, Biju Patnaik and Sambhajirao Pawar.

Seshan has called *ad hocism* the bane of the present political system and has said that he cannot remain "a mute spectator" for all time to come to these unsavoury happenings in political parties registered with it—parties which enjoy benefits "at the cost of the public exchequer" such as grant of two free copies of the electoral rolls, political broadcasts on the AIR and telecasts over Doordarshan, exclusive electoral symbols and so on.

The CPI-M says that the Chief Election Commissioner Seshan's orders are "untenable and beyond the powers of the Election Commission." This is purely a matter of opinion and the issue can only be disposed off by a clearly-worded law passed by Parliament and/or the Apex Court.



The BJP, too, while welcoming Seshan's directive "in principle" has strongly opposed "threats of deregistration and derecognition or withdrawing of the common election symbol." It has accused Seshan of treating the matter in a "casual" manner.<sup>2</sup> What is "casual" about this, I fail to see. *No reform can be implemented by mere exhortations. It needs sanction which Seshan seems resolved to use now.*

It may be recalled that nearly seven years ago a meeting of the representatives of political parties had held discussions on the question of electoral reforms and framed an 18-point charter, which the combined opposition had then presented to the Government. *I have no space to list the demands here. Suffice it to say that not a single point in this long charter related to the reform of political parties.* I then wrote: "It is significant that not a single point relates to the reform of the fossilised, personalised, oligarchic and undemocratic structure of political parties. The Opposition's refusal to confront the issue bodes ill for the country. What is the use of superficially imitating the West German state funding model without, first, adopting its democratic party structure?"<sup>3</sup>

I remember that at a meeting called by N.T. Rama Rao in Delhi in the second half of the eighties some of the invitees, who take pride in being called "great intellectuals", had argued that Indian voters were personality-oriented and not programme or party-oriented. They cited the example of Indira Gandhi and N.T. Rama Rao, Devi Lal and so on and justified their arbitrary style of functioning. But does their popularity entitle the supreme leaders to trample democratic functioning? Was it not Mahatma Gandhi, who chiefly, led us to freedom? But did he treat the Congress Party, state and nation as his private property? He welcomed the Congress Socialists and even supported preferential voting—as in the Rajya Sabha elections—to enable them to secure representation on the AICC.

The representation of the People Act, 1951, contains Section 29-A which requires that every application of a political party for registration with the Election Commission should contain the following particulars: (a) the name of the association or body; (b) the State in which its head office is situated; (c) the address to which letters and other communications meant for it should be sent; (d) the names of its president, secretary, treasurer and other office bearers; (e) the numerical strength of its members, and if there are categories of its members, the numerical strength in each category; (f) whether it has any local units; if so, at what levels; (g) whether it is represented by

any member or members in either House of Parliament or of any State Legislature; if so, the number of such member or members. It further states that *"The application under sub-section (1) shall be accompanied by a copy of the memorandum or rules and regulations of the association or body, by whatever name called, and such memorandum or rules and regulations shall contain a specific provision that the association or body shall bear true faith and allegiance to the Constitution of India as by law established, and to the principles of socialism, secularism and democracy, and would uphold the sovereignty, unity and integrity of India."*

The CPI-M had welcomed this provision as it tended to put a curb on communal parties. Was it meant to be decorative? If parties fail to live upto *their* own constitutions, should the Election Commission allow it?

. It is time that the BJP realised that India is not a one-party Hindu state which enthrones the BJP as the only source of political power. The CPI-M, too, must recognise that our country is not a Stalin type or Chinese type one-party dictatorship. This is a democracy, and parties must be made to function democratically.

### References

1. *The Hindu*, 18 October 1994.
2. *The Hindustan Times*, 21 October 1994.
3. Madhu Limaye, *Musings on Current Problems and Past Events*, New Delhi, 1988.

**New Delhi,  
21 October 1994.**

# 17

## WHAT THE VERDICT MEANS?

There seems to be a lot of confusion about the implications of the decision of the Supreme Court in the matter of the one-point Presidential reference under Article 143. It needs to be stated that the apex court has not examined the merits of the submissions made on the maintainability of the reference. *The concrete and specific result of the view taken by the court is the revival of the suits and proceedings pending in the Allahabad High Court.* These will have to be adjudicated by that court in accordance with the law. It was because of the approach adopted by the court that the reference became “superfluous and unnecessary.”

The apex court has struck down Section 4(3) of the Acquisition Act which brought about the abatement of all pending suits and legal proceedings. This has resulted in the revival of the pending suits. The acquisition was only of “a limited and not absolute title,” and ultimately the property was to be transferred in the manner provided in the Act. The Act impinges on the rights of both the communities. The Muslims claim interest “only over the disputed site.” The Hindus object to this claim. And the claim and counter-claim have to be adjudicated upon.

The Court struck down sub-section (3) of Section 4 as violative of the rule of law which has been held to be a basic feature of the Constitution, and, therefore, indestructible. To take away the right of securing adjudication of the claims *without providing an alternative and effective mechanism for the resolution of the explosive conflict was against the basic tenet of the rule of law.*

The Court declared that the Central Government would be “bound to take all necessary steps” to implement the decision in the legal proceedings and “to hand over the disputed area to the party entitled to the same on the basis of the final adjudication made in the pending suits.”

The Sangh Parivar’s reaction to this unequivocal declaration has been ambiguous. Their spokesmen claim that the matter is not for

judicial determination at all. It was a matter of faith, meaning that they would try to settle it by sheer force.

The Muslim counterparts' arguments are equally ridiculous. They contend that once a mosque is constructed and consecrated the site *forever* remains a mosque. A couple of years ago, in my two-part article on the Lahore Shahid Ganj Mosque-Gurudwara Case, I had pointed out that the Jamiat Ulema-i-Hind had adopted an extreme position on the issue and contended that it is not only the visible structure that constitutes a mosque but from the lowest point in the earth to the highest point in the heavens, it is all a mosque and remains as such till eternity.

The Privy Council's Judicial Committee was, in the pre-Constitution days, the highest judicial authority in British India. That committee had unequivocally rejected this contention and had said that a mosque like other religious places was a form of immovable property and liable to be acquired subject to the provisions of the law in force. *Now the Supreme Court has put its imprimatur on the proposition, and the communal-minded Hindus and Muslims would do well to take note of the pronouncement.*

The apex court said: "A temple, church or mosque, etc., are essentially immovable properties and subject to protection under Articles 25 and 28. Every immovable property is liable to be acquired. Viewed in the proper perspective, a mosque does not enjoy any additional protection which is not available to religious places of worship of other religions. . . Under the Mahomedan Law applicable in India, title to a mosque can be lost by adverse possession. . . If that is the position in law, there can be no reason to hold that a mosque has a unique or special status, higher than that of the places of worship of other religions in secular India to make it immune from acquisition by exercise of the sovereign or prerogative power of the State."

In deciding the validity of the other sections of the Act, the court could not ignore the consequences that would follow the striking down of the entire enactment. It rightly thought that the restoration of the old *status quo* was fraught with grave danger and would re-ignite communal passions and destroy harmony. The best solution was to maintain, pending the disposal of the title suits and other legal proceedings, the *status quo* as on January 7, 1993 when the law came into force modifying the then existing interim orders in the suits, and this had the effect, to an extent of "curtailing the practice of worship," as it existed under the orders of the local courts before the demolition of the structure, and the enactment of the new legislation.

The rights of Hindus, the apex court said, cannot be “enlarged” till the final adjudication of the dispute. Section 7 (2) of the Acquisition Act promotes the cause of secularism, justice and fair play, and the Supreme Court therefore upheld it. It cleared the road for judicial adjudication, but it has not done anything which would prevent an amicable settlement of the dispute. Who will disagree with the words of wisdom that have fallen from the mouth of the majority? It said: “This is a matter suited essentially to resolution by negotiations which does not end in a winner and a loser, while adjudication leads to that end. It is in the nation’s interest that there is no loser at the end of the process adopted for resolution of the dispute so that the final outcome does not leave behind any rancour in anyone. This can be achieved by a negotiated solution on the basis of which a decree can be obtained in terms of such solution in these suits.”

It would be appropriate before I conclude to state in summary form the main issues which have been framed by the Allahabad High Court in this dispute. These are:

Whether the structure and the adjoining graveyard were used for offering prayers and burying the dead by the Muslim community for a long time as claimed in the plaint? Whether the plaintiffs were in possession of the said immovable property before they were forcibly dispossessed in 1949 and idols and objects of worship placed there as alleged in the plaint? Whether the suit is within time? Whether the Muslims have been in possession of the property since 1528 A.D. continuously, openly and to the knowledge of the defendants in particular and Hindus in general? Whether there was a valid notification under the U.P. Muslim Waqf Act of 1936 relating to this property?

Whether the Hindu devotees of Shri Ram have perfected their right to prayers at the site for more than the statutory period by way of prescription and to the property in question by adverse possession as is alleged by the defendants?

The application or otherwise of the law of limitation is thus the most important issue for judicial determination. The issue which formed the subject matter of the reference was whether there was a pre-existing temple. This matter was raised by the late Rajiv Gandhi, and had for its sanction the offer of the Muslim leaders themselves to settle the dispute on this basis. The Sangh Parivar was not prepared to accept the results of the archeological findings of the investigation by the court, although it constantly invoked history to its aid. The Muslims

subsequently withdrew the earlier offer and the Centre's answer to the court's query about the implementation of its verdict was quite ambiguous—if not downright dishonest. In view of this, the apex court has taken the only course open to it. It can scarcely be blamed for the decision it has rendered on the Acquisition Act and the reference.

The Rao strategy in making the reference was really to gain time, and allow passions to cool down. The litigation, even if pursued by the parties relentlessly, is bound to take years, and the issue will be on the back burner for a long time. While a reasonable stand by the VHP and the Sangh Parivar would help, any attempt by it to use force again should be ruthlessly put down. If there is any lesson to be drawn from the popular verdict of November 1993 and the apex court verdict of October 1994, which reflects the sense of people, it is this that a large Hindu majority and large Muslim majority disapprove the use of brute force and violence. I must therefore warn that if the authority of the State is not forcefully asserted against the miscreants, the nation's interests would suffer a grievous blow.

**New Delhi,  
8 November 1994.**

# 18

## **POLITICAL SYSTEM IS HOSTAGE TO RACKETEERS**

In a scarcely noticed address to the 12th Joint Conference of the CBI and State Anti-Corruption Bureau Officers on October 20, 1994 the Prime Minister, P.V. Narasimha Rao, called for “a multipronged action plan to tackle the menace of corruption”. He assured the Enforcement Agencies that “all legislative and administrative measures would be taken to help them tackle the corruption problem”. In view of the fact that this plague of corruption is the single greatest obstacle to rapid economic development and reform of the political system, it is hoped that the investigation into the scandal exposed in this article and speedy action thereon would receive the Prime Minister’s special attention. It would be a test of the integrity of the top leadership.

We are celebrating the 125th Birth Centenary of the Father of our Nation. Is it not appropriate to pause and reflect on the distance the country has travelled away from the ideals he had laid down for us since his death 46 years ago? He taught us the virtues of cleanliness and public hygiene. He tried to inculcate in us the much-needed civic sense. But we neglected his teaching. We allowed our villages, towns and cities to go to seed. Garbage heaps piled up everywhere, even in posh colonies. The slums became a veritable hell. Now the dreaded plague, which even for people of my generation was only a childhood memory, has overtaken us.

Mahatma Gandhi also laid the greatest stress on probity in public life. He insisted on accountability and had warned us about the incipient danger of corruption, when it was really no bigger than a barely visible speck. Now corruption has enveloped the entire national life and will have more fatal consequences than the new plague. The seizure of the Jain diaries should have created an unprecedented furore, because it uncovers a rot in the system more serious than that revealed by the Bofors exposure. But unfortunately we have become as used to this terrible scourge of corruption as the garbage heaps in our cities. I think it necessary to state the stark facts relevant to the issue.

On March 25, 1991 one Ashfaq Hussian Lone, alleged to be the Deputy Chief of Hizbul Mujahadeen Intelligence, was arrested at Jamat-e-Islam at Chitli Kabar, Delhi. Bank drafts and cash were seized. The source of the money was one Dr. Mohammad Ayub in London. A JNU student, Shahabuddin Ghauri, and seven Hawala dealers were arrested in the next two or three months. The clues led to further raids. In the words of the CBI:

On 3-5-1991 searches were conducted simultaneously at 20 places including the business and residential premises of the said J.K. Jain. The business and residential premises as well as the farm house of one S.K.Jain, the employer of the said J.K. Jain, were also searched. The unaccounted cash in a sum of Rs. 93,52,755, foreign exchange worth Rs. 3,69,307, Indira Vikas Patra worth Rs. 10,50,000 and gold bars weighing 4,430 kgs were recovered from five different places during the said searches. Unaccounted cash in a sum of Rs. 58,09,100, Indira Vikas Patra for Rs. 10,50,100 and foreign exchange—namely, 593 US dollars, 300 U.K. pounds, 2,700 Dutch marks, 50 Hongkong dollars, 300 francs and 50 unknown currencies—were also recovered from the house of the said J.K. Jain. Some diaries and figures were also recovered from the house of the said J.K. Jain.

When the investigation into this was virtually closed and charge-sheets were framed against Lone and Ghauri, no reference was made to the seizures of May 3, 1991 and their significance. There was no question of taking action against the Jains. The CBI really intended to hush up the matter, which it thought was politically explosive. The publication of the details of the material seized at the premises of the Jains revealed violation of the several laws of the land, and yet the CBI had failed to take effective and expeditious action in national interest. The CBI officer, O.P. Sharma, and Vijay K.Rama Rao, Director of the CBI, should be obliged to explain why no thorough investigation has been carried out into the activities of the Jains. From the notings of the CBI officers concerned it appeared that between April 1988 and March 1991 vast sums, received from sources abroad, were disbursed by the Hawala racketeers. The beneficiaries were Kashmiri terrorists, politicians, bureaucrats and others whose identity could be easily established through “custodial investigation to which any accused in the situation of the four Jains would normally be subjected”. Every case of non-enforcement of law in matters of corruption is an act of “discrimination and arbitrariness” and violative of Article 14 of the Constitution.



*The Jains were raided on May 3, 1991. Although more than three years have passed, the CBI has not been able to clinch the matter. Can anything be more damaging? Contrast the speedy and efficient manner of the CBI inquiry into the Allahabad High Court happenings under the "lash" of the Apex Court and we see the difference. The task of deciphering the entries and identifying the persons is not at all difficult. Even an inexperienced layman of average intelligence can do it. In fact the identity of the persons and the payment received have already been established. The highlights are as under:*

Name of Person/Party	Period	Total Amount
<b>Politicians<sup>1</sup></b>		
Rajiv Gandhi (Congress)	March 1991	Rs. 2 crores
Bhajan Lal (Congress)	Feb. 1988 to June 1990	Rs. 1 crore
Balram Jakhar (Congress)	March 1988 to April 1991	Rs. 61 lakhs
N.D. Tiwari (Congress)	April 1988 to April 1991	Rs. 25.8 lakhs
Kalpanath Rai (Congress)	July 1988 to April 1991	Rs. 54.7 lakhs
V.C. Shukla (JD and JD-S Congress)	July 1989 to April 1991	Rs. 65.8 lakhs
R.K. Dhawan (PS to PM)	Sep.1989	Rs. 50 lakhs
Madhavrao Scindia (Congress)	January 1990 to April 1991	Rs. 75 lakhs
K.K. Tiwari (Congress)	April 1991	Rs. 30 lakhs
L.K. Advani (BJP)	April 1988 to April 1991	Rs. 60 lakhs
S.R. Bommai (JD)	September-1990 to April 1991	Rs. 52 lakhs
Arif Mohammad Khan <sup>2</sup> (JD/Ind.)	May 1988 to April 1991	Rs. 7.5 crores
Chimanbhai Patel (JD and Congress)	December 1989 to January 1991	Rs. 1.9 crores
President JD S/SJP	April 1991	Rs.1 crore
Yashwant Sinha (JD and JD-S/SJP)	March 1990 to April 1991	Rs. 21 lakhs
Devi Lal (JD)	April 1989 to March 1990	Rs. 50 lakhs

(Contd...)

Name of Person/Party	Period	Total Amount
Kalyan Singh Kalvi (JD-S/SJP)	Dec. 1990 to April 1991	Rs. 95 lakhs
Asoke Sen (JD-S/SJP)	December 1990 to January 1991	Rs. 20 lakhs
<b>Bureaucrats<sup>1</sup></b>		
P.S. Bami Chairman, NTPC	March 1988 to April 1991	Rs. 34.5 lakhs
B.S. Ojha, Union Secretary, Ministry of Agriculture	April 1988 to March 1990	Rs. 50 lakhs
M.P. Narayanan, Chairman, Coal India	February 1990 to October 1990	Rs. 25 lakhs
Vijay Karan Commissioner of Police Delhi, later Director, CBI	April 1989 to December 1989	Rs. 90 lakhs
K.Padmanabhaiya, Addl. Secretary, Ministry of Power	March, 1990 to October 1990	Rs. 58 lakhs
J.S. Bedi Secretary, RAW	June 1991	Rs. 20.0 Lakhs
<b>Business</b>		
Lalit Suri	1988 to 1991	Rs. 10.5 crores

**List of Politician Recipients**  
(Amount less than Rs. 20 Lakhs)

Name of Person/Party	Period	Total Amount
P.Shiv Shankar (Congress)	July 1988 to Dec. 1990	Rs. 16.94 lakhs
Jaffer Sharif (Congress)	Nov. 1988 to Aug. 1989	Rs. 10 lakhs
L.P. Sahi (Congress)	July 1989 to August 1989	Rs. 3.50 lakhs
M.L. Fotedar (Congress)	Sep. 1989	Rs. 10 lakhs
Kamal Nath (Congress)	Feb. 1990 to April 1991	Rs. 17 lakhs

(Contd...)

Name of Person/Party	Period	Total Amount
Arjun Singh (Congress)	April 1988 to Aug. 1990	Rs. 10.50 lakhs
Ranjit Singh (Son of Devi Lal) (JD-S/SJP)	Nov. 1990	Rs. 15 lakhs
Sharad Yadav (JD)	April 1988 to March 1990	Rs. 5 lakhs
Moti Lal Vora (Congress)	April 1988 to March 1990	Rs. 10 lakhs
Ms. Krishna Sahi (Congress)	April 1988 to March 1990	Rs. 2 lakhs
Giani Zail Singh (Congress)	April 1989 to Dec. 1989	Rs. 5 lakhs
Madan Lal Khurana (BJP)	April 1986 to March 1990	Rs. 3 lakhs
Vijay Kumar Malhotra (BJP)	April 1988 to March 1990	Rs. 1 lakh
Ms. Tajdar Babbar (Congress)	April 1988 to March 1990	Rs. 1 lakh
Pranab Mukherjee (Congress)	April 1991	Rs. 10 lakhs
Digvijay Singh (JD-S/SJP)	April 1991	Rs. 10 lakhs
Harmohan Dhawan (JD-S/SJP)	April 1991	Rs. 10 lakhs
Jagannath Pahadia (Congress)	April 1991	Rs. 5 lakhs
Chandu Lal Chandrakar (Congress)	April 1991	Rs. 5 lakhs
Rajesh Pilot (Congress)	April 1991	Rs. 10 lakhs
M.J. Akbar (Congress)	April 1991	Rs. 5 lakhs
Buta Singh (Congress)	May 1989 to Sep. 1989	Rs. 7.5 lakhs

**List of Bureaucrat Recipients**  
(Amount less than Rs. 20 Lakhs)

<b>Name of Person/Party</b>	<b>Period</b>	<b>Total Amount</b>
V.K. Khanna Joint Secretary Deptt. of Power, Union of India	Sep. 1989	Rs. 5 lakhs
M.L. Malik, Director (Operations) in NTPC	May 1990	Rs. 1 lakh
V. Sunderrajan, Director (Projects) in NTPC	May 1990	Rs. 1 lakh
C.N. Swamy General Manager in NTPC	Nov. 1988	Rs. 3 lakhs
A. Baijal General Manager in NTPC	Sep. 1988	Rs. 1 lakh
M.A. Hai CMD, National Hydroelectric Power Corporation	Feb. 1991	Rs. 0.50 lakh
H.K. Khan Chief Secretary Gujarat and also Secretary in the Union of India	March, 1991	Rs. 2,37,500
P.N. Abbi Chief Secretary in MP	May 1989 to June 1990	Rs. 15 lakhs
R.K. Nair Dy. General Manager NTPC	April 1988	Rs. 0.50 lakh
R.K. Narayanan Central Electricity Authority	April 1988 to March 1990	Rs. 5 lakhs
S.Berry EIL	April 1991	Rs. 2 lakhs
R.R. Shah Joint Secretary Deptt. of Power Union of India	January 1991	Rs. 5 lakhs

The CBI has had recourse to evasion, half-truths and prevarication in the face of certain irrefutable facts. It has admitted that S.K. Jain has “to some extent explained what the coded entries pertain to”. But it says that corroboration of the identities of persons has not yet been obtained by “independent evidence”. It has also stated that S.K. Jain had “taken the plea that the said payments were made from the proceeds of black money generated in his company”. But there is no mention that the Income Tax and other agencies were brought in to expose this blatant lie. The diaries, notebooks, etc., contain other information, but the correctness of the already decoded names and the sums paid have not been contradicted by the CBI. How serious and efficient the CBI was is clear from its own admissions:

It says:

Efforts were made to interrogate S.K. Jain and J.K. Jain in early part of 1993 who avoided to appear before the CBI and also went abroad. Their presence could, however, be secured in the month of July 1993, for the purpose of investigation. When they further avoided joining investigation, a look out notice was issued against them in the month of September 1993, as a result of which their presence could be secured through the immigration authorities of Delhi for their interrogation in the middle of September 1993 onwards. . .

Verification of their statements was thereafter, it is claimed by the CBI, taken up “vigorously” which is still continuing.

The ramifications of the Hawala financiers from the Kashmiri terrorists to leading Indian politicians and bureaucrats make one freeze with amazement. *The Executive of this country—its political arm (Ministers), bureaucracy (a serving Secretary is implicated), and its intelligence wing—the RAW Chief Bedi, who retired in 1993, and Vijay Karan, then boss of the CBI, were themselves involved—are devoid of all conscience and wallow in corruption.* The President of the BJP, L.K. Advani, who loudly talks of an uncompromising fight against Kashmiri terrorism, himself accepts subversive funds. V.P. Singh had said on several occasions that members of his government were not involved in corruption. Apart from Devi Lal and Arif Mohammad Khan, who received vast sums, especially the latter, Arun Nehru and Sharad Yadav also have received tainted money. Yadav has at least admitted the fact. V.P. Singh, however, is dumb like a doll on this issue. Only the names of George Fernandes, Madhu Dandavate—Socialist Ministers—and the CPI and CPI-M leaders are not there in the Jain Diary.

*It has become a common practice to blame Pakistan for our ills. Pakistan is without doubt doing everything in its power to destabilise the Indian state. But The Enemy is Within.* I therefore think that ruthless action against all those involved in these shady transactions will help cleanse the rot in the Indian political system and other departments of national life.

### Notes

1. Round Figures. Only those who received Rs. 20 lakhs or more are mentioned.
2. It is not without significance that the Jains, who apart from being Hawala racketeers, have been engaged in power and construction activities and so the then Power Minister and officials connected with the Central and Madhya Pradesh Power Departments have been the object of their special attention. Arif Mohammad Khan, close Jan Morcha colleague of V.P. Singh, who as the Prime Minister gave him two important portfolios, including Power, received the largest amount among the politicians, that is Rs. 7.5 crores. Arun Nehru, Madan Lal Khurana, Arjun Singh and others have not been listed above because their receipts were less than Rs. 20 lakhs each.
3. Among the bureaucrats, there are in addition to those in the above list, a dozen officials of the Central and Madhya Pradesh Power Departments, National Thermal Development Corporation and Central Electricity Authority who have received money from the Jains, but their names have not been mentioned because the amounts received were less than Rs. 20 lakhs.

**New Delhi,  
12 November 1994.**

# 19

## JYOTI BASU'S HERETICAL LINE

The attitude of Indian Communists towards the development of productive forces and productivity has always puzzled me. It was my understanding of Marx that he considered the release of productive forces from the shackles of the feudal class relations and the regime of restrictions and regulations as the greatest achievement of capitalism. It was Marx's contention that the development of the means of production under capitalism would reach a stage when it would outstrip the framework of the capitalist property relations. He held that the revolutionary process of transformation from capitalism to socialism would consist in the provision and elaboration of a new framework of social relations which would enable the productive forces to develop further and provide everybody the wherewithal of a good life. I give below a relevant passage from the most celebrated piece of Marxian literature:

The bourgeoisie cannot exist without constantly revolutionising the instruments of production, with them the whole relations of society. . . . The need of a constantly expanding market for its products chases the bourgeoisie over the whole surface of the globe. . . . The bourgeoisie has through its exploitation of the world-market given a cosmopolitan character, to production and consumption in every country. . . . All old established national industries have been destroyed. They are dislodged by new industries, whose introduction becomes a life and death question for all civilised nations, by industries that no longer work up indigenous raw material, but raw material drawn from the remotest zones; industries whose products are consumed, not only at home, but in every quarter of the globe. In place of the old wants, satisfied by the productions of the country, we find new wants, requiring for their satisfaction the products of distant lands and climes. In place of the old local national seclusion and self-sufficiency, we have intercourse in every direction, universal inter-dependence of nations. . . . It compels all nations, on pain of extinction to adopt the bourgeois mode of production<sup>1</sup>.

This excerpt cannot be dismissed as the young Marx's misplaced enthusiasm. After a decade spent in "self-clarification", the same theme is developed in the Preface to his work entitled *A Contribution to the Critique of Political Economy* where the revolution is shown as the result of the choking up of the productive forces in the capitalist mould: "No social order ever perished before all the productive forces for which there is room in it have developed, and new higher relations of production never appear before material conditions of their existence have matured in the womb of the old society itself."<sup>2</sup> "In Chapter XXXII of Marx's monumental work (*Capital*, Volume I), devoted to the analysis of the process of capitalist accumulation, the following oft quoted sentences occur: "Centralisation of the means of production and socialisation of labour at last reach a point where they become incompatible with their capitalist integument. This integument is burst asunder; the knell of capitalist private property sounds. The expropriators are expropriated."<sup>3</sup>

In a work belonging to a very late year, that is 1880, Friedrich Engels wrote: "The bourgeoisie broke up the feudal system and built upon its ruins the capitalist order of society, the kingdom of free competition, of personal liberty, of equality before the law of all commodity owners, of all the rest of the capitalist blessings. Thenceforward the capitalist mode of production could develop in freedom. Since steam, machinery, and the making of machines by machinery transformed the older manufacture into modern industry, *the productive forces which evolved under the guidance of the bourgeoisie developed with a rapidity and in a degree unheard of before.*"<sup>4</sup>

In view of this exposition one would have expected the CPI-controlled AITUC or the CPI-M dominated CITU to lay the maximum stress on the work ethos, the development of productive forces and on increasing productivity per man hour of labour. For in terms of a genuine Marxist view, the growth of the economy apart from the gains in unemployment and income for the common people, would inevitably advance the cause of socialism. But no, in the entire Indian Marxist trade union literature, no importance is given to increased production or economical use of scarce resources, raw material and power or increase in productivity. An increase in productivity was a mortal sin. The fact is that the greatest inventions of the Marxist and non-Marxist trade unionism in India has been *gherao*, intimidation of management, violence, increase in the number of holidays, and, above all, State-sponsored work stoppages.



No wonder in Eastern India, where this kind of trade unionism has prevailed, where idleness and malingering is the order of the day, where insurgency is endemic, where ordered state has been undermined, where abductions, extortion and crime have become a way of life, there has materialised, not surprisingly, a galloping process of de-industrialisation. Instead of the old linguistic North-South divide—I don't call it cultural divide, for the South has been the leading preserver of our culture—we have a new East-West divide; the de-industrialising Eastern and the industrialising Western India.

Progress of the economy in Maharashtra would have been much faster, if there had been no trade union racketeers like Datta Samant, R.J. Mehta, Gulab Doshi and Shiva Sena goons in its industrial cities and if there had been no nexus between builders, smugglers, drug peddlers and innumerable other varieties of criminals and chief ministers from Vasantao Naik to Sharad Pawar.

I, therefore, look upon Jyoti Basu's innovation, or at least a feeble attempt at innovation, a sign of progress. After years of exploratory trips abroad and plethora of rhetorical speeches, Jyoti Basu has formulated a policy which seeks to facilitate investment in the area of infrastructure industries as well as in other fields. New units are coming up in the consumer sector also.

The Marxists have offered a curious defence of their new industrial policy. "West Bengal is not a sovereign State. We have to operate within the parameters of the capitalist economy. So we have to work within the ambit of these policies." But was West Bengal a sovereign State when the Left Front came to power in 1977? Has it not been a part of India throughout 1977-94? Why then did the new awareness about the urgent need of industrialisation, investments without dogmatic inhibitions, positive approach towards production and productivity suddenly penetrate the inner recesses of the CPI-M mind? The argument about sovereignty is spurious. The real reason for the continuing de-industrialisation was the dogmatic approach. The developments in the USSR and China finally knocked the bottom from the CPI-M position.

China is not only a sovereign state, but militarily it is more powerful than India. And yet it has gone much further in opening up the economy to transnationals than India. The Chinese asked the workers, whether in private industries owned by the Chinese or trans-national companies, to work hard. No wonder China's export trade is burgeoning thanks to low costs, higher productivity and better quality.

Vietnam is not a subject nation. It not only defeated the Japanese and the French imperialists but inflicted a humiliating retreat from Saigaon on the mighty American power. It changed the Chinese "teaching expedition" against Hanoi into a "learning expedition". But the collapse of the Soviet Union forced introspection on the Vietnamese Communists, and they eagerly began to explore the new vistas that had opened up before them.

Unfortunately the Leftists here move tardily, if they move at all. There was resistance to the Jyoti Basu policy within the CPI-M ranks. There was resistance from the other partners in the Left Front.

Harkishen Singh Surjeet may maintain, obviously to mollify the ranks, that the new West Bengal industrial policy was not basically different from the official anti-liberalisation line of the CPI-M. He also said the Party did not favour the entry of MNCs in consumer industries. But this is an eyewash. Brooke Bond-Lipton India is setting up a Rs. 70 crore "frozen dessert" unit at Haldia—by no means a non-consumer, high technology item. The Pepsi group also is keen to set up Rs. 150 crore fruit juice project in that State. Other TNCs are also coming.<sup>5</sup>

Jyoti Basu, it appears, has finally overcome the internal resistance within the State Committee of CPI-M. He has also achieved a clearer articulation of and thus cleared the decks for the implementation of new policy.

A newspaper report said:

West Bengal Chief Minister Jyoti Basu once again proved that he was the last word as far as the CPI(M), and the Left Front Government were concerned.

The two-day State committee meeting of the CPI(M), which concluded here last evening, put to rest all apprehensions about Mr. Basu being challenged on his new-found love for foreign and domestic capital investment in West Bengal. The meeting not only endorsed Mr. Basu's new industrial policy, as enunciated by him in a statement in the Assembly last month, but also called upon the working class to fall in line.<sup>6</sup>

Siddhartha Shankar Ray, India's Ambassador to the United States, wants Jyoti Basu to head a delegation of Indian industrialists to the US to persuade the investors there to come and invest in productive activities in India. Jyoti Basu is tickled. "I am ready to do the job if my party wants it"<sup>7</sup> he has said.

What is the reaction of the second biggest component of the Left Front—the CPI to this shift in the basic policy? Privately, CPI General Secretary Indrajit Gupta still entertains reservations about the Jyoti Basu line, but publicly the General Secretary is keeping quiet. Sometime, I wonder whether India's Communists have at last caught up with the economic reality, and have become acutely aware of the ugly industrial scene in West Bengal and elsewhere. Perhaps, I like to think, that they have realised the enormous damage they have inflicted on the economy in general and industrial units in the private and public sector in particular. The AITUC will soon complete its 75th Year. Under the Communist domination, the AITUC—and not, later, also the CPI-M dominated-CITU—long held that to increase overall production was a great sin, and to increase productivity per man hour of labour and ask workers to work hard was a mortal sin. For the decline of the public sector and its non-profitability, the trade unions are, I am afraid, as much responsible as these enterprises' inefficient and greedy managements and the increasingly corrupt and interfering politicians.

Probably, the CPI now wants to open a new page. After initial resistance to Jyoti Basu's new policy, it has decided to fall in line with the "bold lead" given by its senior partner in the Left Front Government. Aware of the growing gulf between practice and profession, the CPI's West Bengal State Committee has offered a new direction to the working class. A report said:

The CPI wants the working class to be careful about production, productivity and management, and play a positive role in industrial development . . . . The policy statement of State executive committee of the CPI on industrial development in West Bengal, practically appears to be an unqualified endorsement of the industrial policy released by the Chief Minister, Mr. Jyoti Basu.<sup>8</sup>

The Forward Bloc has, however, voiced its opposition to the West Bengal Government's industrial policy, calling it "a carbon copy" of the Centre's New Economic Policy.<sup>9</sup> It predicted that Jyoti Basu's "open door policy would be disastrous."<sup>10</sup>

The RSP followed suit more than a month later. It has also come out with a sharp criticism of the CPI-M's new industrial course. The RSP has even threatened "to go to the people to expose the CPI-M's role in the framing of industrial policy."<sup>11</sup> Personally, I doubt whether there is anything more to this than pure rhetoric. Neither group—the Forward Bloc nor the RSP—can really face up to the CPI-M challenge

in West Bengal. They depend far more on the CPI-M's support than latter does on its two partners.

Whatever the significance of these squabbles, it needs to be reiterated that unless the two Communist Parties re-examine their basic postulates, they will neither be able to win over new recruits nor wish out of existence the contradiction between their vociferous opposition to the new economic policy pursued by the Centre and the vigorous implementation of the *same* policy by the West Bengal Government. This would only make the CPI-M and the Left a laughing stock of the thinking public. When will the Left realise that for our plight *we are primarily responsible*, and not the UN or the IMF or the World Bank?

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**New Delhi,  
15 November 1994.**

## THE “PUNISHMENT” OF KALYAN SINGH

Let me at the outset dispel the mistaken notion of a large number of newspaper readers that the former Uttar Pradesh Chief Minister, Mr. Kalyan Singh of the BJP, has been found guilty of contempt of court on account of the violation by him and his Government of the solemn assurance that they held themselves “fully responsible for the protection of the Ram Janmabhoomi Babri Masjid structures”. No, the recent decision of the apex court did not arise out of the petitions relating to the act of vandalism of December 6, 1992. As the court has said, the proceedings for *suo motu* contempt against the then Chief Minister in relation to the happenings of December 6 are still “pending and shall be dealt with independently.”

The punishment, neither vindictive nor harsh—it was really token—imposed concerned the BJP Government’s acquisition of 2.77 acres of land in Ayodhya under the Notification of October 7, 1991 and the events that occurred in July 1992.

In these proceedings, two interlocutory orders came to be made—two by the Allahabad High Court and one by the Supreme court. It was the wilful disobedience of these orders by the State of Uttar Pradesh and its then Chief Minister (Mr. Kalyan Singh) that was punished.

The Supreme Court order of November 15, 1991 had extracted some relevant statements of the Chief Minister before the National Integration Council which, it needs to be emphasised here, formed part of the affidavit filed by the U.P. Home Secretary.

These assurances voluntarily given by the Chief Minister were as follows: (i) All efforts will be made to find an amicable resolution of the issue: (ii) Pending a final solution, the Government of Uttar Pradesh will hold itself fully responsible for the protection of the Ram Janmabhoomi-Babri Masjid structures: (iii) Orders of the court in regard to the land acquisition proceedings will be fully implemented;

and (iv) the judgment of the Allahabad High Court in the cases pending before it will not be violated.

The Supreme Court then proceeded with the consent of the U.P. Government's counsel (Mr. Arun Jaitley), to state in its order that it "shall take it that the State of Uttar Pradesh remains bound by what has been stated in this paragraph."

Not only this, the High Court directed on July 12, 1992 that pending the disposal of the matter, the opposite parties, (that is the State of U.P.) "are restrained from raising any construction on the land." Even "any necessary" construction was to be undertaken with the "prior permission" of the court.

The apex court's judgment conclusively establishes the fact of massive construction on the acquired land and the total inaction of the State Government on the ground that it would infuriate the large number of sadhus and lead to an outbreak of violence. On June 18, 1992 Mr. Ashok Singhal bluntly told the District Magistrate that construction activity would not be stopped.

The Supreme Court had appointed an investigating committee to find out the truth. Its report confirmed what had appeared in the newspapers. The court, therefore, came to the conclusion that "substantial work, indeed very substantial work" had been carried out in defiance of the court orders. The court held that the Chief Minister could "not absolve himself of the responsibility" of violating the assurances willingly given and then violated without showing that all reasonable steps had been taken by him to enforce compliance. It was, therefore, forced to record a finding that the "Government failed to take steps to prevent the grossest violation of this court."

The next question to which the apex court addressed itself was whether the responsibility of the Chief Minister was personal or only on behalf of the State. It held that "it was both."

It cited a recent pronouncement of the House of Lords (In re. M.v. Home Office). Lord Templeman observed that since the "Crown can do wrong," the "judges. . . have power to grant remedies including injunctions *against a Minister in his official capacity. If the Minister has personally broken the law, the litigant can sue the Minister.* . . I am satisfied that injunctions and contempt proceedings may be brought against the Minister in his official capacity and that in the present case the Home Office for which the Secretary of State was responsible was in contempt."

The court, therefore, held that “the State Government is, therefore, liable in contempt... . We find that the undertaking given by Shri Kalyan Singh was both in his personal capacity and on behalf of his Government. There has been a flagrant breach of that undertaking. There has been wilful disobedience of the order”.

Mr. Justice Felix Frankfurter has said that to ignore the violent resistance to law would only mean to acknowledge that disorder under the aegis of a State has moral superiority over the law of the Constitution. Indian constitutional philosophy rejects this suggestion with horror. We have specific provisions in our basic document which uphold the majesty of the rule of law: “The law declared by the Supreme Court shall be binding on all courts within the territory of India” (Article 141). And further that “all authorities, civil and judicial, in the territory of India shall act in aid of the Supreme Court (Article 144).” If they do not and wilfully defy the court then it can invoke the awful power of punishing contempt of itself (Article 129).

In this case the apex court has had to resort to this extreme step. Yet it has acted with great restraint and with great dignity. It is a warning to all members of the executive—its political component as well as its bureaucratic one. I heartily endorse the landmark decision. The apex court has powerfully underscored the fact that we are a government of laws and not of men, however strong, nor certainly of unruly mobs.

The great contribution which England made to the cause of human civilisation was to establish the rule of law as against the rule of men. It also gave us the wonderful instrument of the writ of *habeas corpus* under which an ordinary person can go to court against the executive and secure his release from illegal constraint. The rule of law also implies that the wrong doing of even the highest in the land can be punished. The courts in England were charged with the task of upholding the rule of law. William Shakespeare in his King Henry IV-Part Two shows the Chief Justice of the Realm sorrowing over the death of the old king.

*Ch. Just : I would his Majesty had call'd me with him:*

*The service that I truly did his life*

*Hath left me open to all injuries.*

*War : Indeed I think the young king loves you not.*

*Ch. Just : I know he doth not . . .*

*P. Humph : O, good my lord, you have*

*lost a friend indeed : I dare*

*swear you borrow not that face of*

*seeming sorrow—it is sure your own.*

Here the new King, famous in history as Henry V enters. He says to the Chief Justice, "*You look strangely on me . . . You are, I think, assur'd I love you not.*"

That was because the new King when Prince of Wales had fallen in the company of that lovable rascal Falstaff and had been committed by the Chief Justice. But the Chief Justice boldly told the new King that he was only upholding the majesty and power of Law and Justice under his Father the King. Would the new King like his own son to defy his Law? The young King, transformed by the new responsibility, appreciated the Chief Justice's answer, honoured him and confirmed him in his office and said:

*You did commit me;  
For which I do commit into your hand  
Th' unstained sword that you have us'd to bear;  
With this remembrance—that you use the same  
With the like bold, just, and impartial spirit.*

It is things like this that make a country great, not wanton destruction of religious places in the name of Christ, Ram or Allah.

**New Delhi,  
24 November 1994.**



# 21

## CONGRESS BASTIONS FALL

This round of Assembly election has been a veritable disaster for the Congress and a blow to Mr. Narasimha Rao's prestige as the President of the Party and an indirect judgement on his stewardship of the ship of state as Prime Minister. Mr. Rao had himself described the vote in the Southern States as crucial, especially in Andhra Pradesh, his home ground. With the progress of the electoral campaign, Mr. Rao's tone changed, and he began to say that the Assembly poll was no referendum on his Prime Ministerial performance. Normally this would be quite true, for the voters in many States have learnt to vote differently in the Lok Sabha and Assembly polls (sometimes in spite of the fact that they were held simultaneously). It would have been prudent on the part of Mr. Rao to keep away from the State polls.

We must quickly review the last decade's Congress-I politics before we assess the impact of the latest round. Rajiv Gandhi, basking in the sunshine of his mother's—Mrs. Indira Gandhi's—posthumous victory was hailed by the media as “a charismatic leader”. He was given the honorific “Mr. Clean”. Yet he lost one State election after another. He signed the Accords in Punjab and Assam and was defeated in both the North-western and North-eastern States. He was convincingly beaten in Haryana, West Bengal, Kerala and Tamil Nadu. Yet his personal prestige did not suffer. What really damaged him was his elitist approach. Although I don't have TV and don't watch it, I accidentally saw him “receiving” a large delegation of Scheduled Castes from some State at a friend's house. The contrast between the way he dealt with them—he was utterly casual, nay indifferent—and the manner in which his mother—“the great Amma”—used to treat them came to me as a flash of enlightenment. Then came his inept handling of the Shah Bano case, the removal of the Ayodhya locks, and the pact with the Vishwa Hindu Parishad. What finished him was the Submarine and Bofors deals. V.P. Singh skilfully used them and, when the Opposition united in 1989, his fate was sealed.

It has been my firm conviction since 1967 that not Uttar Pradesh, but the Godavari-Krishna-Tungabhadra basin have been the real bastions of the Congress. If it was able to retain them or regain them without a long gap—as it did in 1989—all was not lost for the Congress. Anyway it could not be written off as a national party. Uttar Pradesh is undoubtedly the most populous State and sends 85 representatives to the Lok Sabha. But the Congress did not win an absolute majority in the State Assembly (total strength : 425) in 1967 and 1969. In 1977 it was eliminated in the Lok Sabha poll in Uttar Pradesh and got less than 50 seats in the State Assembly elections held soon after. In 1989, again, it was beaten badly in both the Lok Sabha and Assembly polls. The 1991 Lok Sabha and Assembly elections were a repetition of 1989—only this time the victor was the BJP, not the Janata Dal factions. In the all important “referendum”—a BJP leader’s own expression—of 1993, almost a year after the demolition of the structure of the Babri mosque, the secular foundation of the polity was salvaged by the Mulayam Singh-Kanshi Ram combine and not the Congress party led by the lacklustre leaders like Messrs. N.D. Tiwari, Mahabir Prasad, Lokpati Tripathi, Mrs. Rajendra Kumari Bajpai and the rest of them. Mr. Rao, then, did not even attempt to checkmate the Congress decline in Uttar Pradesh.

The Congress Party is wholly unrecognisable today as the inheritor of the mantle of the oldest political formation in the country. The probity of public life of the Mahatma Gandhi era has completely disappeared. Mr. Rao took no action on Bofors. Of course, V.P. Singh was by no means effective in clinching the matter. But that is another matter. We can recall the circumstances of the disgraceful exit of Mr. Madhavsingh Solanki as External Affairs Minister. On the JPC report, Mr. Rao was totally obtuse and refused to act. Even if he did not wish to accept Dr. Manmohan Singh’s resignation purely on constitutional grounds—the Opposition leaders paid compliments to his personal integrity—Mr. Rao could have sacked other Ministers. They were by no means indispensable. He dilly-dallied on the issue of Hawala investigations. The Supreme Court, in the course of open hearings, has expressed its displeasure over the lackadaisical investigation by the CBI and has even issued a notice to the Cabinet Secretary. He allowed those who deliberately cause the sugar muddle and robbed the public to the tune of Rs. 1,000 to 1,200 crores to go unpunished. On the Gold Star issue also he observes silence. The list is endless.

The trouble with Mr. Rao and other aspirants to his position, such as Mr. Arjun Singh is that all of them have grown in the shadow of

Mrs. Gandhi. They have no all-India mass appeal of their own. Some people are colour blind. The Congress leaders, including Mr. Rao and Arjun Singh, who want to replace him, are ethics-blind. Not that all the non-Congress leaders are paragons of virtue. And that is the reason why, with the sole exception of Mr. Jyoti Bsu, they have been unable to survive for more than one full term, in most cases not even that.

In Karnataka out of a total of 224 seats the Janata Dal has annexed 115 seats—a clear majority. The Congress with its 35 seats is a poor third, the second position with 40 seats having been annexed by the BJP. Mr. S. Bangarappa might have been able to bring about the defeat of several Congress-I candidates, but he has not done well himself. The Andhra Pradesh results have been a landslide. The Telugu Desam Party has won a two-thirds majority and its Communist allies, too have done well. In the entire Godavari-Krishna basin the BSP and SP of Mr. Kanshi Ram and Mr. Mulayam Singh have been perceived as appendages of the Congress-I. Mr. A.B. Vajpayee had predicted a big win for the BJP. While it was not wholly routed in Karnataka in relative terms, its performance in Andhra Pradesh has been extremely poor.

It is good that the danger of hung Assemblies has been avoided. Otherwise the Congress would have been tempted to play the same old game of purchasing non-Congress legislators in these States also as it had done at the Centre in the period of this Lok Sabha.

Maybe I am wrong, but I perceive no threat to Mr. Rao's position as the Prime Minister. But he would do well to divest himself of Congress Presidentship after the February polls. He has concentrated too much power in his own hands, so that the Prime Minister's own role as coordinator, supervisor and provider of broad direction, has been neglected. Many portfolios need Cabinet Ministers: Industry, Defence, External Affairs. (Mr. Dinesh Singh is terminally ill and, while my relations with him have been very friendly, as I have written before, the Cabinet should not be treated as a nursing home).

We can only hope that the Janata trio in Karnataka will settle the leadership issue amicably, and the new Chief Minister will *provide a good government such as we saw under Mr. R.K. Hegde's first administration in 1983-85*, that is before he won a clear mandate and started abusing his office. As for Telugu Desam, Mr. N.T. Rama Rao has made so many rash and financially unviable promises that only a mighty effort to raise resources can keep him afloat after this term.

I cannot view the post-1996 scene except with the deepest anxiety. Sociologists and theorists may rail against centralisation and talk of a confederal combination taking over the Centre. But they forget that warlordism at the State level is the reverse side of excessive concentration of power in New Delhi. The aggrieved people, kicked by the warlords, where do they go? What this country needs is a strong democratic Centre as well as strong democratic States, both in terms of the polity and Constitution as well as in terms of the internal organisation of political parties. If there is no justice, compromise and power-sharing *in* the parties and *among* parties, the future of the country is very bleak, no matter what party or combination of parties wins the 1996 Lok Sabha poll. I say this because I rate my identity as an Indian, as a humble member of the human race, as an insignificant speck in the Universe higher than any other identity. More than three and half centuries ago, Saint Tukaram sang about the *harmony* of the forests, the trees, the creepers, the birds and the whole Creation.

**New Delhi,  
10 December 1994.**

## RESERVATION POLICY RELATING TO RELIGIOUS MINORITIES

Caste is a specific Indian phenomenon, Indian in the old sense. Its origin in the area from the Hindukush to Manipur and from Kashmir to Kanyakumari—what the Arabs called *al Hind*—is still shrouded in mystery, but it appeared to transcend religion, creed and language. Not only the Hindus, but the Christians, the Sikhs and the Muslims are affected by it. Change of religion, in most cases, used to bring with it some change of personal names, family names and titles. But if one probed deeper, one came up against the ubiquitous existence of caste, however, camouflaged in all these religious communities.

When the ten-yearly Census was introduced by the British Raj in India, each individual's caste was recorded. However, with the rise of communal politics and bogus progressivism, caste enumeration was stopped, and from 1941 onwards we have had no caste census. The Constitution recognises the Scheduled Castes and Scheduled Tribes. There are lists of these classes, with Constitutional sanctions, and so at every Census the population statistics relating to the Scheduled Castes and Scheduled Tribes is recorded. But neither the Scheduled Castes nor Scheduled Tribes are homogeneous groups. The SCs and STs are divided into hundreds of castes, and tribal and ethnic groups respectively. We have no authentic information about the numerical strength of each of these castes and groups and their present status in terms of education, earnings, housing and so on.

Some communalists resented Caste Census because they thought it would destroy the cohesion of their communities. So they tried to suppress the reality of hierarchical division. Many Marxists and progressives thought: "Stop ten-yearly caste enumeration and the evil of caste would disappear". By now there should be no doubt left that the evil has not disappeared, but has, in a way, become accentuated. By suppressing the basic facts and data, formulation of a scientific and sophisticated policy is hampered. The result is the mad rush for reservation on every conceivable basis and competitive raising of

percentages to absurd heights. The only way to frame a realistic policy for the complete destruction of caste is to collect scientific and reliable data on caste and occupational groups. It was ridiculous to hope that, an institution so deeply entrenched will disappear in a decade. My own view is that if a scientific, sophisticated and carefully drawn up self-liquidating scheme is drawn up and rigorously implemented in the perspective of at least a century, then the caste would be completely liquidated, and the Indian society ceasing to be moribund, would once again become dynamic and vibrant and serve as a model not only for South Asia but for the entire human race.

However, if the solution of this issue of transcendental importance—and another equally important question of the extreme degree of pollution in our metropolitan cities, into which the rural poor are being sucked rapidly to become slum dwellers and street dwellers—is transformed into vote bank politics, as is being done by all political parties, a complete ruin of India—its polity and economy—will be “accomplished” even before the second or third decade of the next century has opened. Shall we be so utterly selfish that we shall spare no thought for our children, grandchildren and—for those who are much advanced in age—their great grand-children?

Unfortunately madness seems to have seized our political leaders. Our Constitution deliberately discarded communal reservation and introduced Articles such as 15, 16, 340 and so on. For the first time the principle of OBC reservation has been introduced—tardily no doubt—at the Centre and in the Bhadrakalga-dominated States like Orissa and West Bengal. And now, Mr. Sitaram Kesari, Welfare Minister, who had to be constantly prodded into action in the area of social justice, has suddenly begun to follow the bad example set by some prominent non-Congress leaders and advocate reservation for religious minorities.

Mr. Kesari is considered to be a sympathiser of the OBCs and certainly he has Secretaries who can explain to him in his Bhojpuri dialect what several authorities, including Kesari's Gita—the Mandal Commission Report—have said on the subject of caste among Sikhs, Christians and Muslims. If he asks his Secretaries to translate the matrimonial advertisements about Arora, Khatri, Jat and Saini Sikhs, he will get to know an aspect of the ugly reality. If he goes to West Bengal and runs into Christian Bannerjees and Chatterjees, or the Protestant Brahmin Christians of Maharashtra or the Catholic Brahmins of Goa and the well-known Syrian Christian families of Kerala and inquires into the basis on which they contract marriages, he will at once

cease his crazy talk. But, I am afraid, it is not out of ignorance that he says these things. He has discussed these matters with me and he agreed with me that reservations for backward Christians, backward Muslims and backward Sikhs yes, but no reservation for Brahmins and Thakurs among them.

Just as toleration of all faiths—the Upanishadic dictum that there are many ways of achieving communion with the *Ultimate Reality* or God or Allah—is a tendency and ideal of pre-Muslim Indian creeds, similarly egalitarianism is a tendency and ideal of Islam. But neither in the case of one or the other this is a realised ideal.

Ziauddin Barani was a famous Muslim chronicler of medieval India. His defence of the hierarchical order and contempt for the lowly is well known.<sup>1</sup> Similarly Sir Syed Ahmad Khan, who led India's Muslims towards New Education and modernity in the good sense, had contempt for the lower orders of society and viewed with horror the notions of a lowly ruling over people as a District Magistrate.<sup>2</sup>

Many studies have noted the hierarchical notions of Indian Muslims. Even the names of the OBC castes like Dhobi, Teli, Darji, Deemar, Nai, Kumhar, Gujar, Lohar, etc., are the same. The old census reports mention Pinjaris, Kasais and innumerable other castes. There are scholarly studies such as *Muslim Castes in Uttar Pradesh* by Ghaus Ansari, *Caste Among Non-Hindus in India*, and so on.

Did not Raoul Gonsalves write only a few days back that the Church in Goa is the only church in the whole Catholic world which has within its ranks in the laity Catholic Brahmins? Caste is the basis for strong groupings in the State whether Hindu or Catholic.<sup>3</sup>

It was in this context that Mahatma Gandhi wrote to a Bengali well-wisher in 1941: "Of course there is untouchability among Christians and Muslims, thanks to the highly infectious disease in the Hindu body. Hindus can only help the latter by completely curing themselves of the disease, but the rest has to be dealt with by the respective communities."

But India was then unfree. Now we are free and so the Indian State which belongs to all, must provide for those low in the hierarchical order even among Muslims and Christians.

The Mandal report itself said:

There is no doubt that social and educational backwardness among non-Hindu communities is more or less of the same order as among

Hindu communities. Though caste system is peculiar to Hindu society yet, in actual practice, it also pervades the non-Hindu communities in India in varying degrees. There are two main reasons for this phenomenon: first, caste system is a great conditioner of the mind and leaves an indelible mark on a person's social consciousness and cultural mores. Consequently, even after conversion, the ex-Hindus carried with them their deeply ingrained ideas of social hierarchy and stratification.<sup>4</sup>

Mr. Kesari's daily statements so annoyed me that I wrote to him asking him whether he was a law unto himself and whether or not he recognised collective responsibility of the Cabinet. If Mr. Kesari is a real friend of the backwards and the neglected sections of the minorities, why does he not classify the OBCs into very backward and backward and selectively put the backward Muslim and Christian groups—in truth the condition of most of these groups is pitiable—listed by the Mandal Report and other authorities, alongside the very backward Mungerilal Commission's Annexure-I castes among the Hindus and offer this very Backward Class 15 or 14, out of the 27 per cent reserved for the OBCs? He should know that the Supreme Court permits such categorisation. But Mr. Kesari will not see reason. He seems to be addicted to vote bank politics, not to social justice.

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**New Delhi,  
12 December 1994.**



## 23

### **PACIFIC QUADRANGLE: US-JAPAN-CHINA-RUSSIA RELATIONS**

From its very birth Western Civilization displayed two characteristics: dynamism arising out of creative tension between contradictory principles and values woven into its texture; and warlike and combative spirit. Even so till the early decades of the fifteenth century, the Islamic civilization had an edge in the Mediterranean and the Red Seas. On land, of course, the tide of Islam seemed irresistible for long stretches of time both in the West as well as in the East. It overran Egypt and the entire North Africa right up to the Atlantic. It conquered the bulk of Spain and even carried out a raid into Southern France. It was not a serious and planned invasion. If the entire Islamic World had concentrated its forces on the conquest of Southern France and Italian peninsula, it is doubtful whether the nascent Western society would have been able to offer successful resistance to it. Islam also reached the Eastern coast of the Mediterranean and the Southern Coast of the Black sea.

In the thirteenth century there arose, like a burning meteor, the terrible Mongol power. It dealt a mortal blow to the Abbasid dynasty at Baghdad, crushed Russia, which had been converted to Orthodox Christianity, and penetrated the domain of Roman Catholicism in Ukraine-Lithuania and Poland before its momentum petered out. But that was not the end of the Eastern and Western Christendom's woes. Although the *internecine* conflict between the two Sunni Turkish powers—Osmanlis and Timur—had crippled the former, the Osmanlis soon recovered and resumed their aggressive thrust into the Balkans and Catholic Central Europe. Only towards the end of the seventeenth century the Islamic flood receded, although it had, in the meantime, made further conquests in South Asia and South-east Asia.

But the Western World, which had by now armed itself with science, technology and superior weapons, triumphed around the globe. It discovered vast new lands in the Atlantic, South Africa and the South

Pacific–Australia and New Zealand. It established its empires in South Asia and Africa. The number of independent states dwindled. China and Japan suffered humiliation. Japan escaped being enslaved by practising emulation. The huge Chinese Empire lost control over its strategic coastal areas and was subjected to capitalist penetration. The globalisation process had begun, and Western dominance seemed complete.

However absolute World dominance proved to be an illusion. Another power–Russia–claiming to be the true inheritor of Christianity was growing in strength. It defeated the Scandinavians, pushed out the West, and carried out exploration of vast lands in Northern Asia, comparable to the Western colonisation of North America, reached the Pacific, and made deep inroads into Central Asia. It helped the West European powers to beat Napoleon’s hegemony. It underwent a revolution (1917) and played a decisive role in destroying the formidable Nazi war machine in 1941–45. It extracted a heavy price. The West yielded up to a point. But then it said: thus far and no further. The Cold War had begun.

The Cold War was won by the West in a convincing manner, not by the actual application of superior force, but (a) by making astonishing advance in gross production, and productivity per man hour of labour and (b) by achieving spectacular progress in science and technology and in inventing cheaper and better substitutes, in brief, by engineering materials and information revolutions. They virtually launched a second industrial revolution. And, more importantly, the American leader of the Western World, President Reagan, enticed the Soviet Union into a ruinous arms race. The USSR had enough weapons for self-defence. By pumping the bulk of its resources into defence production, it neglected other sectors, got stupidly involved in Afghanistan, and bankrupted its economy. Politically, it failed to create a true federation. Its claim to have solved the nationality problem was completely bogus. The half-hearted attempt at reforms brought about a total collapse. A famous champion of capitalism in the print media wrote with obvious pride that the most decisive factor in the disintegration of the Soviet bloc “has surely been a simple recognition of the superiority of capitalism as an economic system. This has been the real revolution across this other (Eastern) Europe.” The West’s triumph was spectacular, complete, and peaceful.

However, the Western World has found no peace. It is haunted by fears of German domination of Europe, of the resurgence of Russian

nationalism, of the growing Chinese strength, of Japan's formidable economic challenge, of terrorism, of drug traffic. In the same journal's one single issue (*The Economist* of 3 December, 1994), I found three references to Islamic threat. In its first leader entitled *Marital Problem*, on the current difficulties the NATO alliance is facing, it spoke towards the end of "Fundamentalist Islam menaces" (p.16). Another leader on the Crumbling Palestinian Accord says: "It would be wrong to pretend that there is a simple solution to the Islamist threat or to terrorism." (p.17). In a third piece on the ex-Soviet Union also occurs this sentence: "And to the South Islam presses." (p.27).

Overarching these anxieties is the anticipated shift of economic power from the Atlantic to the Pacific. The Atlantic politics is relatively simple. It centres round a triangle: the United States, a Western Europe under German economic leadership, and Russia, once again surrounded by smaller States which are friendly, neutral or unfriendly towards Moscow in various degrees. But the Pacific geopolitical picture is far more complicated. It is a geopolitical quadrangle. Apart from the United States, and Russia, which are both Atlantic and Pacific powers, there are also two other big powers: China and Japan. Although Russia is a mighty nuclear power, its economy is still in doldrums and politics in a semi-chaotic condition. The New Rich, mafias recruited from former *apparatchick* of various descriptions, control many segments of the economy and all the evils which the Communists always equated with capitalism have returned with a vengeance: prostitution, drugs, crime and so on. For the old, the poor and the children, with the warm protective umbrella of social welfare provided by the state in tatters, life has become a heavy burden. Yet they have endured the rigours of three winters.

Japan is economically strong, and despite the many problems including that of an aging population, chiefly the result of its "over successful" family limitation programme and its excellent health and hygiene arrangements, its economy and export trade is forging ahead. Its defence preparations and defence expenditure is no longer negligible. Although the Japanese are a disciplined people and don't easily panic, they cannot but be anxious *within* about the potential danger they face from their huge neighbour—the People's Republic of China. Not only is China very big in terms of population and territory, it possesses a considerable arsenal of thermo-nuclear devices and delivery systems. Japan knows that in an all-out war, it would be obliterated from the face of the earth.

It has always been a puzzle to me as to why Russia (formerly the USSR) and Japan have allowed their differences over the four small Kurile islands to bedevil their relationship. It is incomprehensible that Russia, which recently allowed vast chunks of its territory to secede peacefully and which, even after these secessions, is still among the largest states in terms of area, should make such a fuss over the transfer of these islands to Japan, which needs space much more than Russia.

In Russia dollar is the king. Its import needs for modernising the economy and for consumption goods, including grain, are large, and it has nothing else to export than oil and gas *and* arms. If reports are to be believed, it has been selling to China, which is running a substantial trade surplus with the United States and has dollars to “spare”, all sorts of sophisticated weapons, tanks, aircrafts and so on. Security considerations have in Russian calculations taken a second place.

It is the need for hard currency, again, that is forcing Russia to sell arms to Iran also, and this adversely affects its relationship with the USA. Russia also hopes to recover its debts from Iraq by adopting an independent position on Iraq. But what has really hurt Russia and damaged the position of its pro-Western Foreign Minister, Kozyrov, is the decision of the American-led NATO to extend its membership to the former Soviet satellites like Poland, Slovakia and the Czech Republic. These countries were undoubtedly part of the original western Christian society. Nevertheless, NATO's Eastward expansion Russia is found to consider a threat to its security. This not only fosters anti-American feeling in Russia but it also stimulates the resurgence of the dreaded Russian nationalism.

The Chinese economy has been performing very well in the last decade and half, though it is facing the usual difficulties such as inflation, growing inequalities and uneven regional development. *The new prosperity is concentrated largely in the coastal provinces.* Nevertheless, without relaxing its one-party dictatorship, China's old leaders, have achieved, along with other East Asian States, what a World Bank Report has called the *East Asian Miracle*.

Notwithstanding their economic and trade rivalry, Japan will continue to need the American defence connection. Trade conflicts will not be allowed to go out of hand. Sooner or later, its statesmen will have to buy a new insurance policy in the shape of better relations with Russia, if Japan wants the former to curtail its supply of modern arms to China. The USA's main anxiety is not Russian expansionism, but

achieving a more cooperative relationship with its leaders in solving ticklish problems like Bosnia, Israel-Arab conflict and also in containing mini-dictators of the Saddam type.

With China, Russia has many unsettled territorial problems in the North-east. China will certainly like to re-establish its hegemony over Outer Mongolia. If and when this is accomplished, it will pose a strategic danger to Russia. As to the US, China, which is an ancient land and has a long record to consistent integrationist urge and a vigilant frontier policy, will never reconcile itself to Taiwan's separate identity, at present reinforced by the US naval and missile power. *These are all potential sources of explosive conflict in North-east and East Asia.*

There is only one truly world power and that is the United States. But still there is no real *Pax Americana*. The US has to fix its priorities. It has to choose between contradictory demands and claims. It has to balance policy initiatives: trade v. security in relation to Japan; conflicts within the NATO alliance; developing a new security and trade cooperation with India v. maintaining the *old* link with Pakistan; maintenance of good relations with "the capitalist roaders" at the helm of Chinese affairs and the championing of the cause of human rights, which the US proclaims is one of its top priorities. And, above all, there is the question of stilling the haunting fear about China's link-up with a fundamentalist Islam, which is feeding terrorism not alone in Jammu and Kashmir and India, but around the World, including the United States (the bomb blast at the World Trade Centre in New York did not take place a century ago!) and actively promoting the drug menace.

New Delhi,  
15 December 1994.

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### THE NEW YEAR: RETROSPECT AND PROSPECT

The year 1994 did not begin either for the Congress Party or the Government at the Centre on a dismal note. The prospects looked fair although there was some fog and haze in the atmosphere. But these did not at all look menacing at that time. They could have dispersed, and there was no reason why the ruling party could not hope for brighter sunshine and warmth ahead.

The biggest challenge the Congress-I and the country faced in the previous year (1993) was the challenge of the Sangh Parivar, and its threat to overturn the secular democratic polity erected by the Constitution and established “a Hindu Rashtra” in its stead. The corpses of history were being dug in an unprecedented frenzy. Throwing aside the promises made in sworn affidavits before the highest judicial tribunal of the land, the mob collected by the Sangh Parivar had demolished the structure of the Babri mosque under the benign protection of UP’s Kalyan Singh Government and the provocative presence of Messrs. H.V. Seshadri, L.K. Advani, Murli Manohar Joshi, Ms. Uma Bharati, Ms. Ritambara and other bigwigs of the Sangh Parivar. The same destructive tactics were to be followed in Kashi and Mathura.

The Prime Minister, initially, dithered, but finally gathered enough courage to act, and dismissed the four BJP-led Governments. Although he formulated no comprehensive programme to win back the public support which the Congress-I was losing rapidly, the people themselves made a determined show of sanity and inflicted a humiliating defeat on the Sangh Parivar. The Congress-I at the State level defeated the BJP in Madhya Pradesh and Himachal Pradesh in a convincing manner, and the social justice and communal harmony plank of the SP-BSP prevented the BJP’s return to power in Uttar Pradesh.

On the economic front, the foreign exchange crisis was thing of the past. But the picture was by no means all that rosy. It is quite true that the anti-reform and anti-GATT campaign of the Opposition has completely petered out. A new stimulating element of competition was introduced into the stagnant economy. The complacent industrial tycoons long used to the protective cover of high tariffs were shaken. The harvest forecast was also not discouraging. But there were four negative factors. While there was a lot of talk of foreign investment, increase in savings and so on, there was (a) no spectacular rise in real productive investment, (b) the high rate of inflation continued to hit the common man, (c) the big infrastructure and power generation schemes were shrouded in scandals, and (d) privatisation in the States and disinvestment plans at the Centre did not appear to the common people to be really above board. Even so the economic reforms had become what Dr. Manmohan Singh and others called irreversible.

Jyoti Basu paid the Central Government a handsome compliment not only by emulating the new economic policy vigorously but, what is more important, without personally getting into the mire of any damaging scandals.

What was it then that mid-way through the year 1994, the fortunes of the Ruling Party began to look grim again. Opinion polls and surveys apart, it did seem that the Congress-I was in deep trouble in its old strongholds of Karnataka and Andhra Pradesh. The newly-forged unity in the Janata Dal and resurgence of Telugu Desam Party were certainly factors in the Congress decline. Mr. Bangarappa's revolt cut into the Congress-I OBC support in Karnataka. Factionalism, too, was the bane of the Congress in Godavari-Krishna basins. But factionalism in the Congress is not a new phenomenon. It existed in the long era of Jawaharlal Nehru's ascendancy. It was not absent even in the heyday of Mrs. Indira Gandhi's power. What enabled the Congress to override factionalism was (i) the strong base of the Congress throughout the country, and (ii) the charismatic appeal of its top leader. Both these factors have been non-existent for nearly a decade.

The Congress Party's strength lay in the fact that, while it was a vehicle of the aspirations of the suppressed and neglected sections of society, newly awakening to the consciousness of their rights, it never adopted sectional policies and remained a national party. Right up to 1962 Nehru did not interfere in the choice of leaders of Congress Legislature parties in States. Only when the State leaders acted as warlords did the Centre act as a corrective. If I may say so, the High Command, in the good old days, meant a *strong caring Centre, not a*

*domineering Centre.* However, the Kamaraj Plan of 1963 was a foretaste of things to come. When Mrs. Gandhi became all powerful, she began to lord it over the States. The game of musical chairs began in the early seventies, first in Bihar and then in other States. That sapped the foundations of the Congress. But in those years the personal appeal of Mrs. Indira Gandhi and her decisiveness and courage compensated for the erosion of the Congress grassroots organization. Her ride to Belchi in Bihar in 1977—the scene of atrocities against the Scheduled Castes—on the back of an elephant was a vivid demonstration of the dynamic quality of her leadership.

When the Congress-I adopted sectional platforms or engaged in alternate and, often inconsistent and opportunist appeasement of different communities and groups, its mass base rapidly evaporated. This is what happened in Uttar Pradesh, Bihar, Rajasthan and other States. Now there has been a repetition of this in Karnataka and Andhra Pradesh.

*The responsibility for the current crisis in the Congress-I is primarily that of Mr. Rao. He elevated not doing anything, not taking any unpleasant decisions, not appointing the Central Parliamentary Board—formerly called the High Command—, not removing ailing and disabled Ministers occupying important portfolios, not filling vacant Cabinet posts and crucial portfolios, treating unanimous Joint Parliamentary Committee's Report with contempt and above all, not sacking corrupt Ministers and bureaucrats into a high policy.* A vast country cannot be run without taking courageous decisions and great risks. The Constitution says that the Ministers are to be appointed on the advice of the Prime Minister. But so great was the loss of Mr. Rao's moral authority that not only Cabinet Ministers, but junior Ministers could cock a snook at him. Never before had the highest constitutional office been reduced to cipher, not even under the inglorious Charan Singh and Chandra Shekhar stewardships. Charan Singh could tell his Finance Minister to quit. Chandra Shekhar could tell the Party, on whose support he was entirely leaning, that enough was enough. *But nothing moved Mr. Rao* into action till the CPP ranks and Mr. Arjun Singh, backed by 10 Janpath, forced the resignations of the tainted Ministers.

Will the revolt against Mr. Rao lead to his ouster from leadership? Except Mrs. Sonia Gandhi nobody seems to me to be in a position to displace him. Mr. Sharad Pawar may be ambitious, but he has the hurdle of the February polls in Maharashtra to cross. As to the BJP, the



Gujarat elections will determine the question of its revival or further downward slide. Similarly, the Bihar and Orissa polls would prove fateful for the JD.

What then lies in the womb of the new year and the year after that? It can be said safely that the tide of communal fury has now definitely receded. I know Gujarat and Maharashtra are today the most communalised States in the country. It grieves me that there should be so much anti-Gandhi feeling in these two States. A small section of Maharashtrians—particularly quite a few Brahmins—always hated Gandhi. But now the ill-feeling is widespread, especially in Gujarat. Still I venture to make this forecast that the Sangh Parivar's dream of capturing the Centre at the next Lok Sabha (Eleventh) election will not be fulfilled.

There is talk of the creation of a new broadbased secular alliance. Mr. N.T. Rama Rao himself has talked about it. But it is too early to say whether the attempt would succeed. Will Ms. Jayalalitha replace Mr. Karunanidhi as representative of Tamil Nadu in the new alliance? What Akali faction would be selected from Punjab? Will it be Mr. Prakash Singh Badal's? Who will be the standard bearer of the new alliance in Haryana—Bansi Lal or Om Prakash Chautala? What will be the new Front's attitude to Mr. Mulayam Singh and Mr. Kanshi Ram's BSP? Will the differences between Mr. George Fernandes and Mr. Nitish Kumar on the one hand and Mr. Laloo Prasad Yadav on the other be composed? Will Biju Patnaik make up with Mr. Rabi Ray and his other opponents? Will Mr. Chandra Shekhar be isolated and pushed into the Sangh Parivar's Camp? And will Mr. V.P. Singh, who has now abandoned his old role in the Morality Play, and given the slogan of "empowerment of Youth", be accepted, again, as the helmsman? Many opposition groups themselves are not free from corruption, including former Ministers of Mr. V.P. Singh! We also know what purely power-political "enfranchisement" of youth has ultimately led to in J & K, Punjab, Assam, and Bihar. It is too early to answer the aforesaid questions.

There are three or four other questions that are still shrouded in mystery. One is the question of growth prospects in the industrial sphere and also in agriculture, which unfortunately is still, to a large extent, dependent on the monsoon. This question has some bearing on the next one, namely the prospects of the rebirth of the Congress. Its terminal illness has been predicted again and again. But it has, in the past, confounded its critiques. Pusillanimity will certainly hasten its

end as *a real national party*. A bold and decisive series of actions on various fronts might still revive its fortunes. Another riddle is Mrs. Sonia Gandhi. Will she and Ms. Priyanka choose the portentous year 1995-96 to enter politics? The third vital question, whose importance in future will increase rather than decrease, is (a) the conflict *within* the OBCs, *within* the Schedule Castes and *within* the Scheduled Tribes (witness the Naga-Kuki butcheries) and (b) the growing strife *between* these *various* deprived groups.

Those who rouse great expectations, raise reservation percentages to absurd limits, neglect the peaceful resolution of the aforementioned contradictions, and ignore the issues of rapid economic development, employment creation, urban renewal, piling up of garbage, the need for recycling of resources, eco-friendly modes of transport and so on are not likely to improve the lot of the common people, whatever their rhetoric. The alternative to such a positive platform is further criminalisation—extortion, abduction, rapes and other atrocities—*anarchy* and slow disintegration of the ordered state. That an outlaw like Veerappan should be able to defy the might of the whole Indian state and dictate conditions is itself very significant.

**New Delhi,  
23 December 1994.**

## INDIA'S HEXAGONAL EXTERNAL RELATIONS

The foundations of free India's foreign policy were laid down, chiefly, by Jawaharlal Nehru. But even he could not, for considerations of dogma, have imposed on India a course harmful to its basic interests. If someone else had been in charge of foreign policy, there might have been variations here and there. Under the Prime Ministership of a man like, say, Sardar Patel, our external policy would have shown greater concern for security and strengthening of border defences, but it is doubtful whether it would have failed to build up gradually friendly relations with the Soviet Union. The policy of Anglo-Americans to create satellites and encircle the USSR and Pakistan's readiness to pretend to play the anti-Soviet and anti-Communist role in world affairs would have willy-nilly forced Indian statesmen to befriend the USSR after some time. Even under the Nehru dispensation, the Soviet leadership, when Stalin was at the helm, was not overmuch interested in cultivating India. But after Stalin's death, as we all know, a change came about in the external relations of the USSR.

As a subject nation, India considered itself a part of the world anti-imperialist movement, and so its championship of the cause of colonial freedom would have inevitably estranged India from Anglo-America. Perhaps, the outward expression of this pro-freedom policy would have been less abrasive—unlike the mode adopted by Krishna Menon—but no person entrusted with India's destiny could have subordinated India's national interest and its tie-up with the anti-colonial struggle to the mirage of gaining American *exclusive* sympathy. Similarly, a man less under the spell of the bogus theory of millenia old India-China friendship, would have more carefully handled Sino-Indian relations. The nature of India's relationship with China was not at all political or diplomatic. It was in the area of religion and culture. Unlike the Chinese state, the Indian state in the Mauryan sense—had ceased to exist after the break-up of the polity built by Chandragupta. The unified Indian state was rebuilt in the sixteenth century by a dynasty which was

of foreign origin. Eventually, it became Indianised but under Aurangzeb the state became weakened and, finally, the British defeated the French, the Mughal Subedars, Tipu and the Marathas and established their hegemony throughout the land. Ultimately the power was transferred to Indian hands, but the British left behind a legacy of partition and conflict. The Indo-Pakistani conflict has blighted the future of this sub-continent which the Arabs called *Al-Hind*.

The break-up of the Soviet Union has been a blow to India. It has not made the United States *dramatically* modify its policy towards India. There were strong forces in the CIA, Pentagon, Congress and even State and Commerce Departments which were hostile to India. These forces have, perhaps, become less powerful, yet they are still there, and they continue to influence American policy in important areas vitally affecting India's interest.

In the new situation created by the disintegration of the Soviet bloc, the United States is left as the sole world power in both military and economic sense together. Yet it is not *absolutely* supreme. New power centres are emerging.

Unfortunately, the Indian foreign policy establishment is dominated by the point of view appropriate to an age that has past into history. Our intellectual elite too is dominated by Marxists of all varieties. The communal outlook has so affected large sections of Hindus and Muslims that rational thinking on India's external relations has become wellnigh impossible.

But those who subscribe to the established constitutional order and the principles enshrined in the Preamble of the Constitution and regret their erosion in recent years must think afresh about India's place in the new world that is rising from the ashes of the old one. We have to take account of six major forces that are contending, not exactly to establish their supremacy, but which are certainly trying to expand their influence and win for themselves a larger share of the economic cake.

Apart from the United States, there is the expanding European Union, with the reunited Germany radiating its influence not only within the Union but also in eastwardly direction—in areas in Eastern Europe with which the Germans have been in close contact since the middle ages. Have we done enough to develop closer relationship with this new force which in terms of population and economic power is in no wise inferior to America? I think not. With Japan also it is only in recent years that we have begun to develop meaningful contact. Our

scholars neglect the Japanese language and the study of its distinctive economic system, its psychology, and its culture. Our understanding of China has never been really profound. We have not at all followed closely the changes in the economic policy initiated by China at least ten years before we began to think seriously about these changes. The achievements of China in the economic sphere and export-oriented growth are truly astonishing. The Indian Communists have been the most backward in realising the significance of these new developments. Our vision is too narrow, at best peninsular.

Nor do we really know what is happening in Russia and the Central Asian Republics. The whole region is aflame: there are sharp ethnic and sectarian conflicts. Several Muslim powers are making an attempt to extend their influence in this strategically important area: Turkey, Iran, Saudi Arabia and Pakistan. The ethnic conflict in Tajikistan and Uzbekistan has spilled over into Afghanistan and *vice versa*. The sixth force—it is not one power—is the Islamic World. It extends from India's western borders right up to the Atlantic and there are Bangladesh, Malaysia and Indonesia in the East and South-east Asia. Islamic society has its ubiquitous presence not only in the former Soviet Central Asia, but also in China's Sinkiang Province as well as its North-western areas. From Algeria to Bangladesh fundamentalists (or rather extremists) are emerging stronger and stronger and increasingly they are taking to arms. Not only the conservative Islamic regimes feel threatened by this tide of fanaticism, but the Western world, though powerful, feels threatened by this mysterious challenge. It is neither a military nor an economic one. Islamic or any other religious fanaticism in real terms, constitutes no threat to the supremacy of the Western world. But the adoption by these elements of terrorism and conspiratorial methods make the open, democratic and libertarian—and also corrupt—polities vulnerable to attack by fanatical elements armed with modern weapons and means of destruction. The latest incidents of hijacking and no ancient incidents of the bomb blasts in New York and other places are an index of the gravity of the new threat. So obsessed is the Western World by the outbreak of Islamic extremism that in a single recent issue of a famous English language journal this threat is mentioned in three different places: "Fundamentalist Islam menaces." These words occur in the context of the difficulties the Western alliances face. In an article on the precarious Palestinian-Israeli peace, it says: "It would be wrong to pretend that there is a simple solution to the Islamist threat or to terrorism." Discussing the situation developing to the South of Siberia in Central Asia, it asserts: "And to the South,

Islam presses”<sup>1</sup>

India can preserve its unity and strength only if it keeps communal passions under control, adopts a firm attitude towards outbreaks of deliberate and organised violence and destruction such as we witnessed on 6 December 1992 and after. If we fail in this, we shall become the target of internal and external subversion. We have to keep in mind the hexagonal nature of our external relations and maintain a delicate balance in maintaining and developing these relationships. We can neglect any one or more sides of the World Hexagon at our own peril. Let us conceive of our position as lying at the Centre of this hexagon: the US, the European Union, Russia, China, Japan and the Islamic World.

### **Reference**

1. *The Economist*, 3-9 December 1994, pp. 16, 17 and 27.

**New Delhi,  
6 January 1995.**

## ARJUN SINGH'S MANIFESTO

Arjun Singh, who has filled many offices under the State such as Chief Minister of the largest State, Madhya Pradesh, Governor of Punjab and Central Cabinet Minister, is not an insignificant person. On the Congress Party's stage, apart from Prime Minister Narasimha Rao, he is one of the two most important political figures, the other being Maharashtra's Chief Minister, Sharad Pawar.

That he is an ambitious man and aspires for the highest post cannot be held against him. Most persons in politics are ambitious and there are quite a few who would like to reach the top. The Opposition scene is in fact far more crowded with very visible Prime Ministerial aspirants than the Congress: There is V.P. Singh, who always says what he does not mean and means what he does not say, there is R.K. Hegde, there is N.T. Rama Rao, whose wife told the Andhra Pradesh audiences recently that the Telugu film actor would be the future Prime Minister. V.P. Singh had once projected Laloo Prasad Yadav as the future Prime Minister of India. Recently, people witnessed in Orissa the epiphany of a new Prime Ministerial Jagannath, "Mahapurush" Biju Patnaik. Chandra Shekhar is of course waiting in the wings. He thinks that he is more capable than the persons mentioned above. There are others but they need not be mentioned here.

Former Social Democrat Chancellor of West Germany, Helmut Schmidt, once told Roy Jenkins, former British Labour leader, E.E.C. Chief and a writer of renown, that he did not like to have in his Cabinet Ministers who were aspirants for the Chancellor's post and were always in search of a moment to displace him. But this is not always a wise policy. It is better to have powerful men, though they are possible rivals, within the Ministry than outside it, provided the Ministers respect the principle of collective responsibility and the Prime Minister strictly enforces it. But Rao did not have the desire nor did he appear to be in a position to enforce discipline. From Arjun Singh to Rajesh Pilot, everybody felt free to express his views and voice his disagreements publicly. Permissiveness was the order of the day.

Arjun Singh had made it a regular practice to write letters to the Prime Minister, leak them to the press and quite freely articulate his dissent without resigning from the Cabinet. Rao not only tolerated this mockery of Cabinet Government, but also the corruption which stank to high heavens.

The press, on its part, had also made it a habit to talk of rebellion or coup wherever the AICC met or whenever there was a motion on President's Address or budgetary demands or a regular no-confidence motion. The whole thing had become a joke. Arjun Singh had cried "wolf" so many times, that very few suspected that this time he was serious. Even when he said that he was determined to leave the Cabinet, I doubted whether the resignation would really materialise. But it did and we must analyse the implication of both the resignation and, more particularly, the issues he has raised in his letter. Not even Arjun Singh's detractors can deny the importance of these issues.

It is an undeniable fact that the Congress has been lately reduced to a pathetic condition. It is no longer a dominant party. The dominant party system of which political scientists used to talk in the previous years has collapsed. The Congress has been steadily losing public support in the nineteen eighties. Whether under the influence of her younger son or because of a certain element of fatality which began to affect her after Sanjay Gandhi's sudden death in an air crash, Mrs. Indira Gandhi *did* become less sensitive to shifts in the currents of public opinion and also less decisive after 1980. The Blue Star tragedy could have been averted if she had dealt with the terrorist menace in Punjab firmly at an early stage, that is soon after her first year in office. But she was both indecisive and confused. She continued to dither. Her powerful social alliance, of which the minorities, the SCs and STs were the major constituents, began to disintegrate. Rajiv Gandhi did nothing to repair it.

Arjun Singh has raised the issue of the rise of the communal forces and has castigated Rao for not "standing up to them determinedly." That charge is not untrue. But if Arjun Singh were to reflect dispassionately over the past, he would realise that the Congress-I had begun to falter in this fight not in 1991-92 but much earlier when Rajiv Gandhi was the Prime Minister. The Muslim divorced women's legislation enacted to nullify a decision of the Apex Court was not a shining example of an uncompromising struggle against communalism and inequity. Neither Rao nor Arjun Singh had, then, raised their voice against it. When the locks on the gate of the Babri Mosque structure



were removed, with official consent, Rajiv Gandhi held the highest political office in the land. Neither Rao nor Arjun Singh sent any missile to Mr. Gandhi lodging their protest. Arjun Singh is reported to have wept on the shoulders of N.D. Tiwari at Churhat. It was the same N.D. Tiwari, who with the consent of Rajiv Gandhi, and in the presence of the Central Home Minister, signed the Shilanyas agreement with the Vishwa Hindu Parishad before the title suits had been judicially decided. These are unpleasant facts, but both Rao and Arjun Singh had looked the other way when all these sorry proceedings were going on. Neither Rao nor Arjun Singh chided their younger superior, Rajiv Gandhi, when he spoke of Ram Rajya at Ayodhya. Certainly, it was not in Mahatma Gandhi's sense that the expression was used by Rajiv. To the Mahatma, the expression did not have any communal overtone or undertone. It simply meant a moral order. Has the Congress-I stood for a moral order in the last two decades? It produced no Mahavir Tyagi or Dr. Ram Subhag Singh or Feroze Gandhi who showed the courage to expose corruption in high places. True, it produced a V.P. Singh. But when he raised the question of Bofors and Submarine deals, he was thrown out. In sharp contrast, I remember, in 1959 the Congress did not expel the standard-bearers of a clean public life. Home Minister G.B. Pant, on the contrary praised them.

Let not Arjun Singh crow too much over the Congress victories in Madhya Pradesh and Himachal Pradesh. The vote there was negative. There was no other secular alternative. So the people opted for the Congress. In Uttar Pradesh, however, the main battle was fought by SP-BSP combine. Arjun Singh should, more humbly, remember Delhi and Rajasthan.

Arjun Singh's charges about liberalisation of corruption, general permissiveness, indifference to the interest of the poor and the lowly and insensitiveness to the feelings of the minorities are quite true, but Arjun Singh would be more convincing if he will "search" his own "heart" and confess in a contrite spirit, to his own acts of omission—and commission, if any. In fact all Congressmen, from Narasimha Rao down to the grassroots workers, should do real heart-searching and undertake in right earnest the job of cleansing at all levels—at the level of the government (political executive and the bureaucracy), the police forces, the intelligence agencies, and above all, at the organisational level. Can Arjun Singh honestly maintain that the Congress-I is not responsible for the criminalisation of public life, for political interference in administrative work, breakdown of law and order and rapidly escalating corruption in the past decade and half?

If Rao fails to take determined action on all these fronts, especially in the area of corruption, he will not only dig his own grave but that of the Congress also.

In the end I say all is not lost. The Congress has received a drubbing. But it is still larger than any one Party. The capacity of the non-Congress and non-BJP parties to win a Lok Sabha majority, in the first place, and pull together for any length of time afterwards, is at best doubtful. The reform and renewal of the Congress-I is, therefore, in the nation's interest. Faction spirit is not the answer. While I ardently hope that the challenge of the non-Congress secular parties would become stronger and more coherent and purposeful, as a well wisher of the country, I would also like to see a reformed and united Congress Party. In fact I would be very happy if the BJP turns away from its destructive politics of hatred and catches at least a bit of the tolerant spirit of our great land which has today fallen on evil days.

**New Delhi,  
9 January 1995.**

## AMBEDKAR, RAJENBABU AND CONSTITUTION-MAKING

Dr. Rajendra Prasad was without question one of the most eminent leaders thrown up by the freedom movement in the Gandhian era (1917-48). Mr. Valmiki Choudhary has rendered invaluable service to modern Indian history by publishing twenty volumes of Dr. Rajendra Prasad's Correspondence and Select Documents collected by him. Mr. Choudhary is a freedom fighter. He was my colleague in the Third Lok Sabha. He also acted as Dr. Prasad's Secretary. But more than all these things, his devoted work as a compiler of Rajendra Babu's papers will be remembered by the posterity with gratitude. While paying my tribute to Mr. Choudhary, I cannot but protest against the wholly unnecessary, slighting and provocative remarks he has made in relation to Dr. B.R. Ambedkar's contribution to constitution making in his introduction to the twentieth volume. Dr. Prasad was a very courteous and knowledgeable person, and had he been alive, I am sure, he would have dissociated himself from what Mr. Choudhary has said about Dr. Ambedkar.

The intention of the introduction appears to be to dispel the "misleading impression" that has "been created among the people that the Constitution had been framed by Dr. B.R. Ambedkar". A long summary of a passage in his introduction is unavoidable because I don't wish to be accused of distorting his views: Dr. Ambedkar's name "figures in the records of the Constituent Assembly as representative of Bengal. It would appear he could not get elected from Bombay." Important Committees of the Constituent Assembly did not include his name. In the Committee on minorities he was "the fourteenth member." In another Committee his name came "towards the end." A seven member Committee (to examine the draft) under the Chairmanship of Sir Alladi Krishnaswami Ayyar included his name along with others. Towards the end, "this Draft was handed over to a Committee related to the Ministry of Law." Dr. Ambedkar was entrusted only with the

task of presenting it to the Constituent Assembly. Then comes the amazing statement that “the final decision” on the amendments received for discussion rested with President Rajendra Prasad who used to gauge the opinion of the House. (Does any President, Chairman or Speaker of any representative assembly ever take final decisions except on procedural and technical matters?) It was, then, merely a question of deleting and inserting some words. “Given this situation Dr. Ambedkar was left with no work to frame the Constitution.”<sup>1</sup> The writer refuses to call Dr. Ambedkar, Chairman of the Drafting Committee, does not even credit him with the work of expounding the provisions and principles of the Constitution with great clarity and learning. Can anything be more petty and stupid? But I know Mr. Choudhary is not a petty man. Still he does great injustice when he says that Dr. Rajendra Prasad made *no particular mention* of Dr. Ambedkar in the final stages of the Constituent Assembly’s work.

It is quite true that Dr. Ambedkar did not have the necessary votes to get elected to the Constitution-making body from Bombay. It was Bengal which sent him to the Assembly. But with partition, the previous elections stood annulled under the Mountbatten Plan of 3 June 1947. Dr. Ambedkar was now without a seat. It was Sardar Patel’s foresight and greatness that he chose Dr. Ambedkar to fill the vacancy caused by Dr. M.R. Jayakar’s resignation. He told B.G. Kher: “You have to make arrangements for Dr. Ambedkar’s election”<sup>2</sup> before 14 August, 1947. If the writer had known this background, he would not have adopted the tone he has chosen in the above passage.

Those who have carefully gone through the twelve volumes of documents published by the British Government under the title *The Transfer of Power* and the vast material on this subject and the related work on Constitution making know very well that if any two individuals were to be singled out for their crucial role in all this, they would inevitably be Sardar Patel and Jawaharlal Nehru. The major decisions were taken by the two of them, including the decision to accept partition, abandon the framework of the Cabinet Mission Plan, discard any extreme form of Provincial Autonomy and go in for a strong Centre. Neither Dr. Rajendra Prasad nor Dr. Ambedkar played any prominent part in this major decision-making. In fact it can be said that Dr. Ambedkar was a more ardent supporter of a strong Centre than Rajendra Babu or even Patel and Nehru. He held that a strong Centre—stronger than that provided by the Act of 1935—was for him a matter of “great admiration and respect and refuge.”<sup>3</sup> The words were

carefully chosen. What he wished to convey was that the Scheduled Castes, the Scheduled Tribes, the OBCs, the women, in one word all the oppressed needed a strong *caring* Centre, not a despotic one.

It should be remembered that the Constituent Assembly after partition was a wholly Congress-dominated body. It was, then, fully representative of the nation. But it was the greatness of the Congress leadership that it drafted the services of many outstanding non-Congress personalities in preparing the basic law of the land. The Constitution was not “the handiwork” of any one person. The Drafting Committee could not override “the wishes of the majority party”. Dr. Ambedkar and his colleagues well knew the limitation within which they had to work.

Only one example of this limitation should suffice. Articles 330, 332 and 334 had provided that seats shall be reserved for the Scheduled Castes and Scheduled Tribes in the House of the People at the Centre and Legislative Assemblies in the States as nearly as may be in proportion to their population for a period of ten years. This reservation was to cease to have effect on the expiration of this period of one decade. In the euphoria following the achievement of independence, it was felt by the dominant majority in the Constitution-making body that the lot of these deprived sections would improve dramatically in a decade and the noble principles enunciated in the Preamble of the Constitution would be realised in that period of time. Any realist would have felt that these millenia-old evils would not vanish in a short time. There was a similar euphoria after the 1932 Yeravda Pact. The Hindu leaders had then promised to eradicate untouchability and overcome the disabilities from which the Scheduled Castes suffered. But what happened? A disillusioned Mahatma Gandhi had to lament in his 5 November 1947 prayer speech in Delhi that they were going “downwards”. He was speaking on the occasion of the opening to Harijans of the famous Vitthal temple at Pandharpur.

In the matter of reservation of seats in the Legislatures and reservation in services, a longer perspective and plan was and is necessary. There had to be a self-liquidating scheme within a longer span of time. Dr. Ambedkar was aware of the time factor. He had said in his speech in the Constituent Assembly that it would have been quite “proper” and “generous” on the part of the House to have given the Scheduled Castes a longer term with regard to these reservations. But since the majority felt otherwise, it was not possible for them to go back on these decisions, he said.

When the British ruled India, Dr. Ambedkar usually viewed things purely from the point of view of improving the lot of the Depressed Classes as they were called before 1935. He appealed for British intervention, thought in terms of enhancing the Scheduled Castes representation with a view to playing a balancing role between the Savarna Hindus and Muslims. For tactical reasons, he deliberately and completely ignored the claims of the Scheduled Tribes! One of the reasons why he advocated partition was the fear that the Savarna Hindus would appease the Muslim communalists in the matter of weightage in the Legislatures in a united India at the cost of the Depressed Class representation in these representative bodies. But Dr. Ambedkar was not a selfish man like the majority of the present day politicians. He was a patriot to the core of his being. After independence his attitude to Gandhiji and his views on many other issues underwent a change. Even on the question of Scheduled Tribes there was a total transformation.

The following exchange between Dr. Ambedkar and that great champion of the Schedules Tribes, the Scheduled Castes and the OBCs, Mr. A.V. Thakkar (Bapa), of G.K. Gokhale's Servants of India Society, shows the change clearly:

*The Honourable Dr. B.R. Ambedkar:* . . . If at the end of the ten years, the Scheduled Castes find that their position has not improved or that they want further extension of this period, it will not be beyond their capacity or their intelligence to invest new ways of getting the same protection which they are promised here.

*Shri A.V. Thakkar (Saurashtra):* What about the Scheduled Tribes who are lower down in the scale?

*The Honourable Dr. B.R. Ambedkar:* For the Scheduled Tribes I am prepared to give far longer time. But all those who have spoken about the reservations to the Scheduled Castes or to the Scheduled Tribes have been so meticulous that the thing should end by ten years. All I want to say to them, in the words of Edmund Burke, is "Large Empires and small minds go ill together."<sup>4</sup>

How right both Dr. Ambedkar and Mr. Thakkar Bapa were is proved by the fact that the period had to be extended several times, and will have to be extended even beyond 2000 A.D.

If Mr. Chodudhary or his ghost writer had gone through the final debates in the Constituent Assembly in November 1949, he would have realised that compliments had been showered on Dr. Ambedkar by all sections. That Mr. V.I. Muniswami Pillai, a Scheduled Caste leader, should highly praise Dr. Ambedkar's services; calibre and capacity may, perhaps, be dismissed as sectional pride. But what would one say when we find a strong opponent (Mr. Govind Das) of the Hindu Code Bill, on whose passage Dr. Ambedkar had set his heart, admitting unreservedly that "Dr. Ambedkar was quite equal to the task of Constitution-making that had been entrusted to him."<sup>5</sup>

Mr. Kuladhar Chaliha, who later became Chief Minister of Assam, appreciated the work of the Drafting Committee "and more so of Dr. Ambedkar in producing a wonderful Constitution."<sup>6</sup> Mr. Ananthasayanam Ayyangar, who later became the Speaker of the Lok Sabha, certainly knew what he was talking about when he recognised that Dr. Ambedkar had "taken a leading part in the framing of this Constitution and he was one of the architects of the Constitution we are now passing."<sup>7</sup> Mr. Thakurdas Bhargava (from East Punjab), who took an active part in the debates, acknowledged that Dr. Ambedkar had made for himself "a high position" in their hearts and he hoped that the Doctor would join the Congress and thereby become a member of the Congress High Command!<sup>8</sup>

Many speakers who took part in these final discussions praised his clarity of expression. Mr. Mahboob Ali Baig Sahib said: "Dr. Ambedkar was unique in his clarity of expression and thought, and his mastery over the constitutional problems including those of finance has been marvellous, unique, singular and complete."<sup>9</sup> I can go on like this. But I would conclude these citations by quoting a few lines from the speech of the greatest constitutional authority in that august body, namely Sir Alladi Krishnaswami Ayyar: ". . . Before I conclude, I would be failing in my duty if I do not express my high appreciation of the skill and ability with which my friend the Honourable Dr. Ambedkar has piloted this Constitution and his untiring work as the Chairman of the Drafting Committee"<sup>10</sup>

But it is best to refer to Dr. Ambedkar's own concluding speech. It is imbued with a spirit of humility and gratitude befitting a great scholar. He said that when he came to the Constituent Assembly his limited aim was to serve the interests of the Scheduled Castes. He was surprised when he was inducted into the Drafting Committee. He was even more surprised when he was elected as its Chairman when there

were “men bigger, better and more competent than myself such as my friend Sir Alladi Krishnaswami Ayyar.” He said that he could not find words adequate enough to express fully his gratitude to members of the Assembly who had “showered compliments” on him, more so “for reposing so much trust and confidence in him.” He was aware that they had chosen him as “their instrument” and given him an opportunity to serve the country. Upborne on the tide of gratefulness and generosity, this man of vast learning, condemned by our social system as the “lowliest” of our long-suffering Mother’s children, gave credit due to everybody who worked with him in accomplishing this great task:

The credit that is given to me does not really belong to me. It belongs partly to Sir. B.N Rau, the Constitutional Adviser to the Constituent Assembly who prepared a rough draft of the Constitution for the consideration of the Drafting Committee. A part of the credit must go to the members of the Drafting Committee, who as I have said, have sat for 141 days and without whose ingenuity to devise new formulae and capacity to tolerate and to accommodate different points of view, the task of framing the Constitution could not have come to so successful a conclusion. Much greater share of the credit must go to Mr. S.N. Mukherjee, the Chief Draftsman of the Constitution. His ability to put the most intricate proposals in the simplest and clearest legal form can rarely be equalled, nor his capacity for hard work. He has been an acquisition to the Assembly. Without his help, this Assembly would have taken many more years to finalise the Constitution. I must not omit to mention the members of the staff working under Mr. Mukherjee, for, I know how hard they have worked and how long they have toiled, sometimes even beyond midnight. I want to thank them all for their effort and their cooperation (cheers).<sup>11</sup>

And, finally, he gave “all the credit for the smooth sailing of the Draft Constitution” to “the sense of order and discipline of the Congress Party” and thanked the President of the Assembly, Dr. Rajendra Prasad, for his “courtesy and consideration” to members and his firmly disallowing technicalities and “legalism” to defeat the great work of Constitution-making.

But the real answer to the pettiness of spirit which the writer has permitted to surface in his introduction is the concluding address of Dr. Rajendra Prasad himself. While wishing not to make any invidious distinctions among members of the Drafting Committee, he



nevertheless could not help making these remarks about the Chairman of the Drafting Committee, Dr. Ambedkar:

“Sitting in the Chair and watching the proceedings from day to day, I have realised as nobody else could have, with what rare zeal and devotion the members of the Drafting Committee and especially its Chairman, Dr. Ambedkar, in spite of his indifferent health, have worked (Cheers). *We could never make a decision which was or could be ever so right as when we put him on the Drafting Committee and made him its Chairman. He has not only justified his selection but has added lustre to the work which he has done.*”<sup>12</sup>

I can only hope that Mr. Valmiki Choudhary will make amends for the manner in which the Introduction, which goes in his name, has sought to belittle Dr. Ambedkar and his work at the earliest opportunity. He should not allow this blemish to mar the product of his untiring industry.

### References

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7. *Ibid.*, 18 November 1949, p. 664.
8. *Ibid.*, 18 November 1949, p. 682.
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12. *Ibid.*, 26 November 1949, p. 994.

**New Delhi,  
10 January 1995.**

## ENCOUNTER WITH GANDHI: IN LIFE AND DEATH

When I look back on a little less than one-third of my life, I am astonished by the realisation of how profoundly Mahatma Gandhi has affected me and my approach and thinking. After his return from the extraordinary mission in South Africa, where he invented the technique of civil disobedience, and radically transformed his personal life, Gandhi carried out his preliminary experiments resisting injustice in India in Champaran (indigo peasants), Ahmedabad (Labour) and Kheda (peasant proprietors). These efforts though important did not yet make him an all-India figure. Then came the Rowlatt legislation. Gandhi was deeply stirred. He discovered a novel form of protest—nationwide peaceful hartal to be undertaken in a prayerful mood. It was a new and exhilarating experience for subject India. The Non-cooperation Movement followed and convulsed the whole country. Bombay's Governor George Lloyd told Drew Pearson, an American journalist: "He gave us a scare. His programme filled our goals. You can't go on arresting people for ever, you know—not when there are 319 millions of them. And if they had taken his next step and refused to pay taxes, God knows where we should have been! Gandhi's was the most colossal experiment in world's history, and it came within an inch of succeeding."<sup>1</sup>

All these things happened before I was born. But I spent the post-primary years of my boyhood in the shadow of endless *prabhat pheris* (morning processions), flag hoisting, ugly show of force by the police, and arrests of khadi-clad volunteers following the Dandi March. The year 1932 in Bombay left an ineffaceable impression on my mind. We lived opposite the Congress House (in Badam Wadi) which was then in virtual occupation of Bombay *Pilli Pagdis*—yellow turbaned policemen. I remember the scenes at Azad Maidan, the occasional lathi charge and people silently bearing the brutal assault. How could one remain unconcerned and un-involved? *That boyhood experience, etched on my sub-conscious mind, was one reason why I was never*

*attracted by acts of terrorism, however heroic. I always have been an admirer of the suffering servants of mankind, not of the avatars who killed and slaughtered the wicked.* Particularly vivid in my memory of 1930-32 are the women volunteers in tricolour: sari, (green with white borders) orange blouse and or *vice versa* (and sometimes white Gandhi caps) who bravely faced the police.

When I awoke to political consciousness, the Congress Ministers were in Office. I did not much care for what we callow youths regarded as Gandhi's harmless fads and foibles, but I liked his advice to Congress Ministers to avoid ostentation, and live simple and austere lives and serve the poor.

But in those early days of my association with the Congress Socialist movement I was, generally, critical of Gandhi. Of course, I was abhorred by the senseless hatred of a section of the Maharashtrian middle class for Gandhi and his works. How could a mere bania presume to give them lessons in politics? Gandhi was reviled on account of the K.F. Nariman and N.B. Khare episodes. But I thought these two were in the wrong and Gandhi was wholly right.

But in 1939, I did feel that Gandhiji was rather harsh on Subhas Bose. Of course, Subhas did not accept non-violence even as policy. And his passion for freedom was so overwhelming that Gandhi thought that he would not be scrupulous about the means. I did not like Gandhi's Rajkot fast either. Especially, I did not understand the ethics of its timing: the Congress was about to hold its session at Tripuri and Subhas, the elected president, was seriously ill. Gandhi himself said later that the fast was tainted—of course, not exactly for the reason I have mentioned above.

In September 1939 the Second World War began. Gandhiji offered his moral sympathy to the British. For 12 years the Congress had been passing resolutions on war resistance. When I read his statement that when he pictured before him the possible destruction of the Houses of Parliament and the Westminster Abbey, he "broke down", I was absolutely flabbergasted. I held Gandhi to be a universalist which he really was. Why did he not mention the beautiful Cologne Cathedral (Germany) and Notre Dame (France)? I was, perhaps, more hurt than angry.

Two and half years passed, part of them in prison. Sir Stafford Cripps came with a plan. It was a shell without the substance of power. The negotiations failed. The long shadow of the Eastern war fell on

India, especially the parts abutting on the Bay of Bengal. There was a general atmosphere of expectancy, mixed with despondency and uncertainty. Suddenly a bright ray of light penetrated the darkness. Mahatma Gandhi launched his Quit India campaign and it quickly gathered, what some thought, unexpected momentum.

The AICC met at Bombay in August. Yusuf Meherally, the Mayor of Bombay and darling of the youth, gave me admission to the pandal. It was raining heavily all the time. The Gowalia Tank Maidan had become a quagmire. My young comrades and I slowly edged towards the platform. It was late in the evening. *I saw Gandhi speak from close quarters for the first time.* It was an unforgettable "encounter". Gandhi's utterance was an inspired one. He first spoke in Hindi followed with a memorable speech in English. I was a witness to that grand moment in India's story. In a moment I virtually became Gandhi's captive, and with every passing year I drew more and more close to him. I was deeply stirred by the sight of the frail old man trying single-handedly to still the fires of hatred in Noakhali, Bihar and Delhi in 1946-47.

In November 1947 I left for Europe to attend the International Socialist Conference at Antwerp (Belgium) as the Socialist Party's observer-delegate. Apart from a month's stay in Britain, I visited France, Switzerland, Czechoslovakia and Italy. I found that Gandhi's name was quite familiar to the West Europeans. Most people I met spoke about him with respect. Towards the end of January, after visiting the historic Italian towns of Genoa, Florence, Milan, Pompeii, and Naples, I arrived in Rome. In Italy's Capital—Roma—which witnessed events of world significance, I visited all the ancient monuments and studied their background with keen interest. The Hellenic (Greco-Roman) Civilisation was for me a subject of abiding interest. Thus in the last fortnight of January, I had become wholly saturated with Roman History and Classical Culture, in brief with Hellenism, one of my life-long love affairs. In the morning of 31 January 1948 I woke up, took a hot bath, dressed up and stepped out of my Hotel in Rome. It was a cold morning. A newspaper boy, who was selling *Corrieri Della Cella*, was crying hoarse distance away. I heard him saying something about Gandhi. I was startled. I bought the newspaper and saw Gandhi's picture. He was lying on the ground. Was he dead or only mortally wounded? I rushed back to the Hotel. The porter knew some English. I showed him the newspaper, and asked him to explain. He muttered a few words: "Gandhi dead." "Gandhi shot down". Then in a profoundly sympathetic tone—knowing

that I was Gandhi's countryman—he said: “Gandhi good! Gandhi good.”

I was utterly shaken. The world around me whirled. I went out on the street and began to walk with a totally distracted look. Several men and one woman, recognising that I was an Indian, stopped me and said: “Indian? Gandhi dead”. And then: “Gandhi good man, Gandhi great man” or words to that effect. In a flash I became aware of the universal significance of Gandhi. The expression of sympathy soothed me. Nevertheless I felt orphaned. I continued to walk mindlessly. Finally, I realised I was in the ancient Forum. There were not many tourists. I sat down. I was practically alone there, and was soon lost in a reverie. I became a part of *chorus* in Greek tragedy—a witness and a participant both. Even the words were not mine. They came flooding in from diverse sources: Isaiah, Shakespeare, *Upanishadas*, *Mahabharata* and, above all, from Aeschylus, Sophocles and Euripides—works of my abiding interest. I saw before my mind's eye an ugly fanatic pumping bullets into Gandhi. He collapsed. As he was gasping for breath, I heard him say in whisper:

Gandhi: Oh! When will this terrible agony end in that last deep pain that is painless?

Chorus: Oh! Sore-stricken men, the terrible and cruel death that is creeping over thee pierces my heart, for me thinks thou dost die entirely on account of thy own nobleness, and thou dost suffer this great torment of the soul because of thy totally self-effacing action undertaken for the relief of the afflicted humanity. It was really thy cry that came to me in 1937-38 as the call of our Great Mother in distress. It was compulsive, and it forced me and my comrades and countless others to become proud human beings. Thou made us the tools of a great cause. And now thou art leaving us in the lurch.

Gandhi: No, dear sons, I have given you everything. Now I must depart.

Chorus: Thou hast truly spent the whole span of your life in bringing solace to our long suffering Mother. Her children had gone astray for over a thousand years. After a few flashes of heroism and self-sacrifice, this generation has again replaced into sin. “It has become laden with inequity—a seed of evil doers.” From Noakhali and Tipperah through Bihar-UP to the Punjab, Sind and Peshawar, the Great Mother's progeny has become

unimaginably brutalised. It has thrown away its rich heritage. It neither recognises the Brotherhood of Man under God nor the bond of its common humanity. Thy one son alone has held aloft the torch of civilization and humanity in the midst of this conflagration. Now the evil doers have struck him down. Mother, how can we discharge thy great son's debt?

Gandhi: If you really love me, my young friends, don't imprison me in statues. Try to act up to the principles which we have held dear. . . Hey Ram! Oh, breath of heavenly fragrance. Though my pain burns, I can feel thy blissful presence and find rest again. Oh! Ram, they call thee by various names: They call you God, or Allah or Paramatma. I called thee Daridranarayan. Thou inspired me to serve the lowliest. Thou led me to bind men's wounds. Thou taught me to wipe sorrowing women's tears. Thou drove me to apply balm to the maimed and bleeding children. Thou impelled me to still the fires of hatred. Thou didst all that and now an indescribable happiness is stealing over me, and I feel it is not the end, but beginning for, I feel thou art with me here.

Chorus: As an old prophet said thou tried to "judge with righteousness the poor and thou reprov'd with equity for the meek of the earth." Thou voluntarily assumed the mission to spread the message of *ahimsa* (of non-violence) among men and women. It was thy dream that *ahimsa* shall so completely triumph that not only shall all the communities in India live in harmony, but there shall be universal peace, and "wolf shall dwell with the lamb and the leopard shall lie down with the kid, the calf and the young lion shall feed together, and a little child shall lead them." That lovely dream is in ruins, and we grieve that the dreamer himself now lies prostrate in a pool of his own blood.

**Om Shantih, Shantih, Shantih ! Amen !**

#### **Reference**

1. *Young India*, 22 November 1923 (CWMG, Vol. 23, pp. 556-558).

**New Delhi,  
29 January 1995**

# ANNEXURES

## Annexure A

***Surendra Jain***

MANAGING DIRECTOR

**BHILAI ENGINEERING CORPN. LTD.**

13, MASJID MOTH DDA COMMERCIAL

COMPLEX NEW DELHI - 110048

INDIA

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FAX: 6445819

ML/NEWS/94

5th October, 1994

Dear Shri Limaye Ji,

Like millions in the country, I know you as a public and political figure of National stature and high reputation. I have, however, never had the privilege of any interaction with you.

I am writing this letter with reference to your article ("BJP's Charge Sheet") published in the *Hindustan Times* of September 28, 1994, which has caused me immense pain and mental anguish.

May I take this opportunity to bring to your attention certain facts. I am the Managing Director of Bhilai Engineering Corporation Limited, a group employing over 5,000 individuals. The group's turnover is more than Rs. 200 crores and our exports are going to be almost Rs. 100 crores this year. Our Group's performance is marked by a high degree of excellence and professionalism. The enclosed brochure would serve to give you an idea of some of our activities.

Over the past months, a motivated and slanderous campaign against me and my group has been running in the press. For the sake of sensationalism, they have, with impunity, been dragging the names of a large number of highly respected persons and National Leaders.

You have, in you article, quoted these reports to question a National Leader like Mr. L.K. Advani. I have, until now, chosen not to react to this slanderous campaign since the matter is pending before the Supreme Court. I must, however, bring to your attention that I have so far not had the privilege of meeting Mr. L.K. Advani.

I am sure that an astute and discerning national leader like you will recognise the essential nature of the malafide slander that has been undertaken by a small group of people and how far removed it is from facts and reality.

I request you not to unwittingly lend credence to this otherwise baseless and malafide campaign.

With regards

Yours Sincerely

**(SURENDRA JAIN)**

**Shri Madhu Limaye**  
B-11 Pandara Road  
New Delhi - 110003



## Annexure B

**Madhu Limaye**

Tel. 382717

B-11, Pandara Road,

New Delhi - 110003

7 October 1994

Dear Shri Surendra Jain,

Your letter of 5 October 1994. There being no occasion for your “interacting” with me is by no means a calamity for me. I am not given to making baseless allegations. Nor do I have any scores to settle. Apart from the newspaper—no enemy of the BJP and its President—which I have mentioned, the statements in my article in *The Hindustan Times* of 28 September are based on reliable reports and sworn documents. Shri Sharad Yadav has admitted the fact of payment.

I did not know that L.K. Advani needed a certificate from you! But I had begun to suspect that you were mightier than the Indian state, since nothing happened to you. Even after 26 January 1950, thousands of poor people were kept in prison for months and years under Sections 107-109 of the Cr. P. C. Twenty-four years after the decision of the Special Bench of the Apex Court in *Madhu Limaye v. SDM Monghyr*, many hapless people still continue to suffer and languish in jails even without a *preliminary* inquiry under these provisions. I was myself detained for 19 to 20 months without any charge or trial (1975-77). But you are allowed to go scot free. You are truly above the laws of the land.

Yours Sincerely,

**(Madhu Limaye)**

Shri Surendra Jain,  
Delhi - 110048.

*Postscript:* I wrote this on 7 October, but decided to wait till my fuller article appeared in *Mainstream* and the Supreme Court started looking into this sordid affair. Now I am sending this to you. Please no further correspondence.

(M.L.)

13 December 1994

## Annexure C

*Vijay Karan*

21, Lodi Estate,  
New Delhi - 110003  
Phone : 698977

December 5, 1994

Dear Shri Limaye,

I was desperately hoping to meet you in order to clear the wrong impression you have about me vis-a-vis the hawala deal. But since you have refused to meet me, may I request you to at least go through the enclosed reply which I have sent to the *Mainstream*.<sup>1</sup> All I can say is that all my life, I too have clung to certain basic principles of which integrity has been very much a part. Your article was almost like a mortal blow.

Yours Sincerely,

(Vijay Karan)

Shri Madhu Limaye,  
B-11, Pandara Road,  
New Delhi

Encl: One

---

1. Published on 7 January 1995.

## Annexure D

**Madhu Limaye**

Tel.: 382717  
B-11, Pandara Road,  
New Delhi-110003.

7 December 1994.

Dear Shri Vijay Karan,

Thank you your letter of 5 December 1994 and the enclosed letter to *Mainstream*. I have read it carefully. I am sure the Editor will publish it. I would certainly like him to carry it in his journal.

I told you whatever I had to say when you telephoned me on 5 December 1994 around quarter to six P.M.

I am in the evening of my life. I bear ill-will towards none. I have not written that article out of any animus. I lost my sleep over the matter for months.

Three years have passed and the CBI, of which you were Director once, has not only not clinched the case, it has not even fully investigated it. It is unbelievable. I know how poor people used to be kept in jail for months and years under Cr.P.C. Sections 107-109, and are even *now* kept in jail *without even a preliminary inquiry*—24 years after the Apex Court's judgement in *Madhu Limaye versus SDM Monghyr*! And in this case the Jains have not been even arrested and vigorously interrogated.

I cherish the belief that our highest Judicial Tribunal will do justice to all and, above all, to my long suffering Motherland and its children in this grave matter of which it is currently seized.

Yours Sincerely,

(Madhu Limaye)

Shri Vijay Karan,  
21, Lodi Estate,  
New Delhi - 110003.

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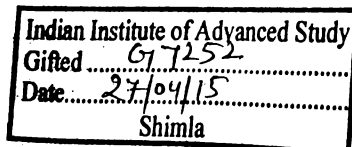
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[A Division of D.K. Publishers Distributors (P) Ltd]  
Delhi-110052

ISBN 81-7018-885-7



978817 018885 8