

Freedom First

The Liberal Position

❖ *Why is India Not Protected from Terrorist Attacks?*

❖ *The Anna Hazare Movement Against Corruption*

- The Citizen Vs. The State or The Citizen and The State
- A Providential Intervention by Anna Hazare
- Can an Individual be Without Any Representative Character?

❖ *U.S. Withdrawal from Afghanistan*

❖ *On Rabindranath Tagore's 150th Birth Anniversary*

Introducing Oneself (*Atma-Parichaya*)

Union
DOUBLE
Deposit Scheme

SAMAJHDARI DIKHAO, DUGNA PAO!

Annualised
Yield
13.43%*

Double your Fixed Deposit amount in just 7½ years

* Interest @ 9.40% p.a. compounded quarterly

For **Senior Citizens** deposit doubles 3 months faster i.e. in just 7¼ years

■ Interest @ 9.90% p.a. compounded quarterly ■ Annualised Yield - 14.23%.

Double your money and fulfill your dreams doubly fast!

यूनियन बैंक
अच्छे लोग, अच्छा बैंक



Union Bank
of India
Good people to bank with.

Talk to us today and avail of our limited period offer.

www.unionbankofindia.co.in

Conditions Apply

Toll Free: 1800 2322 44 (within India) | 022 - 2575 1500 (Chargeable) | 022 - 2571 9950 (for NRIs)

Freedom First

The Liberal Magazine – 59th Year of Publication
No.530 August 2011

Contents

<i>Between Ourselves</i>	1
<i>From Our Readers</i>	2
<i>Tributes</i>	
● C. R. Dalvi	S. V. Raju 3
● D. H. Nanavati	Nitin G. Raut 4
● Professor Suresh Tendulkar	Ajit Karnik 5
Why is India Not Protected from Terrorist Attacks?	V. Balachandran 6
The Citizen Vs. The State or The Citizen and the State	M. D. Kini 9
A Providential Intervention by Anna Hazare	D. S. Ranga Rao 12
Can an Individual be Without Any Representative Character?	P. M. Kamath 13
<i>The Rural Perspective</i>	Ajit Narde 15
<i>Point Counter Point</i>	Ashok Karnik 17
Looking Beyond the Elections of May 2011	Jyoti Marwah 19
<i>Freedom First</i> This Month in August 1954	20
<i>Cornucopia</i>	Firoze Hirjikaka 21
“Stream of Correspondence” with C. Rajagopalachari - 3	K. K. Pathak 23
U.S. Withdrawal from Afghanistan	Nitin G. Raut 25
Sir Thomas Munro	B. M. N. Murthy 27
<i>On Rabindranath Tagore’s</i> 150th Birth Anniversary Introducing Oneself (<i>Atma-Parichaya</i>)	Rabindranath Tagore 29
<i>Book Review</i>	33

Between Ourselves...

As we enter the 65th year of independent India we do so with mixed feelings – Joy that we have survived intact as a nation, bruises and all, as a democracy; a bit of pride that despite many obstacle, many of them created by the political parties in power, our economy broke out of its shackles imposed by a mindless application of something called the socialist pattern of society which was neither socialist nor had any pattern until 1969 when the old Indian Congress to which Party the British handed over power was destroyed by the daughter of India’s first Prime Minister Jawaharlal Nehru.

In retrospect it is evident that Mrs. Indira Gandhi’s single-minded purpose was to consolidate her rule and ensure dynastic succession. The brief periods in the mid-seventies and the early nineties when her dynasty lost control were the periods of India’s growth. The reference is to the brief rule by the Janata Party which actually began the unshackling of India and that glorious period when an outstanding prime minister in the person of P. V. Narasimha Rao was able to perform this “miracle” simply because he did not have to look nervously over his shoulder to get the mandatory nod from the dynasty. He gave his Finance Minister Manmohan Singh a free hand to concentrate on opening up the economy while he (Mr. Narasimha Rao) took care of the “politics” unmindful of some of the methods he had to adopt for his government to survive so Manmohan Singh could go ahead and do what was needed to get India out of the “Hindu rate of growth”.

Now of course Mr. Narasimha Rao is vilified and, if the Nehru-Gandhi family had its way, he would have been unpersoned in the way Stalin did to those he thought stood in way in the late unlamented Soviet Union.

Today Manmohan Singh is not a free man. Even Anna Hazare conceded as much when he talked of the “remote control” that prevented the Prime Minister from speaking out about the stench of the all pervasive corruption as he should have as an honest man – for it is one of India’s great ironies that we have at the top a man of integrity presiding over what could well be the most corrupt government India has ever seen in the last 64 years; which leads us to believe that the fountainhead of corruption is ‘The Dynasty’ that has regained control of the Indian State.

What is puzzling is not this belief, which we are convinced is shared by a large section of the Indian people, but why has Dr. Manmohan Singh allowed himself to be used by the ‘Dynasty’ in this manner. In keeping with his sense of honour and integrity he should have simply put in his papers and walked out? Why didn’t he?

WE THEREFORE DEDICATE

This August 2011 Issue
of *Freedom First*

To the Real Liberator of The Indian Economy
MR. P. V. NARASIMHA RAO

Editor

Founder: Minoo Masani ● **Editor:** S. V. Raju ● **Associate Editor:** R. Srinivasan ● **Advisory Board:** Sharad Bailur, A. V. Gopalakrishnan, Firoze Hirjikaka, Ashok Karnik, Farrokh Mehta, Jehangir Patel, Nitin Raut, Brig. (Retd.) S. C. Sharma, Kunwar Sinha, Sameer Wagle
Publishers: Indian Committee for Cultural Freedom (ICCF), 3rd Floor, Army & Navy Building, 148, Mahatma Gandhi Road, Mumbai 400 001.
Phone: +91 (22) 2284 3416 ● E-mail: freedom@vsnl.com
Published by J. R. Patel for the Indian Committee for Cultural Freedom (ICCF) and printed by him at Union Press, 13 Homji Street, Fort, Mumbai 400 001. Phone: 2266 0357, 2266 5526.
Typeset at **Shubham Print & Web** 59, Dr. V. B. Gandhi Marg, 1st Floor, Fort, Mumbai 400 001. Phone: 2284 2619 ● Mobile: 98929 21277
Single Copy: Rs.20 ● Annual: Rs.200 (Add Rs.50 for outstation cheques) ● Overseas (IInd Class Air Mail) Annual: \$20 or £10
Cheques to be drawn in favour of **ICCF** and mailed to the publishers at the above address.

From Our Readers

On *Freedom First*

Am enjoying *FF* immensely. Greatly looking forward to CR Correspondence. This was a fine idea

Zafar Futehally, Bangalore.
zafar123blr@dataone.

*

India: A Third World Superpower?

Many periodicals – especially the foreign ones – routinely speak of India as an emerging superpower. I do not think it's ever going to happen. Sure our economy is growing at 8% per annum and it may well be placed among the top five in the world in the foreseeable future, but we will never become a first world country.

Take the example of Mumbai, nominally India's commercial capital. Anyone who has visited some of the commercial capitals of the world's leading economies – London, Paris, New York – would have been at once struck by the glaring differences in the quality of life. It is disgraceful that a city that claims to be the most prosperous in the country has three-quarters of its population living in slums; in conditions that would shame even some African nations. What is even more disgraceful is that no one seems to care – least of all, the “honourable” personages who govern us. They just don't get the irony of commissioning elaborate and expensive flyovers and skywalks that afford a sterling view of scenes of squalor and pathetic hygiene. Not that Mumbai's citizens display a modicum of civic sense. They grumble about rising prices and traffic jams, but they are oblivious of the squalidness that surrounds them. They blithely walk past mounds of garbage on the streets with no more reaction than an occasional handkerchief held to the nose.

And then there is the mindset of the average Indian. He thinks small. He is easily entertained. Consider the recent episode where a cargo vessel was grounded off the Bandra shore. Thousands of Mumbaikars thronged the beach to gawk at her for hours on end. People who derive entertainment from merely staring at a rust bucket that is just sitting there do not aspire to anything better. Or consider when the BMC occasionally wakes up and provides litter bins along a promenade. Not only does nobody use them, the bins themselves get stolen.

Then there is the fabled individualism of Indians that is

both a blessing and a curse. They excel in other countries, but are found lacking in their own. Here the prime motivation is looking out for oneself, often by less than fair means. The environment they live in rarely enters their consciousness. The guy in the Mercedes casually opens the door and spits on the street. Billionaires build palatial mansions for themselves, seemingly oblivious of the reality of acres of slums around them. I could go on and on.

No. A First World country requires First World citizens. A sizeable proportion of the citizens of India may acquire First World prosperity one day as the economy keeps growing. But their nation will remain Third World – and nobody gives a damn.

Firoze Hirjikaka, Mumbai
Email: leonardo8_99@yahoo.com

*

The Mumbai Carnage

The Home Minister has put up a weak defence that such terror attacks cannot be stopped. We understand that but it does not mean that we should not try to stop them.

The accepted instruments for checking terror attacks are diplomacy, neutralizing terror finance, intelligence, police action, covert action, deterrent punishment and political will. Yet our Foreign Secretary praises a change of heart in Pakistan. Flow of funds has not been checked. The basic module in intelligence is the beat constable. The loss of confidence has reached a level that ordinary crimes are being referred to the CBI. The recommendations of the Supreme Court for police reforms have been disregarded. Some well advised actions must be taken.

The weakest links in the chain are our criminal justice system and political will. The two terrorists sentenced to death are enjoying the status of state guests. Four accused sentenced to death for Mumbai blasts are out on bail and their appeal may not come up for hearing in their life time. This is an open invitation to future terrorists.

How will the Prime Minister Dr. Manmohan Singh carry out his promise to deal with the perpetrators of this crime sternly?

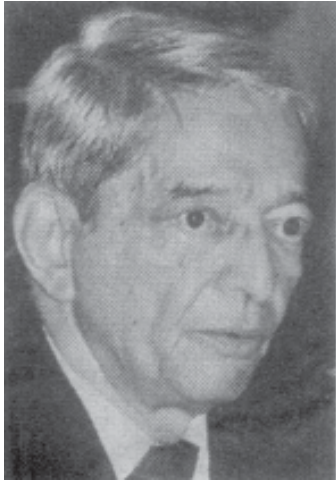
Brig. S. C. Sharma (ret'd.), Navi Mumbai.
brigscs@gmail.com

Freedom First Digitisation: Missing copies

The work on digitisation of *Freedom First* is underway. The following 44 issues are missing. This is an appeal to long time subscribers who may have preserved copies. Should you be in possession of any of the issues listed below or have passed them on to libraries may we borrow them from you with the promise to return them to you after they have been digitised.

YEAR	NUMBERS	MONTH/S	YEAR	NUMBERS	MONTH/S
1964	151	December	1965	152 to 163	January to December
1966	164 to 175	January to December	1967	176 to 187	January to December
1976	284 to 289	July to December	1982	351	May

We look forward to your helping us to locate the missing numbers – Editor



C. R. Dalvi

(1926 -2011)

Advocate C. R. Dalvi or CR as he was known to his many friends, and colleagues, a humanist and a liberal passed away on 24 May 2011. He was 85.

Mr. K. Y. Mandlik himself a senior advocate a close friend and associate of CR for

over 50 years recalled that Dalvi began his legal practice in the Chambers of Barrister (later Justice) V. M. Tarkunde. Along with Dalvi as juniors to Justice Tarkunde were the late M. A. Rane and the late Justice Jahagirdar renowned humanists in their own right. A nostalgic Mandlik recalls that CR was a very private person, a man of few words who without speaking, yet said so much.

Dalvi strongly believed that law should be used as an instrument of justice rather than getting bogged down in technicalities. It was this rule that determined his conduct during his entire legal career as he fought incessantly for justice on behalf of the common man. His sense of humility and commitment to these unshakeable principles left his mark on the bar, and on jurisprudence. During his tenure as assistant government pleader (when former Supreme Court Chief Justice Y. V. Chandrachud was the government pleader in the Bombay High Court) he appeared in many important cases including the Sunder Navalkar case, the Rajnibhai Desai murder case, the Chunawala murder case and the Raman Raghavan case. In 1978 he was elected president of The Advocates Association of Western India.

CR was a member of the Commission that enquired into the collapse of the Panshet Dam which flooded Pune. During the 'Emergency', Dalvi fearlessly involved himself in defending those who were imprisoned for protesting its arbitrary imposition – among them Smt. Mrinal Gore the well known socialist leader and member of parliament. He also contested the censorship regulations imposed on *Sadhana* the weekly published from Pune. Soon after the lifting of the Emergency he assisted the Shah Commission in recording statements of various victims of the Emergency in Maharashtra.

Dalvi fought for the Maharashtra Association of

Resident Doctors (MARD) against the orders of the state government. Prior to the advent of the Right to Information Act, he ensured that laws and codes passed by the legislature were immediately made available not only to the High Court and subordinate judiciary but also to the people because they had a right to know about the laws that governed them.

A humanist to the core he was greatly influenced by the philosophy of M. N. Roy. In the last two decades of his life he was intimately associated with Dr. Indumati Parikh in the organisation of the Centre for the Study Social Change (CSSC) particularly in the construction of a building to house the Centre and the M. N. Roy Campus in the Mumbai suburb of Bandra. After Dr. Parikh's passing away the mantle of presidentship of the CSSC fell on C. R. Dalvi, a responsibility which he carried with aplomb.

It was around this time that I had the privilege of being of some assistance to the late Dr. Indumati Parikh and the good fortune of getting to know Mr. Dalvi. As I got to know him well, I could understand what K. Y. Mandlik meant when he said Dalvi was a man of few words who without speaking yet said so much.

The occasion for our interaction related to the venerable Delhi-based Indian Renaissance Institute's (IRI) decision to shift the publication of their iconic journal *The Radical Humanist (RH)* from Delhi to Mumbai. When *Freedom First* was approached for some advice, we facilitated the threesome of Dalvi, Rane and Jahagirdar (all senior members of the IRI) in organizing the RH's publication in Mumbai. This is when I noticed that while Rane and Jahagirdar did all the talking, Dalvi was the quiet man, interjecting to untie knots! He had the uncanny ability to convey his approval or otherwise without saying a word with a smile or at the most with a monosyllable! There developed a close mutually rewarding relationship. Many were the occasions when we sought Dalvi's counsel on legal issues.

On behalf of the readers of *Freedom First* and that of our publisher (ICCF), we convey our deep condolences on his sad bereavement to his wife Achala and sons Manoj and Mukul. We share their sense of loss.

S. V. Raju
(with inputs from Mr. K. Y. Mandlik and a PTI
report published in the *Deccan Herald*.)



D. H. Nanavati – God’s Good Man

(1930-2011)

Solicitor D. H. Nanavati died on 10 June 2011. He was 81. He was not just an eminent solicitor. He was what one would describe as one of God’s good

men. This writer and *Freedom First* in particular owe him a deep debt of gratitude.

In 1975 during Mrs. Indira Gandhi’s ‘Emergency’, press censorship was ruthlessly enforced in a manner that would have made fascist and authoritarian regimes proud! But the irrepressible Minoo Masani who was then editor of *Freedom First* decided to challenge the censorship when the publication of some articles in *Freedom First* were ordered to be deleted. He consulted his good friend and Supreme Court senior counsel Soli Sorabjee who agreed to represent Masani. As a counsel he needed a solicitor to file the *Vakalatnama* and brief Sorabjee. Not many were prepared take the brief and risk the midnight knock by the police. But there was one solicitor who dared – he was D. H. Nanavati.

Masani met Dharmasukhbhai Nanavati in his Chambers and after explaining the problem asked him if he would accept the brief. Without a moment’s hesitation Nanavati replied “Why not? What can they do to us? At the most they will shoot us!”

Together with Sorabjee, Nanavati successfully challenged the censorship of some material in the August 1975 issue of *Freedom First*. Referring to this event Masani wrote in his memoirs “*Against the Tide*”:

“Our lawsuit went on till April 1976. Finally the Division Bench of the Bombay High Court sitting in appeal recorded a historic judgement and vindicated our stand, striking down most of the Censor’s objections as arbitrary and unwarranted. It asserted that the rule of law was still intact. Indeed, throughout those dark days, the judiciary proved to be the class that stood out for its courage and determination. To stand by the values to which it had sworn allegiance.

“All honour also to Soli Sorabjee, my counsel, and D. H. Nanavati, my attorney, who patiently saw the proceedings to victory at great financial sacrifice.”

It was D. H. Nanavati, who was the solicitor briefing

a public interest case in the infamous cement scandal which invited a severe indictment of the then Maharashtra Chief Minister Abdul Rehman Antulay forcing his exit. Another public cause litigation done *pro bono*. There were many others including a writ petition in the late eighties challenging the rejection by the Ministry of Information and Broadcasting of an application for licence by the Indian Committee for Cultural Freedom (ICCF) to set up a private radio station. The writ was jointly filed by Minoo Masani and P. C. Chatterjee, a retired Director-General of All India Radio. The writ petition came up for hearing when both the petitioners had long since died and the petition became partly infructuous thanks to the emergence of a number of FM broadcasting stations in the private sector. There were more such petitions in Dharmasukhbhai Nanavati’s bag.

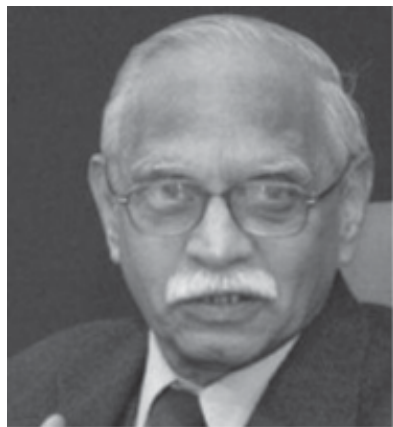
He always encouraged raw juniors by sending them a brief and ensuring a good income for them - and the payment was prompt. He had a spare apartment in South Mumbai which was always open to junior advocates struggling to find accommodation after marriage. Many juniors availed of his hospitality till they found suitable homes of their own.

His wife Sohini Nanavati was herself an accomplished senior counsel. Together they made a gracious couple and a generous host. Her death created a void in his life which he could never fill.

I was a recipient of their large heartedness. Introduced to Nanavati by M. R. Masani, after law graduation, I had the privilege of deviling in his Chambers for about six months. During that time whatever independent work I got was duly vetted by his wife Sohini or by D. H. Nanavati himself. Not only that, I was allowed to have my legal notices and documents typed in his Chambers and avail of his Chambers’ secretarial services. Somewhat embarrassed by his generosity one day I asked him how much money I owed him for the expenses. Rather an indiscreet act on my part. Nanavati asked me not to worry. It was not a question of money for there were dozens like me who were recipients of the generosity of the Nanavatis.

On behalf of the legal fraternity and readers of *Freedom First*, we convey our condolences to his sister Ms. Arundhati Nanavati and the other members of his family on their sad bereavement. We share their loss.

Nitin G. Raut



Professor Suresh Tendulkar A Stalwart Is No More

(1939-2011)

What more can one say about Professor Suresh Tendulkar (who passed away on 21 June 2011) that has not already been said by his admirers? Even

those who disagreed with him admired his erudition and his scholarship. This is what makes for a true intellectual. Not for Professor Tendulkar the media glare, not for him the flamboyance so visible in lesser academics. He commanded respect by the magisterial authority of his knowledge of economics and his tremendous honesty to what he believed in – even if that ran counter to palatable myths. Alas, he was not my teacher in my formative years as a student nor was he my mentor as I took my first steps in academia. I came to personally know Professor Tendulkar much later and yet learned so much from him – not only about economics, but also about academic integrity and intellectual honesty. The world of academics and public policy has been rendered poor by the loss of Professor Tendulkar.

Like most brilliant economists of India who began their work in the era of centralised planning, Professor Tendulkar too believed in the model of planned development for India. However, he was honest and discerning enough to realise that the model had not delivered what it had promised, so that, even after almost forty years of planning, India was an economically backward nation. Having the courage of his convictions, Professor Tendulkar became a strong supporter of the economic reforms process that began in the early 1990s. It was not ideology that guided him but the firm conviction that this was the only way to lift millions of Indians out of poverty. It is in this context that we as members of the Indian Liberal Group came into contact with Professor Tendulkar. We were pleasantly surprised when he enthusiastically accepted our invitation to join us at Devlali in our deliberations for preparing one of the issues of the Liberal Budget. After that initial meeting, we enjoyed many more stimulating interactions with him, the last one in October 2010.

Much has been written about Professor Tendulkar's work in economics. Here, I want to draw attention to two of his works. The first relates to inequality,

equity and growth, and the second relates to poverty. In "Inequality and Equity during Rapid Growth Process", he takes on critics who assume that rising inequalities during the rapid growth that India is experiencing must necessarily be iniquitous. Professor Tendulkar points out a crucial distinction between functional inequalities (such as higher incomes for those with more skills and education) which promote economic development and dysfunctional inequalities (due to barriers to entry into markets) which thwart development. Rising functional inequalities would (almost) always advance equity so long as they are accompanied by adequate rise in average real income, which is what is happening in India. For those who are mired in poverty due to dysfunctional inequalities, government intervention would be required. This requires an accurate estimation of poverty levels, which brings us to Professor Tendulkar's work on poverty.

Professor Tendulkar's research on poverty is very well-known and there is no doubt that his work in this area surpasses that of most others in the field. His last major contribution was as chairman of the "Report of the Expert Group to Review the Methodology for Estimation of Poverty" submitted to the Planning Commission in 2009. This report stated that the more accurate estimate of poverty (in 2004-05) was a headcount ratio (percentage of persons below the poverty line out of the total population) of 37.2% rather than the more acceptable official ratio of 27.5%. Of course, it was pointed out that the new methodology for estimating poverty should be used for past measurement of poverty as well. If this were done, the poverty level in 1993-94 would be 45.3% rather than the official estimate of 36%. What Professor Tendulkar's report pointed out was that India had all along been underestimating poverty. The report was not an indictment of the economic reforms process: it clearly showed that poverty had fallen by 10 percentage points over about ten years.

India has lost a stalwart among economists and his insightful contributions in diverse areas of economics and public policy will be sorely missed. Certainly, the area of poverty economics is the poorer with his demise.

On behalf of *Freedom First* we convey our deepest sympathies to Mrs. Tendulkar and her family on this irreparable loss.

Ajit Karnik

Why is India Not Protected from Terrorist Attacks?

V. Balachandran

After 9/11 USA realized that co-ordination was lacking due to parallel intelligence collection and investigation. Hence they adopted the Joint Terrorism Task Force (JTTF) system already in existence with the New York Police since 1980 for all over the country. They are what is called “One Stop Shopping for Information” on terrorist activities.

I had often said that India's counter-terrorist policy consists only in:

- (1) shedding crocodile tears after every terrorist strike
- (2) blaming Pakistan
- (3) promising total overhaul of our security machinery
- (4) soon forgetting all these promises once things settle down, and
- (5) starting this charade all over again after the next attack.

In between the Centre will blame the state government, especially opposition ruled states for not acting upon the Central intelligence alerts which the State police claim were vague and not specific. The common man who is the biggest victim is caught in the middle. He has no recourse to ventilate his grievances except through the press.

One instance alone will eloquently explain how casual our top leadership has been on security management. I was shocked to hear our first National Security Adviser Shri Brajesh Mishra telling NDTV sometime in 2010 that there was no need to have created a National Security Council (NSC). The irony was that Shri Mishra was the National Security Adviser (NSA) for almost 6 years, the longest period. He also simultaneously held the office of Principal Secretary to the PM which itself is a heavy responsibility. The K. Subrahmanyam Kargil Review Committee had recommended that these two posts should not be combined. Experts had said that the Kargil invasion had clearly shown some defects in intelligence integration by the NSC machinery. (Also for that matter the 26/11 invasion). They wanted a full time NSA. Yet Shri Mishra continued to hold this additional responsibility till the NDA demitted office. When the NDTV anchor asked him why he continued to be the NSA, he replied that the then PM had asked him to hold that office. When a retired senior intelligence officer on the NDTV panel protested against this suggestion of doing away with the NSC, Shri Mishra told him that all

security matters could well be handled by the Principal Secretary to the PM! That was bureaucratic arrogance at its worst.

It was not too long ago that the entire state secrets were sold away to foreigners from the personal office of another powerful Principal Secretary to the PM in a case known as the “Coomer Narain Spy” case. I am quoting this only to show the top bureaucracy's casual attitude to security management. Senior most bureaucrats undertake these responsibilities only as rotation of duties under Government of India. None questions whether their leadership performance is really adequate to meet the challenges.

Also a historical baggage is responsible for our dysfunctional security management. Currently all security problems, whether inter-state crime or terrorism are handled by the states except in centrally administered territories or in states under President's rule. The Centre only provides additional manpower, intelligence or expert advice through Central Police institutions like Forensic Labs. The reason why states and not the Centre came to manage “Internal Security” was because we copied the ingredients of the Government of India Act of 1935 while formulating constitutional provisions on distribution of subjects between the Central Government and states. The 1935 Act had divided subjects into “Federal”, “provincial” and “Concurrent”. Thus in our Constitution “Public order” and “Police” came under “List II – State List” in the Seventh Schedule. Our constitution makers ignored that the 1935 Act was passed under different circumstances: If we read the late V. P. Menon's “Transfer of Power” we will find that the Colonial administration wanted to appease the minorities especially the Muslim League after the failed Second Round Table Conference (1931) and to weaken the position of the Congress. Retired Canadian civil servant and Oxford Professor David Steinberg had said in his essay “The Government of India Act 1935” (September 5, 2005) that the real motive of the British was: “That the wider electorate would turn against the Congress... In fact, the

1937 elections showed overwhelming support for the Congress among the Hindu electorate. That by giving Indian politicians a great deal of power at the provincial level, while denying them, responsibility at the Centre, it was hoped that the Congress, the only national party, would disintegrate into a series of provincial fiefdoms". That this did not happen was another story. Yet it was puzzling why our constitution makers copied this provision on internal security management which is the cause of all our present problems. This arrangement of states looking after policing and internal security worked fairly satisfactorily till the spectre of terrorism especially from across the border started haunting us from the 1980s.

In countries like the USA and the UK, internal security is managed jointly by the Centre and the States. In the USA federal agencies like the FBI had lead roles in inter-state crime and terrorism even before 9/11. The UK does not have one police system unlike what it introduced in India. It has three separate legal systems for England-Wales, Scotland and Northern Ireland, besides four different types of legally empowered police forces: 43 units of *territorial police* as we have in the states, six *national police forces* like "SOCA" and "SCDEA" to fight organized crime, "Transport Police" under the Transportation Department and "Civil Nuclear Constabulary", seven *miscellaneous forces* like "Parks and Open Spaces Police" and four *non-police forces enforcing crime law* like "Serious Fraud Office" under the Attorney General, "Gambling Commission" and "UK Border Agency". In the USA there are hundreds of federal law enforcement agencies with varying police type powers besides the State or county police forces numbering over 14,000. For example their Postal Inspection Service with investigating powers dates back to 1772. They don't have to depend on State Police as in India to investigate frauds, counterfeit postage stamps or even terror attacks through anthrax. *Thus the burden of policing and security is evenly spread out and not confined to only one type of police like in India.*

The end of the 20th century saw the security scenario changing drastically all over the world because of globalization and the entry of commercial enterprises into national security areas like transport and communications, eroding direct government control. India also started privatization since the early 1990s. Yet we did not change our security strategy. We felt that Government bureaucracy was competent to manage both security intelligence or security strategy. We also continued to feel that State police which by then had become totally politicized could handle all aspects of security threats even inspired from outside. This was not

the case elsewhere. Other governments started tapping outside talent. Realizing that the bureaucracy with narrow focus was not competent enough to assess security needs in a complex society they started enlisting the services of corporate personalities and academics. Thus the US Congress which mandated a study on "The Role of US Intelligence in the 21st Century" through the Aspin-Brown Commission in 1996 had only one retired government official in their 17-member Committee in addition to two retired military officials, six corporate sector leaders, one from the academic world and the rest parliamentarians. After 9/11, the US found that 100 different activities including the corporate sector had vital roles to play in national security. Harvard professor Stanley Hoffman dramatically described this dispersal as the "emergence of a transnational society that includes multinational corporations, non-governmental organizations, criminals and terrorists".

After 9/11 the US Department of Homeland Security (DHS) was set up to represent such diverse elements, including the corporate sector, instead of casting the responsibility only on traditional institutions like the police, military, intelligence services and the FBI. It will surprise our Ministry of Home Affairs that the DHS system, which we are trying to copy, has a legally empowered advisory body with 12 representatives from the private sector, four from academia and think tanks, five from the police or police associations, two sitting or retired governors and only three retired government officials to advise them on strategy, leadership, coordination, management, implementation, evaluation and feedback. One would have thought that the UPA government would have taken note of this trend and constituted the new "Security Task Force" under former Cabinet Secretary Naresh Chandra to represent diverse sectors. From press reports it seems that the Naresh Chandra task force is packed with former government officers who had some share in the country's security management in different fields and hence were responsible in one way or another for the present state. The US 9/11 Commission had three politicians, one academic, two lawyers, three from the corporate sector and one from a think tank. Such diverse talents help in studying security problems spread over a wide spectrum rather than staying confined to the restricted experience of former government officials.

After 9/11 USA realized that co-ordination was lacking due to parallel intelligence collection and investigation. Hence they adopted the Joint Terrorism Task Force (JTTF) system already in existence with the New York Police since 1980 for the whole country. At present

there are 106 JTTFs numbering 4,400 officers manned by FBI, local police and Department of Homeland Security officers to jointly investigate all intelligence leads into terrorism. They are what is called “One Stop Shopping for Information” on terrorist activities. Had we set up such legally accountable State wide Task forces with state Police and National Investigating Agency (NIA) etc., in unison, we could have had a much better system of pursuing intelligence leads. Another reform was setting up 24-hour state fusion centres that continuously update state law enforcement authorities including the police with inputs from the National Counterterrorist Centre (NCTC) which integrates intelligence from a 16-member Intelligence Community. Currently 68 “Fusion Centres” are operating where federal agencies, state police and even municipal bodies are represented. If we have such a participatory system, the Centre-state quarrel on prior intelligence that we see after every terrorist strike could be avoided.

A recent “Heritage Foundation” publication on how USA was able to prevent 39 terror plots including 11 against New York City should be studied by our MHA and State Police leadership.

The United States totally re-oriented their earlier internal security doctrine of placing responsibility only

on government agencies like FBI and State Police after 9/11. They found that 100 different departments including private infrastructure, communications and transport bodies had vital roles to play in internal security. Hence the Department of Homeland Security (DHS) set up Joint Management Centres all over the country enlisting all these agencies in deciding strategy and implementation of all aspects of internal security especially on terrorism. Regular training exercises are held by them. I witnessed one such training session in October 2009 when I had gone to Honolulu to give the key note address to the Asia-Pacific Homeland Security Summit. Surprisingly the exercise was modeled on our 26/11 attack. They showed terrorists attacking the Governor’s office from the sea. We have never thought of setting up such a system. Consequently when a terrorist strike takes place we find civil defence, relief, ambulances, medical services and transport bodies not working in unison. In fact this poses an additional burden on local police as we found during our 26/11 enquiry when Police had to transport even the injured to the hospital or provide water to dry municipal fire engines.

MR. V. BALACHANDRAN retired as special secretary, Cabinet Secretariat, Government of India.

Understanding the Root Cause Extremist Ideology / Behaviour

The following is a passage from the book “Why ‘Going Soft’ Will Make America Strong” by Gina M. Bennett which reader Jyotibhai Desai of the Gandhi Vidyapeeth wants to share with readers of Freedom First. In his forwarding note Jyotibhai writes inter alia: I wonder if our Freedom First ever catches their (Home Minister Chidambaram and Prime Minister Manmohan Singh) eye. Could the above well researched suggestion be passed on to our friends through FF?”

When security experts discuss the need to identify root causes for extremist behaviour, they are not being apologists for terrorists. They are trying to find out how “it” - the extremist ideology or behaviour – got started, so they can come up with a more permanent way of preventing “it” from happening again...

There are terrorist groups motivated by an endless list of ideologies; not all terrorists today are followers of Osama bin Laden. While reading about the long history of terrorism ...it is (necessary) to understand the common relationship between terrorists and the people and issues that they claim to champion...When we are unclear about how underlying issues relate to terrorism, we may miss potential opportunities to divorce root causes from the terrorists who exploit them.

Most terrorist groups are extremely small. It is not uncommon to see a terrorist group emerge from a larger, legitimate oppositionist or separatist movement that is trying to free itself of government control. These populations may feel politically, socially, economically or religiously marginalized by their own government. The general population does not typically condone terrorism, but their intense frustration can lead them to stand aside and watch a handful of individuals communicate their angry message powerfully with the use of violence... Often the population is caught in the crossfire between terrorist groups attempting to intimidate them and governments trying to repress them. When people are left with no realistic choice for their protection, they often keep as low a profile as possible. Outside observers will accuse some people stuck in such situations as turning a blind eye towards terrorism. It is easy to see how quickly entire populations can become tainted as being associated with terrorists.

But the fact that a small group of terrorists exploit real grievances felt by a larger group of people should not diminish our freedom of choice. It is equivalent to “throwing the baby out with the bath water”. If acknowledging root causes is dismissed as being “soft on terror” or excusing terrorism, then we lose our ability to decide for ourselves whose grievances are legitimate. And if we do so, we miss potential opportunities for breaking the cycle of violence. Given a nonviolent viable alternative, people usually choose to reject violence. When they do, they deal the deadliest blow to the terrorists.

The Citizen Vs. The State or the Citizen *and* the State

M. D. Kini

I have read the piece by Sharad Bailur. He has failed to notice that many legal and administrative measures which should take care of lapses have not been functioning properly for a long time. The recent innovations such as PIL and RTI have brought some measure of accountability. Lokpal would expand that area.

The recent agitations by Anna Hazare, a social worker inspired by the Gandhian ideal of *Gram Swaraj*, and Baba Ramdev, who re-discovered healthy living with Yoga and Ayurveda and popularized them all over the world, have raised the question of the role of a citizen in a democratic state. A series of scams have forced these non-political citizens to take on the issue of corruption and black money.

All the three recent scams – 2G Spectrum scam, CWG scam and the Adarsh scam – were exposed by vigilant citizens rather than by the state institutions constituted to find out and punish such corruption cases. The CBI pursued the cases only after the courts asked it to investigate.

Anna Hazare's Satyagraha

Anna Hazare and some concerned citizens came together under the banner of the NGO, India Against Corruption (IAC), and took up the issue of corruption. It received tremendous response all over the country. The response of the people compelled the government to agree to have a joint drafting panel consisting of ministers and IAC to constitute the institution of Lokpal to investigate cases of corruption at all levels of governance which was pending for the last 42 years.

After a few meetings of the joint panel, both sides have said that there are differences of opinion especially with regard to the purview of the Lokpal and the methodology of selection of the Lokpal. While IAC wants the PM, MPs and the higher judiciary to be within its purview, ministers have reservations on this issue.

IAC has a strong case to include these institutions of governance as they have failed to uphold probity in public life. The PM ignored the indications of scam with his mantra of 'coalition dharma'. No MP has been punished in JMM bribery case and no progress has been made in the case of 'cash-for-votes' scandal happened during the

voting for Indo-US nuclear agreement.

Some members of the higher judiciary have not come up to the expectations of people and the Constitution – impeccable integrity. However, a recent newspaper report states that enquiries are going on against 305 judges and 17 judicial officers have been discharged or discontinued from service and 75 have been given premature retirement.

Baba Ramdev's Agitation

Similarly, when Baba Ramdev with his lakhs of followers raised the issue of black money hidden in banks abroad, the government tried to persuade him not to go ahead with his fast as it has taken initiatives to bring it back. Four central government ministers met him to explain the government's stand. As he was not convinced about the government's effort to bring back black money, he decided to continue his agitation with his followers – men, women and children – gathered on the Ram Lila ground. They were asked to vacate the place at midnight when they were sleeping in tents, and were later dispersed with lathi charge and tear-gas shells. As many as 70 were injured and one of them is still in the ICU.

This is reminiscent of the midnight arrests of opposition leaders after the declaration of the Emergency. Our government has not outgrown the British Raj or the Emergency Raj.

The Supreme Court has questioned the need to take police action at midnight when the congregation was sleeping. It has constituted a special investigative team to look into the black money stacked in foreign banks, vindicating the Baba's views.

The Role of a Citizen

Now the question is: what is the status of a citizen in a democratic republic when he finds that the government is not taking sufficient action on corruption and black money? Is it not his right to highlight, propagate, agitate,

Quality *Redefined* Quality *Reassured*

'Jyoti' Medium Voltage Switchgear

now Type-tested at

PEHLA

testing laboratory at Ratingen Germany



**3.6 kV TO 12 kV INDOOR
CIRCUIT BREAKER PANEL**
Ratings : 12 kV up to 3150A, 40 kA



Vacuum Circuit Breaker (Front View)

Vacuum Circuit Breaker (Rear View)

Type Tests conducted as per IEC-62271-100/200

1. Basic Duties T 100s to T 10 at 40 kA.
2. Single Phase Test at 40 kA.
3. STC Test at 40 kA for 3 sec.
4. H.V. & Lightning Impulse Voltage withstand test.
5. Temp. Rise Test

Type Tests conducted as per IEC-62271-100/200

1. Basic Duties T 100s to T 10 at 26.4 kA.
2. Single Phase Test at 26.4 kA.
3. STC Test at 26.4 kA for 3 sec.
4. H.V. & Lightning Impulse Voltage withstand test.
5. Temp. Rise Test.
6. Cable Charging current Switching Test at 25 Amp.
7. Single Capacitor Bank Switching Test at 400 Amp.



Jyoti Ltd.

Water • Power • Progress

SWITCHGEAR DIVISION
J44-59, B.I.D.C., Gorwa, Vadodra-390 016 (India).
Phone : 2280770 (5 lines), Fax : +91-265-2280153
E-Mail : switchgear@jyoti.com
Website : <http://www.jyoti.com>

- Offering a complete range of Indoor / Outdoor Switchgear
- Ratings : 3.6 to 36 kV, 400 to 3150 Amps and 12.5 kA to 44 kA
- Retrofitting of MOCBs with VCBs in all ratings (3.6 kV to 36 kV)
- Spares for MOCBs and VCBs

65 YEARS OF ENGINEERING EXCELLENCE

create public opinion and pressurize the government to act? This is what the media does everyday. This is what Mahatma Gandhi did during the freedom struggle. This is what Martin Luther King did in USA to get equal status for the African-Americans.

The public have a role to play in a republic, not just by voting once in five years but by participation in governance with their suggestions and views on every public issue. Democratic government is a government by discussion and debate. Dissent is essential for a democratic system and the tyranny of the majority is an anathema. In a democracy, the elected majority seeks consensus with the opposition to promote welfare of the people.

If eternal vigilance is the price of liberty, it is also the price of good governance. Participation of citizens in governance is to be welcomed. Citizens come together whenever there is a larger cause. People had responded to Lokanayak Jayaprakash Narayan in the early 'seventies to stem the rising tide of corruption and inflation. Now they have responded to the call of Anna Hazare and Baba Ramdev to fight corruption and black money which have assumed alarming proportions and seeped into all spheres of life.

Response of the Congress & Commentators

However, the reaction of the Congress and some commentators in newspapers are intriguing. Senior members of the Congress started questioning the probity of some members of the IAC. They asked for a probe into the finances of Anna Hazare's NGO and some financial transactions of the members of IAC. A general secretary of the Congress asked for the accounts of institutions run by Baba Ramdev. He was even called, "a thug". They were branded as the 'mask' of RSS and BJP. Is the smear campaign the answer to the questions they have raised?

Then there were curious comments by some eminent journalists. They called them, "unelected" and even "unelectable". They forget that the cap fits the present PM. They said fast is not democratic which is true enough but it has been sanctified since the time Andhra was created during Nehru's time. The government has yielded only to fasts and violent agitations, not to peaceful agitations. Recently when farmers were protesting peacefully in Singur, Noida and Jaitapur, they were met with force and many were killed by the police.

Some commentators have pointed out that a small section of civil society cannot claim to be the voice of the people. Civil society has many faces and many voices. If IAC is one face, NAC is another face. In a democratic

state all voices have to be heard and no voice should be stifled. They questioned the selection committee suggested by the IAC panel. We all know how the last CVC was selected and how it was negated by the Supreme Court. It should be possible to discuss this issue and an agreed formula could be evolved.

However, one can still question some of the suggestions and pronouncements made by IAC and Ramdev. The fast is not the right way to agitate in a democratic state. The quantity of black money mentioned may not be correct. The experts should be consulted in all these matters.

Recall of elected members of the legislature, performance audit of government departments and bodies, changes in election laws to ensure transparency and many other suggestions have been offered. These are all very good suggestions for good governance but can be achieved over a period of time.

Just like PIL and RTI, Lokpal too would expand accountability of the administration of the country immediately. The critical issue before the people is – how to catch the big fish which escape the tax net of the nation and affect the welfare of the Indian people?

An Alternative

If a powerful Lokpal cannot be a part of the structure of governance envisaged by our Constitution, there is an alternative. Let's have a special bench of two or three judges in the Supreme Court and the High Courts to deal only with corruption charges especially that of the high and the mighty, and fast track their prosecution. There are so many MPs and MLAs with criminal record and their cases should be fast-tracked. This bench should have the power to question the PM, MPs and the top bureaucrats, if there is a *prima facie* case. CVC and CBI can work under this bench. A judicial accountability legislation could be an appropriate measure for wrong-doing by the members of the higher judiciary.

It does not matter whether the cat is black or white, it should catch the mice. Crime should be punished and the national wealth should go to the nation.

MR. M. D. KINI is a commentator on current affairs. He can be contacted at kinis68@gmail.com

In western countries there are too many restrictions. India is a beautiful country. You can commit murder and get away with it.

Anonym. Contributed by M. B. Damania

A Providential Intervention by Anna Hazare

D. S. Ranga Rao

I beg to differ with Sharad Bailur on his assumptions and presumptions about the yet-to-be-born Lokpal, (The Lokpal and What It Entails”, *FF*, July 2011).

While pointing a finger at the ‘unelected Civil Society people’ belonging to the Lokpal Bill drafting Committee, Mr. Bailur should know that all his other fingers are prominently pointed at the other ‘unelected Civil Society people’ of the National Advisory Council(NAC). However, this is not to downgrade their role in proposing to the government various public welfare schemes, viz., Food Security Bill, etc. The role of the NAC members, though ‘unelected’, supplementary or complementary to the decision making process of the government, is well acknowledged and the government has no problem with them as they are its favourites. But when a similar group of unelected Civil Society activists have started demanding a transparent, independent and accountable mechanism to check the galloping corruption in the elected civil society, the powers that be and the beneficiaries of the *status quo* felt inconvenient and started questioning their credentials forgetting the fact that they are already the patrons of another unelected civil society.

What the author missed the wood for the trees here is that the ‘so called bunch of five unelected Civil Society people’ had to take the initiative to arrest the rot that is fast spreading in the ‘elected Civil Society’, as the rest of the civil society remained a mute spectator to the rapidly increasing governance deficit in the country. In a democracy, more so, in a participatory democracy like ours, it is time that our so called elected civil society representatives started behaving and stop taking their electorate for granted.

Mr. Bailur is most welcome to go ahead with his five ‘magic-wand-solutions’ to check the graft. I shall be happy to know how he is going to get them implemented – through the ‘elected civil society’ or the other ‘unelected civil society’? He also presumes that his ideas could have been sold like hot cakes but for want of proper media coverage as the ‘bunch of self-appointed so called civil society representatives’ have got it.

The author has gone overboard in predicting dangers and horrors in the yet-to-come-Lokpal by saying ‘.....the way to perdition is always paved with good intentions.’..., ‘A Lokpal, even if it is the most powerful institution.... cannot control...corruption...(In fact it will rapidly become much worse.). So, if...established,..that is

not answerable to the people, ...liable to more corruption...unable to remove...’and hence ‘a Lokpal as envisaged is dangerous’. Wonderful deduction! But I wonder whether as a tax payer, Mr. Bailur or any one of us is happy at the no-holds-barred loot of the country by the so called ‘elected civil society’ right under the nose of the constitutionally mandated organs. The underlying idea in envisaging a Lokpal is not to superimpose it over the existing constitutional bodies but to have an independent, effective and autonomous body with all the attendant checks and balances to check graft and to bring about transparency and accountability in governance. To this end, any number of ideas from anywhere are welcome. Mr. Bailur cannot be unaware of the fact of the political establishment or the so called ‘elected Civil Society’ falling flat on its face when it tried all its dirty tricks, first to malign and then to sabotage the ‘bunch of self-appointed so called Civil Society representatives’, even after it notified them as the joint panel for drafting an effective Lokpal Bill.

But for the timely and providential intervention by Anna Hazare and the rest of India’s enlightened and concerned society, all of us would have gone over the cliff, like Mr. Bailur’s Gadarene swine, ‘only to find that we have pushed the nation into committing suicide’.

D. S. Ranga Rao
dsrangarao@gmail.com

What Anna Hazare and Baba Ramdev have tapped into is widespread public rage against a system of governance that remains basically colonial. They may call it corruption and they may call it black money but what ordinary Indians have been trying to say for a long time now is that they are sick to death of a small group of individuals having a more exalted status than elected officials should have in a democracy

What has happened in India is that ‘the people’ changed and governance has not. India remains governed as it was during colonial times when the white man was the revered ‘Burra Sahib and we the people were lowly ‘natives.

Columnist Tavleen Singh,
The Sunday Express, 3 July 2011

Can an Individual be Without Any Representative Character?

P. M. Kamath

There is also the question of frequent threats by Anna Hazare of going on a fast unto death. Such threats have only diminishing returns. Anna Hazare's insistence that his draft be accepted in toto or else, is also undemocratic.

A common refrain that is heard in Congress circles, while referring to civil society, to undermine their importance, is to refer to them as “four or five self-proclaimed civil society representatives.” This suggests these members of the group that is demanding action against corruption and seeking the establishment of a Jan Lokpal have absolutely no public support; that only an elected representative can claim to speak for the general public. My sole purpose in this article is to show how wrong this formulation is of the Congress criticism of the current public demand for a Jan Lokpal at the Centre and Lokayuktas at the state levels.

The Congress refrain reminds me of a brief meeting I had with former Prime Minister, late Shri Morarji Desai at his residence in Marine Drive, Mumbai. By then having taught subjects like foreign policy, strategy, national security, international politics and American foreign policy, at the postgraduate level, I thought I knew something about non-alignment. Hence, I told our former Prime Minister that “people think that the foreign policy of non-alignment has lost its relevance. I would like to discuss some issues relating to it with you.” He flared up in annoyance and asked me: “Who are you to refer to people’s opinion? Are you an elected representative?” I was taken aback at the kind of response I had generated in him!

Today, if he was alive I would have asked him who gave him the mandate even though he was then the Prime Minister (PM) to tell Barbara Walters of ABC in Washington, DC in 1978 that he would “never go in for nuclear weapons even if the entire country is destroyed in their absence.” His question to me then is similar to the references now being made about civil society representatives by some Congress leaders. Does it mean that just because one is elected by the people, they can make any statement even contrary to the perceived national interest? Does it mean only elected representatives can raise issues of public interest?

Congressmen question the legitimacy of certain policy positions advanced by members of civil society,

because, as Congress Party spokesman, Shri Manish Tiwari said, they are “unelected and unelectable.” On the other hand he accused them of being capable of posing a “peril” to Indian democracy. In this sense, within the Congress and for that matter in every other political party, there are persons who exercise power over public opinion even if they have never contested elections, or held any elective position. Should they therefore be ignored in party debates or public discourse?

Are only those who are elected, truly representatives of the public with the right to express opinions on all issues of public interest? Often those who are elected might get elected with as low as ten percent of the popular vote! This happens because in our first past the post system of elections, in a contest between multiple candidates often the winner secures a mere 20 or 25% of the votes polled and gets elected. In this sense, “four or five” persons of civil society have the backing of crores of thinking people in the country – even if the support they enjoy is of the ideas advocated by them and not necessarily to them personally.

At the same time this does not mean that civil society has conducted itself admirably. The first wrong step they took was in keeping out Baba Ramdev from the drafting committee on the ground that law-drafting is not a yogic exercise! Instead of taking two from one family of Bhushans, if Baba had been part of the civil society group, government would not have been able even to think of breaking the unity of civil society. This would also have averted the tragic incidents at Ram Lila maidan.

There is also the question of frequent threats by Anna Hazare of going on fast unto death. Such threats only have diminishing returns. Anna Hazare’s insistence that his draft be accepted in toto or else, is also undemocratic. Democracy means compromise, concessions and developing consensus on acceptable positions. Hence, what is necessary for civil society is to tour the country, address the general public and motivate the citizens to write to their elected MPs asking them to support the ideal idea of the Jan Lokpal.

But on one issue, civil society is fully justified, in my opinion. That it is absolutely necessary for the Prime Minister to be within the ambit of Jan Lokpal. To say that it prevents him from acting decisively on national security issues is most ludicrous. This reminds me how President Richard Nixon, the only US President ever forced to resign on the ground of corrupting the Constitution often used the excuse of national security to justify his unconstitutional actions. He used this concept of national security or concepts of similar meaning 31 times in his March 23, 1973 speech explaining or justifying the Watergate scandal. Mrs. Indira Gandhi also resorted to this notion of national security to justify imposition of a national emergency in June 1975. If the office of the Prime Minister is transparent, no one would hurl unfounded allegations of corruption against him for political reasons. The law can provide for deterrent punishment for those who make frivolous corruption charges against the Prime Minister.

Kapil Sibal has a point when he argues in favour of making the Jan Lokpal and Lokayuktas in states accountable by placing them within the ambit of the judiciary. These offices of ombudsman have to be accountable. The judiciary is a constitutional branch of the democratic system of government and plays a role

by itself in securing checks and balances within the government. Whenever the executive and legislature have failed to perform their constitutional functions, it is the higher judiciary to which citizens have increasingly turned to. Other independent constitutional authorities like the Election Commission of India have also taken the help of the judiciary in maintaining its independent status. Manish Tiwari, incidentally, cannot dismiss superior judicial appointees securing accountability of the Jan Lokpal on the ground they are “unelected and unelectable.”

A crucial issue in every democratic system is power holders have to be accountable while exercising the powers given to them by the constitution or the law. The Prime Minister is no exception. The political philosophy is well stated long back by Federalist Paper No 51 which says:...”the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department, the necessary constitutional means and personal motives to resist encroachment of the others....Ambition must be made to counteract ambition.”

**PROFESSOR P. M. KAMATH, Profdessor of Politics (Retd.)
Hon. Director, VPM's Centre for International Studies,
Mumbai. Email: pmkamath@vsnl.com.**

Be an MP and Lead a Cushy Life – Lots of Perks - All on the House!

Some excerpts from Pritish Nandy's Blog

I was an MP not very long ago. I loved those six years. Everyone called me sir, not because of my age but because I was an MP. And even though I never travelled anywhere by train during those years, I revelled in the fact that I could have gone anywhere I liked, on any train, first class with a bogey reserved for my family. Whenever I flew, there were always people around to pick up my baggage, not because I was travelling business class but because I was a MP. And yes, whenever I wrote to any Government officer to help someone in need, it was done. No, not because I was a journalist but because I was an MP.

The job had many perquisites, apart from the tax free wage of Rs.4,000. Then the wages were suddenly quadrupled to Rs.16,000, with office expenses of Rs.20,000 and a constituency allowance of Rs 20,000 thrown in. I could borrow interest free money to buy a car, get my petrol paid, make as many free phone calls as I wanted. My home came free. So did the furniture, the electricity, the water, the gardeners, the plants. There were also allowances to wash curtains and sofa covers and a rather funny allowance of Rs.1,000 per day to attend Parliament, which I always thought was an MP's job in the first place!

Do MPs become richer in office? Sure they do. Statistics show that the average assets of 304 MPs who contested in 2004 and then re-contested last year grew 300%. And, yes, we're only talking about declared assets here. But then, we can't complain. We are the ones who vote for the rich. Over 33% of those with assets above Rs 5 Crore won the last elections while 99.5% of those with assets below Rs.10 lakhs lost!

And no, I'm not even mentioning that 150 MPs elected last year have criminal cases against them, with 73 serious, very serious cases ranging from rape to murder. Do you really think these people deserve to earn 104 times what the average Indian earns?

For more, visit www.pritishnandycm.com



The Public Distribution System (PDS) has become a tool to plunder public money amounting Rs.40,000 crores per annum. YET, its alternative is being opposed - Why?

Ajit Narde

Shri Anna Hazare's campaign against corruption has underlined the need to eradicate the widespread corruption in our society. His persistent fight against corruption has made him an iconic figure symbolizing the fight against this evil. This has garnered him huge public support across the country. The youth, the white collared, the middle class, the educated, even the urban rich and the neo rich, have all supported him. Succumbing to the pressure the government has taken up the Lok Pal Bill drafting job seriously.

Anna Hazare believes that the corrupt are not being punished adequately and a lesson in morality alone can't wipe out this wickedness. According to him, forming a dedicated agency to probe into alleged deeds of corruption and empowered to punish the offenders is required to deter the corrupt. The Lokpal can be such an agency.

There will be many finer points to be ironed out before the bill becomes law but I find myself on the same wavelength with him on this issue. Indeed Anna Hazare, has vocalized the common man's anger against corruption.

And yet, a news item published in *The Indian Express* of 20 May 2011 upset me. The news is in respect of a cash transfer programme being conducted by the Delhi state government and Arvind Kejriwal's opposition to the programme. Since Mr. Kejriwal is Anna Hazare's lieutenant in the current anti-corruption campaign, I wonder whether Mr. Kejriwal is really interested in stamping out corruption and poverty from this land. It also puts a question mark on the sincerity of both Anna Hazare and his civil society group.

The report also deals with relates how the Delhi Government's experiment on the cash transfer program is being strongly resisted. It highlights the fact that Arvind Kejriwal of 'Parivartan' - an NGO founded by him - is against this experiment which is being carried out by the Delhi government in association another NGO 'Seva Bharati'. Seva Bharati has reportedly alleged that Parivartan

activists are threatening the 500 families participating in the programme. The program intends to study the impact of the scheme on these families in comparison to those families who purchase provisions through the PDS.

Seva Bharati - in a written complaint lodged with the Delhi government has accused that "The PDS reforms movement" activists led by Arvind Kejriwal's Parivartan are threatening the families participating in the cash transfer program.

Mr. Sanjay Kumar of Seva Bharati has complained to the Chief Secretary that about 30 to 35 activists of Parivartan visited Raghuvir Nagar with a list of the beneficiary families of the scheme. They took pictures of some 100 beneficiary women along with their ration cards and intimidated them to withdraw from the scheme. It is understood that the minister for food and civil supplies Mr. Hasan Yusuf has taken serious note of the complaint and has directed the commissioner of his department to take action in the matter.

Meanwhile, Mr. Arvind Kejriwal has expressed his doubts about the very motive behind the study. His contention is that while on the one hand the Delhi government is conducting this experiment to discontinue the PDS, the NAC under the leadership of Smt. Sonia Gandhi is drafting Bill for Food Security. He further contends that the Cash transfer scheme does not offer any protection against inflation and that in the absence of PDS, the government can have no control on the food prices.

The Delhi Government however refuted the charges and clarified that the scheme plans to reconsider the amount of cash for food every three months. The amount per family can be changed according to the prevailing conditions. The scheme intends to protect the people from the evils of the PDS like food adulteration and delayed supplies.

It is now accepted by all, that the PDS has scope for corruption at almost every level. The purchasing,

warehousing, transportation and distribution of supplies are all impacted by the corruption in PDS. Even the system of distribution of ration cards is corrupt. A number of drives have been launched to uncover bogus ration cards, all in vain.

Only 41 percent of the food under PDS reaches the intended beneficiaries. We are spending 1 percent of our GDP on the PDS. According to a World Bank study, 59 percent of the supplies find their way to the open market. According to the Planning Commission the figure is 58 percent. Another 1 percent of our GDP is being spent on NREGA. Still the poor of the land are not being benefited meaningfully.

In absolute terms the central government spends Rs.70,000 crores on the PDS as food subsidy. Only 41 percent of this reaches the rightful beneficiaries. This means that Rs.42000 crores of subsidies are being wasted due to inefficiency and corruption in the PDS. This has been going on for years and could well be a permanent feature if the PDS continues to function as at present. Don't Anna Hazare and his supporters want to get rid of this corruption and loss of public money? Else why should they oppose an attempt to introduce an alternative scheme with far less scope for corruption? Let us experiment on the alternative and see how successful it can be. Why is Arvind Kejriwal's Parivartan intimidating the families involved in the experiment? In case his activists have been over zealous he should have expressed regret. On the contrary, Kejriwal has tried to defend his fellow activists.

We should be reconciled to the fact that ending or curbing corruption in PDS is now out of government's reach. The efficiency of PDS in Chhattisgarh is much talked about. However, the Supreme Court of India has observed otherwise. In the Konta block of the state it was observed that 41 out of a total 69 ration outlets are being run by a single body (institution). This body handles the job of transporting the PDS provisions. A large part of the poor does not receive the PDS provisions through the system. The foodgrains that are to be sold to the beneficiaries at the rate of Rs. 2.00 per kilo are actually sold in the open market at Rs. 14.00 per kilo. Some of these grains even find their way to the markets in adjoining states like Orissa and Andhra.

Effective control of a network of 5 lacs plus shops is not possible for any government. It will be equally impossible for Anna Hazare or Arvind Kejriwal too, even if they are appointed as the PDS chiefs. Still they are opposing an attempt to explore a better alternative to the PDS. They should instead welcome the experiment and wait for the results.

The PDS also indirectly has its adverse impact on the food market. The wheat produced in northern India is literally poured into southern parts of India through the PDS. This cheaper supply of wheat adversely affects the prices of local produce of Maharashtra and Karnataka mainly jowar and the bajra. The continued pressure on the jowar and bajra prices has resulted in a reduction in the total area under cultivation for these crops in the Deccan. The farmers simply can't afford to cultivate these crops. This is very poor agro-economics. It encourages undesirable behavioural and life style changes in the poor. Instead of eating the local coarse millets like jowar and bajra, the poor in the Deccan are turning towards the cheaper wheat, which incidentally is not their traditional food. It is also seen that, when people are provided cheaper food, which they do not consume due to their peculiar life style and behavioural patterns, it leads to wastage. In some parts of Karnataka and Maharashtra, people are accustomed to jowar but are provided wheat through the PDS. They take this wheat and feed their cattle!

Moreover, the government always keeps trying to reduce its expenditure on food subsidy. For this it tries to control prices in the open market. Various means and measures are adopted to achieve this including imposing levies, banning exports, increasing imports etc. Thus the government does not allow the market to arrive at a fair price for the agricultural produce. It obliquely tries to recover its expenditure on food subsidy from the farmers. This, in the long run, has adversely affected the poor, agriculture and the rural economy.

Experiments are going on worldwide to find out if cash can replace the provision of food for the poor. It is pointed out that if the poor are given cash or value coupons in lieu of the food provision they will have a choice of what to consume and what not to. For example a poor family in Maharashtra will buy jowar while a family in Orissa may buy only rice. Since this will be in accordance with their age old consumption pattern, any scope for adverse impact on their lifestyle is avoided.

Actually the cash transfer scheme was tried out in Andhra Pradesh in 1998-99. The scheme supplied coupons instead of rice and kerosene, provided the holder of the ration card personally collected his coupons. Due to this condition the number of beneficiaries came down by 8 lacs! The bogus card holders did not turn up to collect anything. That saved the exchequer Rs.15 crores per month. Please read the Planning Commission Working Paper No.5, May 2002 by Arvind Veermani and P. V. Rajiv.

Cont'd. on page 24

Point Counter Point

Ashok Karnik

Every issue has at least two sides. A wise man examines all sides before coming to a conclusion. This is an attempt to present various sides of an issue so that a considered opinion can be formed.

Chewing-Gumgate

1. The Finance Minister's letter to the PM complaining of bugging of his office created a stir although the FM later tried to brush it off as rubbish. This happened in September, 2010 at the height of the CWG scandal and disturbances in Kashmir. Was the FM's stand on certain issues so divergent that he had to be watched? Not likely but his taking up the issue with the PM and not the Home Minister or the Intelligence Bureau suggests lack of trust between Ministers. Why did the FM have to invite a private agency to detect the mischief when he had the Government machinery at his beck and call? Since this came to light 9 months later, it is difficult to put it into chronological perspective. The media went to town on it and speculations were rife that the affair showed trust deficit within the Government. MNCs and Indian Corporate Houses also fell in the war zone. Fortunately, the FM himself withdrew from the controversy and appeared to have no complaint any longer. However, the presence of sticking gum at 16 spots in and around the FM's desk was not explained. Is it to be assumed that the FM and his staff have become addicted to chewing gum and the underside of tables is the best location to dispose of the overused glob?

Come to think of it, the UPA seems most in need of an adhesive, given its internal cracks.

Comment in The Times of India editorial, June 25

1. Taking a more simplistic view, it appears that somebody gained access to the FM's office and stuck listening devices there, embedded in the adhesive gum. Once the FM started making enquiries, the 'bugs' disappeared leaving behind only the adhesive all over (under) the tables. The Intelligence Bureau, which should have been called in the first place, came belatedly and declared that it found nothing. Great, all problems solved! The unbelievable explanation given by the Home Minister that he did not know that the IB was asked to investigate the matter till the media mentioned it in June 2011 sounds bizarre. Can the IB keep its own Minister in the dark for over 9 months because such an important matter turned out to be a 'non-event'? In Stalinist Russia, inconvenient people who were made to disappear were described as 'non-person'; we now have a category called 'non-event'. The explanation is worse than the incident. If the snooping was done for commercial profits (business houses are not above it), it was done with a specific day and specific decisions in mind – rather ham-handedly because of the limited access available. 'Bugs' don't last for ever without power supply! It is clear that there was some mischief afoot and it was not just a matter of misuse of office tables to dispose off chewing gum. The PM, in his press briefing (June 29), avoided meeting any problem head on, be it the price rise or corruption or the trust deficit. So much for transparency!

Political Musical Chairs

2. Musical chairs is a game usually played among friends but in politics even enemies are welcome; in fact enemies add spice to the game. Recently, there were unusual exchange of seats and partners. Ramdas Athavale of the Republican Party of India changed years-old partner (NCP of Sharad Pawar) and joined the so-called 'manuvadi' BJP and Hindutvawadi Shiv Sena alliance. There are no ideological grounds for the switch over but calculation of what would be beneficial to an individual. Gopinath Munde, the face of the BJP in Maharashtra, too suddenly realised that after the death of his brother-in-law, Pramod Mahajan, he had no weightage in the BJP. Although he was appointed Dy. Leader of the Opposition in the Lok Sabha, Munde's horizon did not rise beyond Maharashtra and he felt suffocated in Delhi. Only tough talk or some

2. The death of ideology and rise of hunger for personal power are dominating the political scene in India. Are the communists an exception? The CPM and the CPI are contemplating merger after the electoral debacle in West Bengal. Both are strenuously denying it because according to their ideological heritage, they have to come up with a grand thesis why in the objective conditions in India it is mandatory for all 'progressive' forces to come together. A child could have said this ten years ago but for the dyed-in-the-wool communists, mere common sense is never enough; they require the crutch of dialectical filibuster. At least they would not be joining hands with their enemies. The Congress has no compunction either in accepting their enemies in the fold as they did with Chagan Bhujbal and Narayan Rane since their singular aim is to

allurement stopped him from crossing over to his erstwhile enemy, the Congress. He is still not satisfied and may revolt again. Where does ideology or national interest come in?

Will you walk into my parlour said the Spider to the Fly
From a nursery rhyme by Mary Howitt

Indo-Pak Dialogue

3. The tiresome Indo-Pak dialogue process continues with the same arguments about Kashmir and terrorism. Pakistan wants Kashmir on the agenda first and India wants terrorism first. Have we moved any further through all these Secretary level and Minister level talks? The only gain is that we are not at war! Just a day before the Foreign Secretary level meeting (June 23-24), the Pakistan PM was reminding his people Bhutto's determination to fight a 1000-year war to liberate Kashmir and Hina Rabbani, Pakistan's Minister of State for Foreign Affairs, asked if there was anything except Kashmir to be discussed between India and Pakistan. In such circumstances, continuance of the dialogue is itself an achievement.

For evil to prevail, as the old saw goes, all that is required is for good men to do nothing. But Salman Tasser's fate (the assassinated governor of Pakistan's Punjab) shows how high a price those who do something may have to pay.

Leader in The Economist 8 January 2011

weaken the opponents and win elections. Ideology is for the birds! The Congress knows how to treat the new entrants by promising them the moon and handing over peppermints. So much for those who believe that the voters are becoming more discerning! The thumb rule is 'an individual is larger than party or ideology.'

3. The bitter truth is that neither Government has its countrymen's backing to suggest any path-breaking solution to the decades old problems. The Government here is fighting the battle for credibility and the one in Pakistan is worse off as it is fighting for survival; it is pincer between the military and the militants. The two countries are shadow-boxing for the benefit of the world which wants to see them sitting across the table rather than aiming their guns at each other. Then there are the optimists who believe in the 'Aman ki Asha' despite all odds. The truth is that dialogue is the only way forward but fruitless meetings, with just rhetoric for result will ultimately erode faith in dialogues too. The talks ended without acrimony and with the usual anodyne of 'talks were held in a cordial atmosphere'. Translated into English, it meant that there was no progress. Meanwhile, Pakistan has reached the nadir of being a failed State by being number 12 in the list of failed states, prepared by the *Foreign Affairs* journal in the US – just above Yemen. Can or should India help it rise?

Readers are invited to send their points of view on serious issues of the day to ashokkarnik2001@yahoo.co.in

A Courageous Freedom Fighter

"In or Out of Jail My Mind was Always Free"



Aung San Suu Kyi, the Burmese democracy leader is one of the most courageous and admirable persons of our generation. The repressive military regime in Myanmar had for years incarcerated her and held her under house arrest. However, the brave lady's devotion to the cause of freedom for her country and its people did not falter. In the recent BBC Reith Lecture she said, "In or out of jail, my mind was always free."

Taking cue from Max Weber, she identified three qualities for politicians who dared to tread the path of dissent: Passionate dedication to the cause; a sense of responsibility and a sense of proportion. In the course of her talk she said that "a basic human right which I value high is freedom from fear...In our quest for freedom, we learn to be free. We have to act out our freedom, our belief in freedom...We exercise our freedom of choice by choosing to do what we consider to be right even if that choice leads to curtailment of other freedoms because we believe that freedom engenders more freedom." The

Burmese freedom fighter said India could do more for freedom and democracy in Burma undeterred by considerations of trade and commerce. Wise words. Will our leaders and policy makers heed them? I doubt. Nehru, 'Thou should'st have been living at this hour.'

Soli J. Sorabjee in his column in *The Sunday Express* July 3, 2011

Looking Beyond the Elections of May 2011

Do We Need a New Constitution?

Jyoti Marwah

This article is based on an intervention by the author to a suggestion made by a participant at the Freedom First seminar (see FF 529 of July 2011). – Ed

The elections of May 2011 were like a curate's egg – somewhat expected and yet bewildering. The 2G scam may have built the ground for anti-incumbency polling; five years of aggressive punching of the CPM by Mamata Bannerji resulted in her resounding success with people including women casting their votes fearlessly. This sent some of us into ecstasy believing that Indian democracy had come of age with voters exhibiting maturity and making choices while women power was propelled to the fore. However this hop skip jump analysis leaves much to be desired before such a conclusion can be reached. Mamta Bannerji and Jayalalitha have still to prove their sincerity of purpose.

Meanwhile the UP government under Mayawati gets a fresh boost and renewed confidence in its bulldozer approach to governance which is least sensitized to the desperate need for moderation and sustainability. Her unabated escapades relentlessly tear into the framework of civil society, issues of legality and the ecology-having felled as many trees as bureaucrats, people, parks and heritage structures with similar ferocity. No court of law has been able to curb her unsatiated desire to create stone structures and concretize the cities no matter this has contributed to rising temperatures and falling water tables. No civil servant has stood the challenge of speaking against her even when summoned by the highest legal body of this country. With the oncoming elections in UP next year one fears what could be in store for this state. Viewing Jayalalitha's return, a politician who was criticised for her greed and highhanded governance, it is obvious that the Indian voter either has a short memory and/or limited choices when he votes, eventually ending up voting for caste and community.

The present pathetic state of affairs has the younger generation clamouring for a new Constitution which could help the country come out of from these chronic ailments of corruption, greed and ruthless exploitation of the system. There's nothing wrong in looking at the proposition that we need a new Constitution. Japan's Meiji Constitution of 1848, which was eulogised

for its liberal and democratic fervour was thrown out by forces of change under allied occupation after World War II. What are we waiting for? Our Budgets are reviewed by external sources before being presented to the nation! Are we waiting for a similar intervention in our polity?

Drastic changes in the economic sphere have resulted in an open economy which leaves Directive Principles of State Policy far behind and making the public sector redundant and obsolete. Disinvestment has changed the very nature of our economy yet we are conservative enough to believe that the country does not need a new Constitution. Times have changed. New social and professional equations have evolved. Its a new world of globalisation and political unrest which may bring a better understanding and offer solutions to a number of maladies. In today's world India cannot afford to have leaders working on principles of revenge for what may have happened hundreds of years ago.

The Constitution no longer instils the same sense of collective responsibility as for example when the late Lal Bahadur Shastri offered to resign taking responsibility for a train accident. That spirit has disappeared. The people's representatives are least trustworthy and exploit the prevailing situation by taking refuge behind the Constitution and taking advantage of the loopholes in the law. Changes in the polity are urgently needed at the grass root level. Tentative patchwork solutions will not do if the objective is real governance.

DR. JYOTI MARWAH is Head of the Dept. of History, Member, Board of Studies (History), Mumbai University.

"The Political Interns"

Ask any bright 23-year old about Indian politicians and you are not likely to hear complimentary things. But that does not apply to Pushparaj Deshpande or Ulthara Ganesh. Deshpande and Ganesh along with 13 other recent college graduates, have been providing research assistance to members of Parliament over the past year. All of them are part of the pioneering Legislative Assistants for Members of Parliament Programme run by PRS, an independent research initiative which is a unit of Delhi's Centre for Policy Research, in collaboration with the Constitution Club, a club for MPs.

The Times of India, 23 May 2011.

NOTES

New Palace For Lamas

"The Dalai Lama and the Panchan Lama who left for Peking on July 13, will reside permanently in Peking, making only occasional visits to Tibet. A new palace has been built in Peking for the Lamas.

"During the Lamas' absence, the country will be ruled by the Chinese General commanding Chinese Communist forces in Tibet in consultation with the "Kashag", the Dalai Lama's cabinet. The "Kashag" will probably only deal with religious matters."

In these eighty words of a news item from Lhasa, so full of delicious irony, is sealed the death warrant, not of the "baby murderers," as Dr. Lohia has aptly described them, but of the helpless people of Tibet. Thus is completed the process of "liberation" that commenced on that day in September 1950 when in breach of solemn pledges given to the Indian Government and in violation of the rights of nations to freedom, Chinese Communist forces marched ruthlessly into that happy, remote land, the only provocation offered was its total lack of defences.

*

REVIEW

Moscow And The Chinese Communists*

Are there any essential differences between Russian and Chinese communism? Is there any possibility of Mao Tse-tung becoming a Chinese Tito? What do the Chinese communists want in Asia? What are the possibilities for co-existence? In his latest work, Mr. Robert C. North – who made history at the Lucknow Conference of the Institute of Pacific Relations in October 1950 by propounding what has come to be known as "North's dilemma" – goes straight to the communist documents themselves in his search for the answer. His book is the first full-length, authentic story of the communist conquest of China.

In their own writings, the communists – both Chinese and Russian – explain beyond all doubt how their political system works ...

Is the revolution of the Chinese communists expor-

table? Time and again Lenin, Stalin, Mao and other leaders give the answer: Japan, Korea, the Phillipines, Indo-China, Indonesia, Siam, Burma, India, the Middle East and Africa – all are on the list (for tomorrow if not for today). In each case the communists will depend upon the well-meaning, if not always acute, nationalist leaders to provide them with the support they so badly need. It is with united fronts, coalitions, non-aggression pacts and treaties of friendship and alliance that the communist has paved his road thus far, and he finds these materials serving his purpose well. There is no need for any fundamental change and strategy; the same old tricks appear to work well.

- M.R.M.

* Moscow and the Chinese Communists, by Robert C. North, Stanford University Press, in India the Oxford University Press, 306 pp. \$5.00.

The Challenge to Democracy**

This pamphlet is a collection of talks broadcast over A.I.R. The problems of Democracy in this country are discussed from different points of view, and the reader gets a fairly clear idea of the obstacles which have to be surmounted before Democracy can become a success in India. Shiva Rao points out that the success or failure of the Indian experiment will devolve on the extent to which people develop a respect for Law. In this context he cites the remarkable case of the British in 1926, when on the statement by Sir John Simon that the contemplated General Strike was illegal, the idea was immediately abandoned. Indians should ponder over this incident, and draw their own conclusions. Shrimati Lakshmi Menon feels that the non-homogeneity of Indian society will make the functioning of Democracy difficult, unless a greater national consciousness comes about very soon. C. P. Ramaswamy Iyer emphasises the need to compromise without striking a doctrinaire approach on all questions. Jayaprakash Narayan and Acharya Kripalani feel that the root cause of tensions in the modern world is the inequality of wealth and unless this is removed Democracy has a doubtful future. They also give the warning that "the hungry can fall an easy prey to slavery if promised bread." It is a warning which does not need to be underlined.

- Z. F.

**The Ministry of Information & Broadcasting, Government of India 55 Pages Price: 8 annas.



Cornucopia

Firoze Hirjika

Who Weeps for Mumbai?

Another day, another bomb blast. Another blame game, another “high vigil”.

Another day, another bomb blast. Another blame game, another “high vigil”. Another futile assurance that “this” will not be allowed to happen again. The sequence of events after every terror attack on Mumbai – which have now become monotonously and frighteningly routine – has become like a well-rehearsed play and eminently predictable. Mumbaiers weep for their city; the politicians shed voluminous crocodile tears.

After the latest series of bomb blasts, Mumbaiers are once again angrily asking why this could not have been anticipated and prevented. Intelligence failure is the common scapegoat, but this is a facile assumption. In most cases, intelligence about possible terrorist strikes is picked up from “chatter” gleaned from cell phone conversations and social networks. The terrorists know this and therefore are not stupid enough to openly bruit about specific dates and locations that can be intercepted. Intelligence warnings are usually general in nature; and it is then up to the local police to pursue human intelligence sources and gather specific information. And *this* is where we fail.

As elsewhere in the country, the Mumbai police are decidedly predictable and unimaginative while setting their priorities. They go roughly in this order: collecting *hafta*, providing “security” to politicians and VIPs; and catching common criminals. Interrogating suspected sources for terrorist links enters their consciousness only after the event; and peters out soon after.

To be fair to the police, they are rarely given a free hand by their political masters, who often hinder, rather than help them perform their professional duties. For example, the Mumbai police complain that they are understaffed; and yet hundreds if not thousands of policemen are wasted acting as bodyguards for self-

important politicians who don’t really need them. There was a glimmer of hope recently, when the Maharashtra CM announced plans for a strict security review of politicians who have been provided protection. However, the latest news is that this plan has been put on hold; for reasons that should be obvious to everyone. Our politicians have no problem with setting priorities; they have only one – themselves.

Apart from quantity, the major problem is the quality of police personnel. This becomes painfully evident at the frequent *nakabandis*, where the cops are proficient at catching traffic offenders, but clueless about identifying suspicious activity. This should be expected when the selection is based not so much on merit as how much the potential recruit can pay. Compounding this felony are politicians who push through their favourites, in anticipation of some future *quid pro quo*.

A day after the bomb blasts, the city is apparently back to normal. This much-vaunted “spirit of Mumbai” is a two way street. The resilience of Mumbaiers is to be applauded, of course, but it also gives a free pass to those responsible for our safety. Sure, a few citizens will complain loudly on television, but they are obviously more interested in their one minute of fame rather than expressing genuine outrage. The CM and Police Commissioner will put on a show of sympathy and dogged determination, but only till public interest fade. Why should they do more? We the people cannot really penalise them until the next election and, anyway, we have notoriously limited attention spans. The next sensation is just around the corner – and if not, our obliging media will manufacture one.

Don’t cry for us, Mumbai. I’m not sure we deserve it.

Crime and Media Judgement

It has been apparent for some time that journalistic standards are declining rapidly.

The murder trial of Emile Jerome and Maria Susairaj has recently concluded, with Jerome convicted of culpable homicide not amounting to murder and Susairaj for aiding and abetting. Susairaj was subsequently released allowing

for time already served. Not surprisingly, the media, far from maintaining the objectivity expected of their profession, sensed that the general public was baying for blood and shamelessly pandered to this sentiment.

This was made painfully apparent during the shouting frenzy on display at the press conference Maria Susairaj and her lawyer called shortly after her release. In my opinion, the media in this country needs a crash course in maturity, restraint and, above all, professionalism. It has been apparent for some time that journalistic standards are declining rapidly. In the ungodly quest for sensationalism and increased circulation, almost anything goes; including rowdiness and in-your-face belligerence.

The Susairaj press conference is but the latest example of the rot in journalistic ethics and propriety. Organizers of almost every planned demonstration, protest march or candlelight vigil give advance notice to the media, who obligingly show up with their cameramen and afford them the publicity that crave. It is why every time the Shiv Sena or MNS “activists” set out to trash a cinema or newspaper office, hordes of media persons magically show up within minutes; and the acts of vandalism are gleefully reported and photographed with no attempt being made to stop them.

What sets a civilized society apart is adherence

to the rule of law. Vigilantism, however well-intentioned, cannot be allowed to prevail. The staged protest march against the sentences handed down to Maria Susairaj and Emile Jerome is, at heart, a form of benign vigilantism. The protesters got the desired publicity, thanks to an ever obliging media; and are no doubt feeling self righteous, but they are setting a wrong precedent. If we ever reach a stage where court judgements can be overturned due to public pressure, we are heading down a slippery slope. Our judicial system has in place a system of appeals for correcting perceived miscarriages of justice; and there can be no substitute for that. If citizens set themselves up as extra-judicial bodies that can intimidate the courts, society as we know it would eventually collapse.

Another lamentable trend is the decline in elementary journalistic skills. I wince every time a reporter or television presenter butchers the grammar in a report, or mispronounces common words on an English news channel - and this seems to happen with distressing frequency. Even the reporter of a reputed evening paper, who covered a function attended by Kiran Bedi, described as her “too good”. Really!!!

The Art of Giving

Is there something in the Indian psyche that prevents us from acknowledging that there is a limit to everything, including wealth?

The recent India visit of Warren Buffet, the world's second richest man has highlighted the differing philosophies relating to philanthropy between Indian billionaires and those in other countries. The art of unconditional giving demonstrated by Buffet and Bill Gates, among others, seems to be lacking in their Indian counterparts. True, Aziz Premji recently donated 2 billion dollars of his personal wealth to charity, but he is the exception rather than the rule. In general, when India's rich do give to charity, it is more for publicity or to avail of tax concessions. Sometimes the motive is even crasser. During the recent centenary felicitations for the Bohri spiritual head, one businessman used the occasion to blatantly publicize his company and added insult to injury by including his grinning portrait.

Is there something in the Indian psyche that prevents us from acknowledging that there is a limit to everything, including wealth? Our politicians, of course, have demonstrated this gene deficiency in a spectacular fashion. There has been speculation that the infamous

A.Raja has amassed almost Rs.3000 crores from the 2G scam. Even accounting for making more than adequate provision for the extensive family and hangers-on these ministers seem to acquire, there is no way he would have need of, or even spend, that much money. But the greed is so in-built that he would readily acquire even more if he could.

As Buffet succinctly explained, giving to charity does not require the rich to deprive themselves of life's luxuries. As he candidly admits, he continues to live the good life, with his private jets and maybe with a villa in the South of France or even a private island. And yet, he has discovered that he still has a lot left over that he cannot possibly spend. So he is giving it away to those whose need is far greater. In the same vein, no one grudges Mukesh Ambani his 2 billion dollar home – except that it is an architectural monstrosity inflicted on Mumbai's skyline

MR. FIROZE HIRJIKAKA can be contacted at Leonardo_99@yahoo.com

Ratan Tata was prescient when he complained the other day that British managers have lost the habit of hard work while Indian managers are keen to finish the job at hand whatever the schedule. Britain used to be like India, but now the shoe is on the other foot.

Meghnad Desai, *The Sunday Express*, March 29, 2011



“A Stream of Correspondence” with C. Rajagopalachari - 3

K. K. Pathak

The author is an educationist (since retired) with the Rajasthan College in Agra. He enjoyed a unique relationship with the late C. Rajagopalachari, CR or Rajaji as he was more popularly known. This resulted in a “stream of correspondence” between the two that lasted for over 15 years. Mr. Pathak decided to publish these letters and chose the Rajaji Foundation to be the publisher. He agreed to our suggestion to serialise in FF excerpts from the proposed publication, which started with the June 2011 issue. In this the third part, we continue excerpts from Chapter 1 “The Beginnings” – Editor

My letter defining Nehru’s brand of Non-alignment, rejecting CR’s advice of a military alliance with America on the ground that alignment entailed loss of national sovereignty. I had refuted Nehru’s argument in my private letter to CR he got published in the 13 May 1963 issue of *Swarajya*; this, encouraged me to write an article on the subject, enlarging my arguments refuting Nehru’s line of thinking. When I sent the article to CR in June 1963 he wrote back to me on 13 June 1963:

“Thank you for your letter of June 7. The two volumes (of *Satyam-eva-Jayate*) a compilation of his articles from 1955 to 1962) have been sent to you as a token of my affection. So don’t think of not accepting the present.

“Your article on foreign policy you have sent had better be only for private circulation as you have yourself marked it. I don’t think it good to publish it now. The Government of India is changing over to a more positive relationship with America.”

I had little idea of the change indicated by CR in the letter. However, I had no reason to disbelieve CR on the matter. Again on 3 July 1963 he wrote:

“I saw your letter in the *Hindustan Times* about me and Hindi. You have done well”

Just below the inland he wrote this in his own hand:

“Postscript: I presume you have been following what I have been writing in the *Swarajya* about the language question. It should comfort you.”

I have left out many letters of CR as I do not remember even the contexts in which he wrote me those letters. A few letters he wrote me in 1963 need a special mention. I have included them here as I still remember the

contexts which prompted him to pen down the letters. His postcard of 3 June 1963 contains these few words of great significance:

“In your last letter you have hit the nail on the head. Gandhi and I stand for cultural control. The Congress party has adopted the tyranny called State control.”

The regimentation of the State became a matter of deep concern. CR was against this regimentation and was more forthright in his criticism of Nehru for letting the State assume more responsibility regulating life of the citizen than it could efficiently do. Corruption grew on this account as well. Discretionary powers to the Executive became a breeding ground for corruption to grow with leaps and bounds.

In his letter of 9 August 1963 he wrote:

“Your letter of August 7. Your letter in the *Hindustan Times* is very good. Watch for what I am writing on the subject.”

Honestly speaking, I do not remember anything about the matter. Most of my letters published in the *Hindustan Times* in the early sixties have been destroyed as the pages got worn out and it was not possible to make out anything,

In September 1963 Dr. Ishwari Prasad, the eminent historian from Allahabad University, expressed his keen desire to join the Swatantra Party, if CR asked him to. Quite naturally, I wrote to CR about Dr. Ishwari Prasad’s desire. CR wrote back a letter marked personal on 9 September 1963

“I have not the honour of any previous contact with Dr. Ishwari Prasad. That is the difficulty in my writing to him.”

I still vividly remember I wrote back to CR that I would not have hesitated to write to Dr. Ishwari Prasad a letter, inviting him to join the Swatantra Party, had I been the founder leader. I wrote this wild letter the same day. CR was somewhat peeved and wrote back a very long letter on 11 September 1963:

“Thank you for your letter of September 9. I am glad to read your letter in the *Hindustan Times*. I hope you will continue ‘to chide’ me whenever you feel like doing it. There are a very few who have the understanding and the zeal which you have been showing.

“As for Dr. Ishwari Prasad the difficulty is not the superficial hesitation to write to a stranger but rather the difficulty of writing to an important person asking him to take an important step without having a basis of personal intimacy. I am not standing on any formality or some self-importance but rather feel hesitation to do what may be considered impertinent or what may turn out to be wrong in the end.

“Explaining the last idea let me tell you frankly that I feel great hesitation to ask important persons to become members of our Party taking the initiative on myself, when we may possibly make the mistake of rousing ambition to become immediately a most important person in a new party. I have found this to happen in some other cases of academically or professionally qualified persons who have not taken any previous part in politics. This much, said on my part, will enable you to advise me.

“Paliwalji has been badly treated by his colleagues in U.P. A veteran even when he has become what others feel to be a burden without rendering much efficient service is entitled to feel angry. At any rate he can feel justified in being angry. Anger leads to thoughtless action, sometimes even ingenuous action. I quite remember the strong letter you wrote to me about Paliwalji long ago. You have now the satisfaction of seeing your assessment justified.”

Let me hasten to tell the reader that I quoted the second and the third paragraphs of this long letter in *The Indian Express* under the title, What sad Times! What sad Doings!! in connection with Chandrashekhar preferring Deve Gowda over Ramakrishna Hegde and even selecting Ajit Singh over the latter’s head, ignoring seniority. This apart, the whole letter stands on a firm ground of established norms in public life, thrown to the winds these days, making professionalism grow in place of dedication and devotion to the cause of selfless service in public life. I was ashamed for writing a wild letter to CR on the issue of Dr. Ishwari Prasad. I feel more sad and sorry today than I was capable of when CR wrote me this memorable

letter. His sense of humility, the greatest ornament of a gentleman, makes me feel the pangs of my being impertinent to him for writing something I should never have written at all.

CR’s letter of 15 December 1963 was quite encouraging and I enjoyed reading it with a kind of satisfaction which gives happiness of fulfilment in life. He wrote:

“I enjoy reading your letters and your letter of 13 December is no exception. I am glad you enjoy the affection of people in abundant measure. That is the only real enjoyment in this world of trials and difficulties.

“I do not need copies of my letters. If they are really interesting as you say, you may do whatever you like with them.”

CR gave me full freedom as early as December 1963, nine years before he left me an orphan on 25 December 1972 when he breathed his last. If I am giving shape of a small book for the benefit and entertainment of an intelligent reader, my humble effort would be fully rewarded giving me joy and satisfaction. I have left out a good number of letters he wrote me in 1963 as I did in the case of previous years. Some contexts are not at all in my failing memory of an old man. Some letters are not at all clear to me. And so I have left them out.

... To be continued

The Rural Perspective (Cont’d. from p.16)

The sugar industry and sugarcane producers have suffered the most due to PDS. Hitherto, the government used to purchase 40% of sugar produced by the sugar mills as levy sugar at much lower rates than the market rates. That has hurt the stability and growth of the sugar industry. If the cash transfer scheme or Food coupon scheme is implemented, the sugar industry will be benefited. The cane producer will also get some stability.

Mr. Kejriwal is a trusted lieutenant of Sri Anna Hazare. Such an influential person is opposing the cash transfer scheme. Why is he doing this? If we cannot otherwise stop the menace of corruption in PDS, why should we not try for an alternative? What makes him use strong arm tactics to hamper the cash transfer experiment in Delhi? Is it right for a person connected with the anti corruption campaign to act in this manner?

MR. AJIT NARDE is an agriculturist and entrepreneur and a commentator on issues relating to rural India. Email: anekant.prakashan@gmail.com

U.S. Withdrawal from Afghanistan

Implications for India

Nitin G. Raut

The U.S. withdrawal from Afghanistan is going to create a political and diplomatic vacuum that will be detrimental to India's security interests.

In the recent past two diplomatic events should have sparked a serious debate on their implications for our national security. They also impact on India's aspiration to emerge as a regional power - a stepping stone to a global role.

First is President Barak Obama's 22 June speech to phase out active US military role in Afghanistan by 2014. It may be a double pronged strategy to placate a restive American public at home weary of an unending 10-year war draining their economy, with an eye on the 2012 U.S. Presidential Election campaign when Obama can assure the US voter that the troops are coming home and focus on "nation building here at home".

The U.S. withdrawal from Afghanistan is going to create a political and diplomatic vacuum that will be detrimental to India's security interests. Unfortunately the withdrawal is not because Afghanistan is more stable than it was before the US sent troops to punish the perpetrators of the 9/11 crime. In fact it will become more dangerous than it was before the U.S. intervention.

The emerging profile of a political settlement in the Af-Pak region is something which should not make India comfortable. The transfer of security to Afghan forces is to be preceded by a Chicago Summit of the US, NATO, Pakistan and Afghanistan for future security arrangements in Afghanistan. India is nowhere in the picture. After the US troops leave, Afghan President Karzai is bound to be more dependent on Pakistan with the ISI-Taliban calling the shots in Kabul. For Pakistan it is an opportunity to "surge" into a nation Pakistan has considered is its "strategic depth". The race to control Kabul may also lead to the balkanization of Afghanistan. The Northern Alliance which took on the Taliban is unlikely to watch the unfolding scenario silently. The Northern Alliance dominated by ethnic Uzbeks seldom see eye to eye with the Pakhtoons in Kabul.

The US will be leaving at a time when Kabul is not in control of Afghanistan. The countryside and mountainous regions are testing grounds for the US-NATO

Forces and Al Queda warlords, with an outright victory against the terror network nowhere in sight. The elimination of Osama bin Laden has come in handy for Obama to announce a hasty US withdrawal. Osama's demise has not eliminated the terrorists, their network nor their patronage, both State and non-State. As uncertainty clouds the political and security situation the resulting chaos is to the advantage of Pakistan. If a strong US-NATO combine could not subdue the terrorist, then the situation is like a gift to Pakistan.

The mystifying aspect of Obama's policy is that despite Pakistan's open complicity in protecting Osama in Abbotabad a garrison town, and CIA chief Panetta's admission of ISI's links with Al Queda and Taliban, it is Pakistan which will police the Af-Pak region!

The US withdrawal will embolden radical Islamist elements in the ISI and the Pakistan Army to turn the spotlight on India. Skeptics in South Block will be at pains to highlight India's fallacious presumption that Karzai will be firmly in the saddle. And even if he will be, how independent can he be and will Pakistan allow him to be. Pakistan is not going to allow post-withdrawal Afghanistan to be a friend of India much less a strategic ally with healthy economic co-operation. Lack of geographical contiguity with Afghanistan will make things difficult to sustain its economic diplomacy and aid. If Karzai wants to remain in power he will have to strike a deal with the very forces US was fighting. It is a win win situation for Pakistan.

In all probability the US withdrawal will pave the way for the Talibanisation of Afghanistan and not democratization. Regions like Nangarhar, Kandahar or Herat and the North West Frontier Province, Swat and Waziristan straddling the Af-Pak border have seldom been under the control of Kabul or Islamabad and the rigid feudal set up controlled by warlords and tribal chieftains leave little scope for democracy let alone a liberal society.

Second is the resumption of dialogue with Pakistan for enabling what is touted as a right atmosphere. Really? Pakistan's failure to fastrack the 26/11 trial where judges

and prosecutors keep on changing, the close shave between INS “Godavari” and PNS “Babbar”, its insistence on giving Kashmir precedence over terror activities in Pakistan leading to a special session on Kashmir, should have made India wary and realize Pakistan’s belligerency in the context of the winds of change sweeping the Af-Pak region. But a beleaguered Congress-UPA Government which has achieved nothing notable in foreign policy except the Indo-US Nuclear Deal has gone ahead where the net outcome is a joint statement couched in diplomatic niceties. It does not even peripherally touch the core issue of cross border terrorism and terror camps in Pakistan. The ritual of dialogue helps Pakistan to play for time till US withdrawal from Afghanistan. Nothing dramatic is going to result. It cannot be the slow pace of dialogue that should be worrying. It is the fast paced Pakistan diplomatic onslaught in Afghanistan that India has failed to factor in its Pakistan policy. While Pakistan wants to talk Kashmir, it does not mention cross border terrorism. In fact, the Pakistan Prime Minister still talks of a 1000 year war.

On the other hand with the impending US withdrawal and China’s growing military clout India has no credible plans to counter the looming threat from the China-Pakistan axis.

The recent but rare Press interaction in June 2011 more with handpicked Press PROs/editors, Prime Minister Manmohan Singh candidly admitted that China has built a blue water navy and India is lagging behind. Worst still is the admission that India’s Defence Ministry has no plans to spend on weapon acquisition and modernization of our Armed Forces at a time when our military assets are fast becoming obsolete, despite an open warning sounded by Air Chief Marshal P. V. Naik.

It is not just India that should be worried. The US-Afghan withdrawal sends out a serious signal. Is the US reluctant to engage China if it comes to the crunch? Last year when an armada led by a US nuclear powered aircraft, was heading towards Taiwan for a joint military exercise with its Navy, China warned the U.S. that it will open fire on the US carrier and the ship was asked to return midway. No less a person than Admiral Mike Mullen, then Joint Chief of Staff has expressed grave concern over China’s growing military might.

This is a worrisome issue even for the US allies in East Asia, South Pacific i.e. Australia and New Zealand and even Mongolia north of China, for whom a resurgent China is as much a threat. India has just not geared itself to acquire that economic and military deterrence to reassure itself much less its immediate neighbours like Nepal, Myanmar, Bangladesh or Sri Lanka who are increasingly slipping into the Chinese power orbit.

India’s options are limited. Belated as it may be India should aggressively launch a diplomatic campaign for closer relationship with Japan, South Korea, Indonesia, the Philippines, Australia, New Zealand and Southeast Asia with U.S. participation that will counter China’s influence. It need not and cannot be an overt military alliance. But can be robust economic co-operation and joint military exercises and port calls. Most of these nations have borders or territorial disputes with China.

India and Japan can economically counter balance China only if Japan emerges from its nuclear disaster faster, and India overcomes the constraints of coalition politics.

MR. NITIN G. RAUT is an advocate, and a member of the Freedom First Advisory Board.

The commanding officer at a Russian military academy (the equivalent of a 4-star general in the U.S.) gave a lecture on Potential Problems and Military Strategy. At the end of the lecture, he asked if there were any questions.

An officer stood up and asked, “Will there be a third world war? And will Russia take part in it?”

The general answered both questions in the affirmative.

Another officer asked, “Who will be the enemy?”

The general replied, “All indications point to China.”

Everyone in the audience was shocked.

A third officer remarked, “General, we a nation of only 150 million, compared to the 1.5 billion Chinese. Can we win at all, or even survive?”

The general answered, “Just think about this for a moment: In modern warfare, it is not the quantity of soldiers that matters but the quality of an army’s capabilities. For example, in the Middle East we have had a few wars recently where 5 million Jews fought against 150 million Arabs, and Israel was always victorious.”

After a small pause, yet another officer - from the back of the auditorium asked, “Do we have enough Jews?!”

From the Net Contributed by Col.T. S.Tanwar (retd.)

Sir Thomas Munro

‘The Scot with a Hindu Heart’ – Rajaji’s “Ideal Administrator”

B. M. N. Murthy

When India was ruled by the British, there were a few British administrators of outstanding capacity and merit who endeared themselves to the local people with their dedication and devotion to duty. They have been part of Indian History to the extent that they are remembered and revered even today. Of the several administrators of the colonial era in Tamil Nadu, Sir Thomas Munro stands out even today for his deep love of the land and the people so much so that he is remembered as ‘the Scot with a Hindu Heart’.



[1761-1827]

Tamil Nadu people conversant with the history of Madras during the latter part of the 18th century and early 19th century remember him with nostalgia whenever they see the statue of Sir Thomas Munro opposite the Gymkhana Club on Mount Road, Madras (now Chennai). That is the reason why this statue of a Britisher has remained untouched even several years after Independence.

Munro, was born in Scotland in 1761. He studied at the University of Glasgow and came to Madras in 1789 having secured an Infantry Cadreship. He was to see action in the war against Mysore ruler Tippu Sultan which ended in 1792, with the latter having to cede some districts of South India to the Britishers. Lord Cornwallis, the then Governor-General, gave the responsibility of administering the new territory of Baramahal (the present day Salem and its environs) to Thomas Munro and he was given the task of assessing and collecting the revenue of the area.

Having surveyed the territory completely, Munro came to the conclusion that the King’s share of the revenue from the land was too high - an assessment that shocked his British masters. But Munro would not change his conviction just to please his masters. He demanded and convinced the Government about the necessity of reducing the rate of taxes, arguing that what was lost by reduction in the rate could be made more than made good by better collection methods and opening more open account books which would reduce corruption. With the introduction of the new system, Munro became totally

endeared to the local people and earned their gratitude. He became so popular and his eminence rose to such an extent that some parents even named their new born babies as ‘Munrolappa’. Munro served this area for about seven years. He was then shifted to administer the Northern Circars ceded by the Nizam of Hyderabad in 1801.

Munro had a different experience in Hyderabad. Here, the land revenue was collected by a middleman called a Zamindar who was fleecing the farmers by collecting excessive taxes and remitting them to the Government, after retaining his charges for collection. No such middlemen existed in Baramahal. When the then Governor General Lord Cornwallis decided that the Zamindari System [Permanent Settlement] that was being followed in Bengal ought to be replicated all over India, Munro was the first to oppose it. He argued that such a practice was never prevalent in the South and the new system would create a new class of Zamindars to the detriment of the land owners. He argued in favour of direct contact between the cultivator and the Government without the interference of a middleman.

During the period when the Government was studying the relative merits of the two methods of collection, Munro was in England on a holiday. There he impressed on the authorities and convinced them about the rationale of his method. The Government gave approval to Munro’s method and Munro returned to Madras victorious in his mission. In 1814, Munro was made the Head of a Commission, charged with reforming the judicial system of District Administration. Munro laid the foundation of District Administration in Madras which has survived to this day, with a few minor changes. Munro’s method became an absolute success and in course of time it was extended all over the South.

In the 1820s Munro became the Governor of Madras Presidency. Sometime during his tour of the State he heard about the glory and fame of the temple to Sri Venkateshwara at Tirupati. He visited the temple and instituted the offering of *Pongal* to the deity each day in a vessel known as the ‘Munro Gangalam’. He organized the revenue from a village in the Chittoor District for the

continuance of this offering. The Temple authorities have ensured that the tradition is still maintained. It was only a question of time that Munro became a subject of local ballads and songs. It is learnt that the great music composer Ghanam Krishna Iyer even composed a song which had the refrain 'Munro Sahib'. It has now vanished from collective memory.

Sir Thomas Munro was once entrusted with the job of bringing the land on which the famous Sri Raghavendra Swamy Temple at Mantralayam is situated under the control and jurisdiction of the East India Company as per the Permanent Settlement Act. The natives and the devotees vehemently opposed the move as they thought it would be a religious sacrilege for a foreign government to encroach upon the sacred premises of the Math. They approached Munro with their grievance. Munro decided to visit Mantralayam himself personally and check the veracity of the sacredness and the religious sanctity of the Math. It is said that when he reached the place, took off his shoes and was about to enter the Math premises, Sri Raghavendra Swamy himself appeared to him in a vision and it is said that both became involved in a conversation. However, no one could see or hear what transpired between them. However, this fact was made known only after the return of Munro. A subsequent issue of the Madras Government Gazette, however, bears testimony to this meeting. It is interesting to note that soon after the occurrence of this incident, Munro was promoted the Governor of Madras Presidency in which capacity he got cancelled the earlier decision of the British

Government to annexe Mantralayam. He even reverentially accepted the *Mantrakshata* [consecrated coloured rice] sent as *Prasadam* to him by the Temple.

As to the commonly felt perception of the British Government then that Indians in administration were corrupt, Munro had this to say "It is absurd to suppose that they are so corrupt as to be altogether unfit to take charge and discharge the duties of administration. If they were so, there would be no remedy for this evil. Their place can never be supplanted by a handful of foreigners imperfectly acquainted with their customs and language". And finally, he felt that that British rule in India could only be temporary and he even chartered an exit map for the British Government to quit India.

Munro died in India of cholera in 1827 while touring the Northern Districts.

Years later, speaking about Sir Thomas Munro, during the course of a lecture, veteran statesman and administrator Rajaji observed:

"Whenever any civil servant came to me for blessings or whenever I spoke to them in their training schools, I advised them to read all about Sir Thomas Munro, who was the Ideal Administrator".

B. M. N. MURTHY is a retired engineer. Over the last eleven years he has been writing weekly articles recalling India's great heritage and of outstanding men and women who are the pride of this great nation. bmmurthy@vsnl.com

Freedom First

3rd floor, Army & Navy Building, 148, Mahatma Gandhi Road, Mumbai 400 001.
Phone: (022) 2284 3416 • email: freedom@vsnl.com

SUBSCRIPTION FORM (In Block Letters Please)

NAME : _____

ADDRESS : _____

_____ PIN

PHONE / MOBILE NUMBER :

EMAIL : _____

SUBSCRIPTIONS PAYABLE BY CHEQUE / DD **DRAWN IN FAVOUR OF ICCF** AND PAYABLE AT PAR IN MUMBAI.
IF THIS IS NOT POSSIBLE THEN PLEASE ADD BANK CHARGES RS.50 FOR OUTSTATION CHEQUES WITHIN
INDIA. SUBSCRIPTIONS CAN ALSO BE PAID BY MONEY ORDER

Subscription

Within India & SAARC countries

☐ 1 Year : Rs.200

☐ 2 Years : Rs.350

☐ 3 Years : Rs.500

Overseas

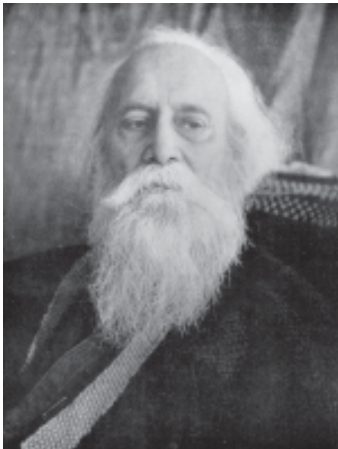
(By Second Class Airmail)

Annual: \$20 / £ 10

On Rabindranath Tagore's 150th Birth Anniversary

Introducing Oneself (*Atma-Parichaya*)

Rabindranath Tagore



Atma-Parichaya, translated from the Bengali by Shri Buddhadeva Basu and first published in the Special Issue of *Quest* in May 1961 on the occasion of Rabindranath Tagore's Birth Centenary.

Here is one aspect of me which is altogether solid and which my wishes cannot alter in any way. There is another which I have earned myself and which has been given to me in particular by

my education, my beliefs and my vocation. It is not unlikely that this latter aspect should be susceptible to change. Likewise, in human nature there is an eternal aspect – and in that is its foundation-by which man is distinguished from the vegetable and animal world. But there is another side where man specifically builds up himself, and therein lies the distinction between one man and another....

A debate is now raging in our country, at least within the Brahmo Samaj, as to how we Brahmos should define ourselves. But this question, we can see, did not so much as exist for Rammohun Roy. He was a man who renounced the current faith and mode of worship, studied the Koran and gleaned from the Bible its message, and who founded the Brahmo Sabha jointly with Mr. Adam. He confronted an uproar of abuse, everywhere he was villified as a heretic, and there was no lack of people who, given a safe opportunity, were quite capable of murdering him. And yet he had never a shadow of a doubt in the matter of defining himself. Though thousands declared him not a Hindu he knew that he was one; to him that was a fact never to be obliterated. And thus he deemed it quite unnecessary to waste his time on this question.

But in the present day some of us have started worrying about this. We are unable to decide what we really are. We are saying that we are Brahmos and nothing else. That, however, is a name of recent origin, a thing without far-reaching roots. May be I was converted to Brahmoism only yesterday. Have I not a definition more ancient and more stable? Is it possible that there is nothing in me which, having been handed down from the remote

past, is inviolable and perennial?

That, I say, can never be. To abolish the past is beyond our power, and the past exists in me without the slightest reference to my wishes.

There are members of the Brahmo Samaj who argue that to declare oneself a Hindu would mean severance from the Muslims and therefore constitute an act against the principles of liberalism.

The fact is that we face the same difficulty whichever way we define ourselves. Even if I said I was nothing at all I would set myself apart from the man who called himself just something, and it would not be surprising if we came to blows on this issue. There certainly exists a schism between what I am and what I am not; and to say anything about oneself is to define that schism.

True, this may give offence to one of the parties involved. Some one, or a group of people, may be at daggers drawn with me simply because I happen to be Rabindranath Tagore. If I do not consider this desirable, it would of course be my duty to do all I can to remove the causes of ill-feeling. But if there is nothing but blind prejudice, without any cause or justification, then obviously I would have to suffer this irrational animosity along with the name I bear. No one would praise me if I tried to make peace by saying I was not Rabindranath.

“But that,” you would say, “is the case of an individual. One's personal problems and responsibilities are a different matter, but surely I am not responsible for all that belongs to a big community or nation and I think I should have no hesitation in renouncing them in case I find them odious.”

Well, then, let us take the case of the English and the Irish. It is possible that the Irish have a loathing for Englishmen, but for that no Englishman in particular may be held responsible. It is the past generations of Englishmen

who wronged the Irish and perhaps the majority of them are even now reluctant to remedy the wrong. Now the Englishman who wants to record his sympathy for the Irish cause will not begin by saying that he is not English; it is his speech and actions which will testify to his feelings. His siding with the Irish will be an act against the majority of his countrymen and the majority will no doubt hold him as culpable and castigate him as a "Little Englander" and defamer of his own nation. And yet it would be most improper for him to say that he was anything other than English.

Likewise, if there exists a conflict between the Hindus and the Muslims the way to remove it is not to declare oneself a non-Hindu. To suggest such a course would be easy enough, but not good counsel at all. It is not that way that a real solution would lie. The tension between the two communities would continue as before despite my calling myself a non-Hindu. All that it would mean is an evasion of the issue on my part.

Here my opponents might argue that the real deterrent is religion. The religion that the Hindus practise we cannot call our own and therefore the best way would be to call ourselves Brahmos. This would serve a double purpose; on the one side we can reject a creed incompatible with our beliefs, and on the other assert a faith we believe to be the noblest in the world.

But then there is this to consider. The names 'Hindu' and 'Brahmo' do not belong to the same category; what is meant by calling oneself a Hindu is unlike what being a Brahmo signifies; and that is why the one cannot be replaced by the other. If some one is asked, "Do you belong to the Chaudhuri family?" and he answers, "No, sir. I am a bookbinder," that answer would certainly be inappropriate. It is possible that not one of the Chaudhuris had become a bookbinder before, but he who has become one has remained no less a Chaudhuri.

What the Hindus today have accepted as their religion is not at all representative of perennial Hinduism. That is a fact, and it would be easy to support it with evidence from Indian history beginning with the Vedic times. But I am not in the least inclined to make a parade of learning. Let me rather present a general idea: that for no nation can a particular creed or custom be regarded as fixed for all times. Religion is not for man what paddling in water is for ducks. Religion is not dead matter; it follows a line of development in accordance with the circumstances of its adherents and the degree of their intellect and culture. Therefore no religion can ever be taken as an immutable mark of a nation. The point is that although all Englishmen profess the Christian faith and it is on that faith that their

social institutions are built, yet an Englishman who becomes a Buddhist remains as much English as before, regardless of the inconveniences the conversion might cause him.

In like manner Brahmoism may be my creed today, but there is nothing to hinder me from becoming a Protestant tomorrow, a Roman Catholic the day after, and a Vaisnava the next week. Which means that all these definitions are ephemeral. But then there is my national aspect, and there my link with the past is indissoluble; it is utterly beyond my power to modify the reality of that relationship, for it extends over milleniums of history.

A fixed faith is not what we discover in the religious history of India. In no other country did there occur such a series of religious revolutions. How surprising that the Hindu society has assimilated gods and modes of worship unknown to the Aryan race, and these are the more numerous! To study any book on the mystical cults of India is to realise that Hinduism not only permits a great variety of religious rites but tolerates the co-existence of different practices which are not even related by a fundamental unity.

Why, it would be asked, should I be obliged to accept the Hindu society as my own, seeing as I do that it has gathered in an insensate lump all manner of creed irrespective of good and evil and is ready to hinder the introduction of new high ideals? One answer to this question I have already given, and that is this. There is no denying that I am historically a Hindu, that is a fact which is outside the area of my personal choice.

There is something else to say, however. If your father sinned, it is up to you to expiate his misdeeds. You must pay off the debts of your father: it would be immoral to wriggle out of the problem by denying your father and imposing the whole burden on your brethren. You might say that you could try to compensate for the wrong as an outsider, but not a son – But why so? Why should you not say that the sins are as much yours as others' and that on each of us lie the obligations of atonement?

Let me ask this. Supposing we abjure the Hindu society and enter into some other, does not each of us then become responsible for the collective actions of the community of our choice? If we ever find that worship of money and luxurious living are becoming prevalent among the Brahmos in general, to the detriment of spirituality, are we then to say that because the majority of Brahmos worship money and live luxuriously, these are the true marks of Brahmoism? And are we then to start yet another separate society, under a different name? Certainly not.

What it would be right to say in that situation is that the true members of our society are those who adhere to truth in their words and actions. Even if they are a small minority and have little influence, it is they whose precept and example will save our society from ruin.

Truth is not a commodity which is sold by the yard or the pound. Truth is big, even though it is small. Only apparently, but not really, is a mountainous heap of hay bigger than a spark of flame. An earthen lamp becomes meaningful not because of its body but the tiny wick which holds the flame of light. Only those count in a society who serve as the source of light – not by force of numbers but by virtue of truth. They are consuming themselves; they are giving themselves up hour by hour; and yet like the burning wick of a lamp, it is they who stand highest in society¹, for in the whole social body they alone are living and aglow.

If, therefore, I really believe that the creed of my choice is the highest, then I must also assert that creed to be of the whole of my society. When an individual gains access to a truth, his entire society receives it through him. There was a time when the whole poetic genius of Bengal received its fulfilment through the single figure of Michael Madhusudan Datta. However much may his contemporaries have derided him, it is of Bengali literature that his *Meghanadbadh Kavya* is a masterpiece. Thus it is in all fields of activity. The higher Rammohan Roy rose from his immediate surroundings, the higher did he lift the whole of the Hindu society. Let it never be said that he was not a Hindu, just because he was villified by the numerous Hindus who were infinitely beneath his level. For Rammohan was most definitely a Hindu and of his greatness the Hindu society can never be deprived, not even if Hindus send a petition to God with millions of signatures. Rare indeed is the genius of Shakespeare or Newton, but it belongs to the whole of the English nation. Likewise, if Rammohan represented the truth, that also is the truth for the Hindu society as a whole.

The fact is that the emergence of Brahmoism is an integral part of the history of the Hindus. It is the inner strength of Hinduism that engendered the Brahmo sect; it is a product of struggles, conflicts and a desperate need experienced by the Hindu society. The Brahmo Samaj is nothing accidental or outlandish. Deep within, it is vitally related with the whole area of its origin. The tree must rend the seed before it can appear; but this does not mean

that the tree is inimical to the seed. When the Brahmo Samaj made its appearance, it too had to tear through the encrusted layers of Hindu Society, but that is no reason for our regarding it as opposed to Hinduism. To the god eternally at work within, it is quite clear that Brahmoism is but an outcome of Hinduism.

This, I know will anger many members of the Brahmo Samaj. “Brahmoism,” they will insist, “belongs to the whole world and we can never look at it as a product of Hinduism.” But what is universal must also have a name and local habitation, otherwise it will be no more than a chimerical flower of the firmament. The rose is a universal treasure and the whole world rejoices in its fragrance and loveliness, and yet it is a product of the rose-bush and not the banyan tree. It is through its own local character that the history of each nation expresses the universal spirit, or else history would have been mere madness and the achievements of one nation useless to another. In the history of the English nation, for example, the account of wars and dynasties are no more than the framework upon which has been built the idea now enthroned in the heart of mankind. Unless this idea were there, the whole history of England would have been utterly futile. The fact is that man’s spiritual forces have expressed themselves in a unique fashion through the history of the English people.

This incessant striving is also a mark of Hindu history. In it, too, the forces of the universal spirit are ever at work, even through its clashes and discords. Is it not of those creative forces, inherent in the history of the Hindus, that the Brahmo Samaj is a modern manifestation? Are we to believe that it is a mere fancy of Rammohan Roy and a few others? A throw of dice in some gambling den of destiny – is that what the Brahmo Samaj merely is? Is there no other meaning in the fact that, rising here on the east coast of India, it is directing its gaze at the entire world? For me, at any rate, it is impossible to see history as a fanciful product of caprice. And so I regard the Brahmo Samaj as a stage in the natural evolution of Hinduism. A universal expression of the Hindu idea that is what the Brahmo Samaj really is. Never can I accept the view that a handful of us should form a coterie to guard this new idea and keep it strictly and conceitedly aloof, and by doing so profess ourselves to be great upholders of liberalism.

“All this,” I can hear my opponents say, “may be true as ideas, but what are we to do in practice? Brahmoism is not only an ideal, we must also use it in our everyday life. How, then, can we reconcile it to Hinduism?”

- To be continued

¹ The image used is that of a flat earthen lamp with home-made cotton wicks, placed on a wooden stand. These lamps were common in Bengal before the introduction of kerosene lanterns or electricity - Tr.

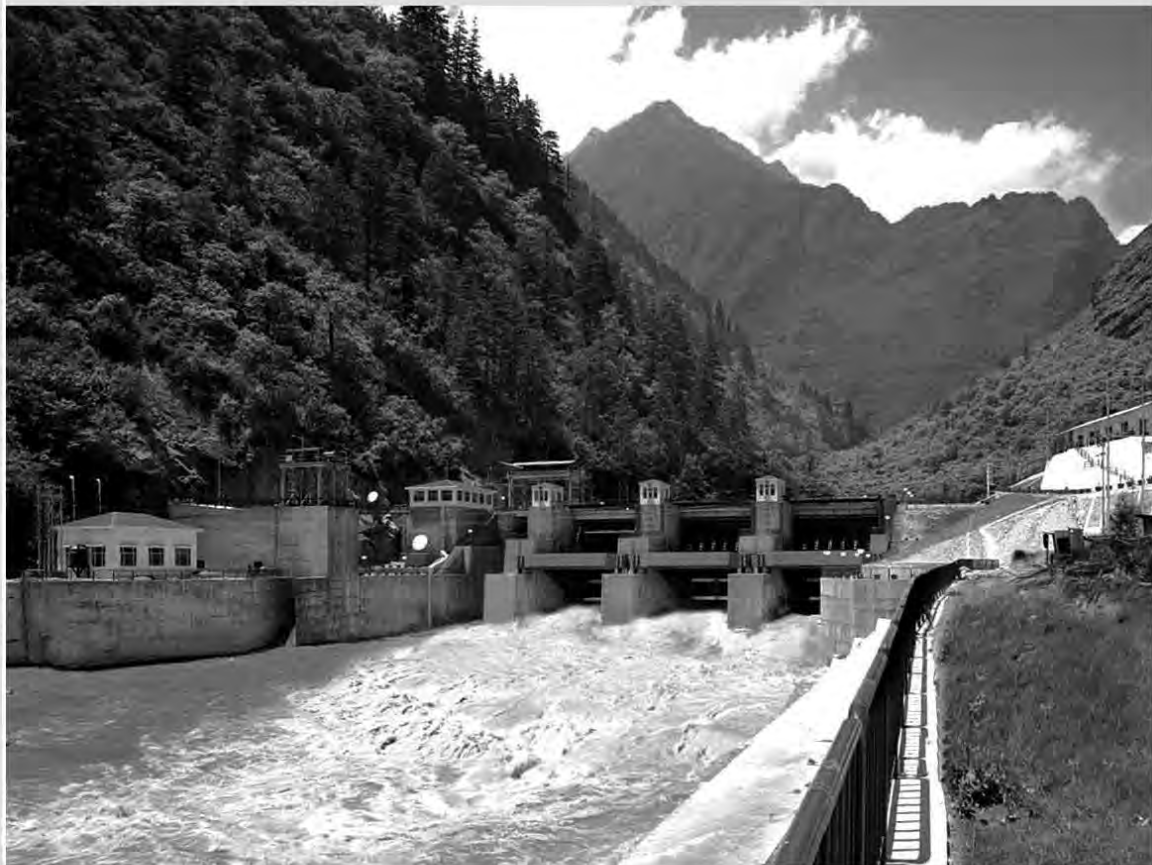
A COMMITMENT TO BUILD A BETTER LIFE

A globally recognized leader in construction of large scale river valley and other hydro power projects.

The Jaypee Group has been turning convention inside out. With youthful enthusiasm and courage, we've gone where few have ventured. We have explored possibilities where none existed. And while doing so, we have established benchmarks for others to follow.

No wonder then, you will find shining examples of our resilience not just in hydropower, but in Engineering & Construction, Cement Manufacturing and Real Estate.

It is our dream of a brighter India that gives us the courage to brave the odds, and to emerge successful. It's no small dream. But then, it's not too big either.



400 MW VISHNU PRAYAG H.E. PROJECT

HIGHLIGHTS

- Largest producer of hydro power in India in private sector
- Built Asia's highest rock fill dam
- Largest single location cement producing facility
- Largest operating hydropower station in private sector (400 MW Vishnu Prayag)

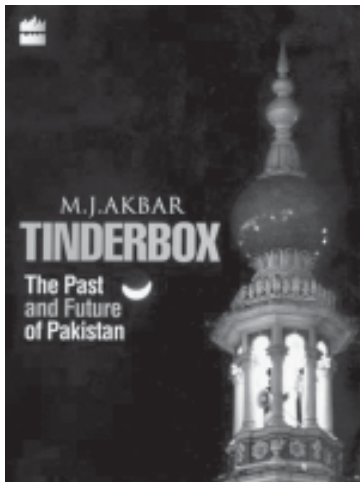


Construction
Power
Cement
Hospitality
Real Estate

— NO DREAM TOO BIG —

www.jalindia.com

BOOK REVIEWS



TINDERBOX – THE PAST AND FUTURE OF PAKISTAN by M. J. Akbar ● Harper Collins Publishers in joint venture with India Today Group, New Delhi. A 53, Sector 57, NOIDA 201301 ● 2011 ● Pp.313 ● Rs.499

Reviewed by Sharad Bailur, author, freelance journalist and a member of the Advisory Board of *Freedom First*. Email: sharad.bailur@gmail.com

Long ago, in 1976, on a visit to the family temple at Mangeshi, (though I have been an agnostic from the ripe old age of twelve), I formed a view about political systems that placed all closed societies –

communist, fascist, religious, the lot, at one end of a spectrum, at the opposite end of which lay liberalism. It came to me almost as an epiphanic revelation, lubricated, as it was, by generous doses of cashew feni at the bar across the road. Some years later I chanced upon the two volumes of Sir Karl Popper's famous book "The Open Society and Its Enemies" at the British Council. He had expressed, much earlier, the same views that I had formed at Mangeshi, in far greater detail, with incomparable erudition. I had something of a similar feeling on reading MJ Akbar's new book; this time without any lubrication.

'Economic Determinism'

I traced among my books and papers those that mentioned one dimension of the problem that is Pakistan. In an Adelphi Paper (No 320) of the International Institute for Strategic Studies named, "The Economic Functions of Violence in Civil Wars" (1998) David Keen discussed, without mentioning Pakistan even once, a sense of its future: The Economic Benefits of Civil Wars. Civil Wars persist because of rational economic calculations; 'Top down' economic violence – conflicts become privatised in weak states (the various Talibans and Lashkars), undemocratic regimes in weak states have fuelled economic violence (the military and the ISI), politics has been overlaid with short-term economic gains ('democracy' based on landlordism); 'Bottom up' economic violence and External intervention and economic violence, all in separate chapters.

In a revealing book "Interest Groups and Development – Business and Politics in Pakistan", Stanley Kochanek, a professor at the Pennsylvania State University wrote in 1983 about how the development of

Pakistan had been stunted by the big landlord nexus. The book was reviewed for *Freedom First* in 1985 by, "Young Bailur" (yours truly), a nickname bestowed upon this reviewer by Mr. Minoo Masani. MJA (the resort to his initials will become clear below) notes with acuteness that the absence of land reforms in Pakistan led to a big landlord *status quo* resulting in the have-nots becoming Talibanised.

If an uneducated mass of people is left to fend for itself with no economic benefits and none to be seen at the end of a long dark tunnel, it becomes ideal cannon fodder for a jihadist Muslim mentality brought up on a hatred of India. Add to this explosive fuel the fact that India's economic growth stands at an average rate of 9% per annum, a figure that only China has bettered. The economic hopelessness of a situation in which this huge kaffir neighbour is pulling away to prosperity while the 'land of the pure' remains mired in an economic morass compels the inevitability of conflict.

The great Maulana Abul Kalam Azad is quoted by MJA as having said in 1946:

"I feel right from its inception, Pakistan will face some very serious problems:

1. An incompetent political leadership will pave the way for military dictatorship as it has happened in many Muslim countries.
2. The heavy burden of foreign debt. (This was written long before India as it turned out had heavy sterling balances to its credit at Independence, some of which were passed on to Pakistan.)
3. Absence of friendly relationship with neighbours and the possibility of armed conflict.
4. Internal unrest and regional conflicts.
5. Loot of national wealth by the neo-rich and industrialists of Pakistan.
6. Apprehension of class war as a result of exploitation by the neo-rich.
7. The dissatisfaction and alienation of youth from religion and collapse of the theory of Pakistan.
8. The conspiracies of international powers to control

Pakistan.”

This prognosis has, come true with almost mathematical precision.

The History

To really know what led to this situation it is necessary to go through the detailed history of the Indian subcontinent from the time of Mohammad bin Qasim in AD 712 in Sind. MJA's analysis is that, beginning with Mohammad bin Qasim, down to the fall of the last Mughal Empire, or what was left of it in 1857, the Muslim population of this country was firmly convinced that it was the rightful heir to the remains of what the British left behind. When it became clear that it was never going to come about, it became inevitable that it would seek a “homeland separate from the Hindus of the subcontinent”.

The articulation of the idea of Pakistan, however, was a gradual process beginning with Sir Syed Ahmed Khan and Aligarh leading to Jinnah's insistence on a ‘separate homeland for the Muslims of the subcontinent’. In a book review published by *Freedom First* of “Islam under siege” by Akbar Ahmed, a former Pakistani diplomat and well known liberal now living in the US, I had said, ‘Mr. Jinnah was a political opportunist with an eye on the main chance. He found it when some undergraduate at an English university coined the term “Pakistan”, and decided that he would go for a separate homeland for the Muslims of India, more to perpetuate his own greatness than, in fact, to do anything for Islam. The Muslims of Pakistan realise this, though openly stating it would be considered “blasphemous”.’ Fittingly ‘Tinderbox’ has a concluding chapter titled: ‘Pakistan: The siege within’.

I can do no better than to quote Robert Kaplan who wrote thus in the *Atlantic Monthly* in September 2000: “At the end of my visit to Pakistan, I sat with a group of journalists trying to fathom why Nawaz Sharif, when still Prime Minister, had reportedly turned down an offer of several billion dollars in aid from the United States in return for agreeing not to test nuclear weapons. A Pakistani friend supplied the simple answer: ‘India had tested them, so we had to. It would not have mattered who was Prime Minister or what America offered. We have never defined ourselves in our own right – only in relation to India. That is our tragedy.’” Also from Kaplan I recall a small paragraph that went something like this: Were Pakistan, by some miracle, to disappear off the map it will have virtually no impact on India. If however India were to disappear, Pakistan would collapse”.

‘Islamic superiority and apartheid’ (‘Aparthness’)

It was throughout the Congress's point of view,

indeed of Jinnah's as well, if one reads between the lines of his famous speech to the Pakistani Constituent Assembly, that the nationhood of India should be inclusivist. MJA gives credit to Jinnah for being far more secular than the average Pakistani. Jawaharlal Nehru's “Unity in Diversity” is perhaps the best embodiment of this ethos.

The point that Jinnah missed, but the one that MJA mentions is that, in the absence of militant religion and jihad, Pakistan is, in the words of General Zia ul Haq, “...little more than a second rate India.” In just that one sentiment alone, one sees the fire of resentment congealing into nuclear hatred. Zia-Ul Haq's view of exclusivity for the Muslim was not a private opinion held just by him. It came to him ingrained into the flawed idea of nationhood on which his nation was ripped out of the womb of India. And it has its origins in the exclusivist ideology of Islam itself.

“While Muslim self-glorification easily encouraged excesses, nineteenth century Hindu intellectuals had a different dilemma: Why were the most powerful Hindu princes unable to replace the feeblest Mughal ruler in Delhi? ... A strange alchemy of past superiority and future insecurity shaped the dream of a separate Muslim state in India”, says MJA.

“Used as they were to ruling over the Kaffirs over a millennium, a feeling developed, among Muslims ... that the Muslim was born superior to the Hindu. How else could Muslim kingdoms have ruled over this alien religion and culture over ten centuries? There was probably something to it, too. The Hindus deserved what they got by the mere fact of being plain incompetent at defending themselves and for having allowed their own culture to ossify and go to seed... The Muslims who wanted Pakistan could never reconcile themselves to being ruled by an inferior people.” This was my view in an article written in February 2001.

Jihadist Determinism and the Nuclear Tinderbox

But it was not to be the ethos of Pakistan. And as it turned out it was not that of General Zia Ul Haq. The fact that religion was responsible for adding greatly to the virulence of this poisonous witch's brew should have been mentioned in some detail by MJA. A mere reading of the Quran is enough to explain both the mindset necessary and the attitude acquired by Pakistan because of the religion that it espouses as part of state policy.

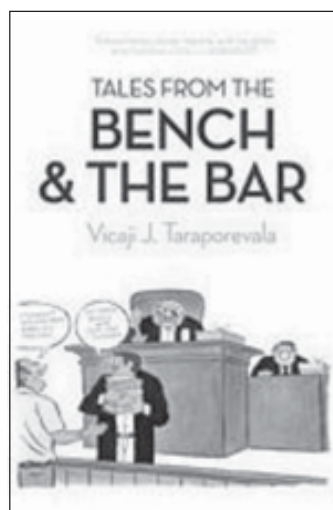
Akbar goes on to conclude: “It was beyond Azad to imagine that this possible catastrophe could have a nuclear dimension, or visualize nuclear weapons in the control of those who advocate suicide as a path to heaven.

Azad thought that destruction wrought by (non-nuclear) catastrophe might bring the subcontinent back to its senses. More than six decades later we are staring, transfixed, at havoc beyond repair.”

The issue is not of two antagonistic nations brandishing nuclear weapons at each other. MAD (Mutually assured destruction) inevitably leads to a stand off in such cases as happened between the USSR and the US but the nuclear mess left behind with the collapse of the USSR was kept under some sort of control. In the sub-continental case it is complicated by the open slaverling at the mouth to be noticed among Muslim nations of the Middle East wanting to get their hands on Pakistan’s bombs to deal with Israel on the one hand, and India on the other. With the frantic buildup of nuclear stockpiles, as Pakistan becomes increasingly unstable and therefore unable to control them, one can see one of only two possibilities coming true: One, the greater the difficulty the present Pakistan establishment has in keeping control of its weapons, the greater its temptations to fire them off, preferably at India, in a last ditch attempt at a suicidal ‘Jihad’. Two, if the weapons fall into the hands of the

Taliban, the first foreign policy statement that the new government of Pakistan will make, will arrive in the shape of a bomb meant to destroy New Delhi, regardless of the consequences. In either case India will end up being the target. India’s first and **ONLY** priority therefore must lie in ensuring the complete neutering of Pakistan’s nuclear arsenal and wherewithal, by any means at its disposal NOW before the inevitability of conflict becomes fact – a task it has backed out of on at least two occasions in the past according to, “Nuclear Weapons and Indian Security” by Dr. Bharat Karnad, another book I had reviewed some time ago for *Freedom First*.

Excellent and incisive in its analysis, this book deserves to be a collector’s item. And Akbar writes beautifully. It is therefore difficult to understand how he could have written: “The Portuguese reached India in 1498, when Vasco da Gama *weighed anchor at the southern trading city of Calicut*” (Page 7) when he obviously meant “dropped anchor” or “anchored”. But such errors are a small price to pay for what turns out to be a very satisfying read written by a secular Muslim par excellence.



TALES FROM THE BENCH AND THE BAR by Vicaji J. Taraporewala ● Penguin Books India Pvt. Ltd, 11, Community Centre Panchsheel Park, New Delhi 110017 ● 2010 ● Pp.152 ● Rs.350.

Reviewed by S. V. Raju, editor, *Freedom First*. Email: jurasv@gmail.com

To “*Freedom First*; that stands first for Freedom” inscribes the author, when sending a copy to us and draws our attention to “pages 76 and 81”. Vicaji J. Taraporewala a long-time subscriber to *Freedom First* is a senior advocate based

in Mumbai. In a career spanning more than six decades, in addition to practising law, he has taught law and written books on law which include a book on the law of Central excise, books on the laws of customs duty and intellectual property.

On page 76 the author recounts: “Three Parsee barristers, Minoo Masani, Keki Barucha and Pheroze Barucha, whose personal and family credentials were impeccable, were detained in the 1930s for their fierce agitation, though non-violent, in favour of freedom from the British. After their release from detention their names were struck off the roll of advocates on the ground that

their detention disclosed ‘moral turpitude’. After a strenuous legal debate, Chief Justice Beaumont, though very imperialistic in his views, held that the petitioners’ political agitation could not be held to be a matter of moral turpitude. What they did, in a non violent manner, was a matter of their political conviction. Their names were restored on the roll of advocates.”

Page 81 is about *Freedom First*’s tiff with the Censor during the 1975 ‘Emergency’. The author recalls: “During India’s 1975 emergency, the censor board, acting under the Central Censorship Order, prohibited publication of eleven items which were to be printed in *Freedom First*, a magazine which was foremost in advocating freedom under all circumstances. Minoo Masani, who entered public life very early and had been detained for some months in the 1930s, was one of the founders of this magazine and also its editor. He went to court challenging the order. The case was fought on his behalf by Soli Sorabjee, ever ready to defend the cause of freedom. Justice Ramakant Bhatt unflinchingly gave the verdict that the censor’s action was illegal.”

Such nuggets, spread throughout the book, laced

with humour, yet inform and instruct.

In his foreword eminent legal luminary Soli Sorabjee compliments the author who “deserves full marks for his tremendous research and industriousness in comprehensively collecting incidents and events - ancient and contemporary – in a single volume which one can dip into in a relaxed mood and savour its delights.” This reviewer on the other hand found this volume a delightful companion even while negotiating space in a suburban railway compartment while travelling to work and back savouring its “delights” unmindful of the jostling crowd. On the other hand fellow passengers looked at me with some amusement wondering what was there to smile about! They would have too had they also partaken of a humorous anecdote I had just read!

The book, points out Soli Sorabjee, dispels the general “erroneous impression” that “the atmosphere in courts – where parties are engaged in forensic battles – is stern and forbidding and that court proceedings are dull and monotonous. The book is a treasure house of numerous anecdotes and incidents that take place in courts ... the repartees between the Bench and the Bar...”

Why is the Bench a ‘Bench’ and the Bar the ‘Bar’. In his very first chapter Vicaji Taraporewala explains that “in the olden days English judges sat on the central portion of a long bench....In those days of the long bench, when a judge occupied the Bench for the first time, his family members and other invitees were also allowed to sit on it with him.” The term ‘Bar’ is derived from an actual bar, which earlier in England divided the dais of the judge and the seating arrangement for counsel. Advocates presented their cases standing in front of the bar...Those who presently wanted to argue before the court, had to come up to the Bar standing in front of a chair behind them.”

There are twelve chapters and a two-page bibliography. The titles of these chapters are themselves illustrative of the contents: “Bound and Rebound”, “Humour in Court”, “Chance and Destiny”, “Cricket and the Bombay Bench and the Bar”, “Nostalgic Indulgences” and the like.

A few anecdotes from some of these chapters should be appetiser enough for the reader to want to get a copy of the book:

“While arguing before the Supreme Court in a case that had reference to gambling, one of the judges said: ‘Mr. Daphtary you have depicted the gambling activity so well, one might think you are

habituated to it.’

‘M’Lord, Daphtary said, ‘what else am I doing day in day out while arguing before Your Lordship’s court?’”

*

“: A witness in Justice Darling’s court was being targeted during cross-examination. The cross-examining counsel finally asked: ‘Do you still adhere to your statements in examination-in-chief?’

“Witness: ‘I certainly do; I have always been wedded to the truth,’

The judge interrupted, asking: ‘How long have you been a widower’”

*

“One morning, Chief Justice Lord Goddard’s driver reported ill at the last minute. A taxi was called to drive him to court. When the Chief Justice took his seat in the cab, the cabbie, pretending to know who his passenger was, said: ‘Where to guv’nor?’

Chief Justice Lord Goddard: ‘To the High Court of Justice.’

‘Where is it?’ mischievously the cabbie asked.

Lord Goddard did not appreciate this sally and said: ‘you do not know our law courts?’

In all innocence, the cabbie retorted: ‘Ah! Heard of the law courts but ne’er heard of the courts of justice.’”

*

“A member of the Bar carrying a number of law books was greeted in court by his client with the words: ‘I thought you lawyers knew all the law.’

‘Yes, we do,’ said the lawyer. After a pause, he continued: ‘Oh, these books – they are for the judges.’”

*

An eminently enjoyable read indeed.

Why can China make high speed trains and not India? Why India's railway system is such a byword for filth and overcrowding, slow trains, dangerous platforms etc ...The difference I guess is the quality of political governance. China like India has public ownership but India treats its Railway Ministry as a prize for a coalition partner to use it as a base for patronising the region from where the minister comes.

Meghnad Desai, *The Sunday Express*, July 3, 2011

When It Rains in Dharamsala

I have been trying to finish my court case here in Mandi, six hours by bus from Dharamsala, a case filed against me by Himachal Pradesh (HP) police in 2008 during our multiple protests against Beijing 2008 Olympics. I will be making my last appearance on 17 July when I will be awarded the final judgement.

Sethu was last time writing to you to avoid using plastic covers for your magazine *Freedom First*. I have been receiving the magazine for many years and I have been preserving all the plastic covers. I read the magazine and keep it at the Dharamsala Community Library here in McLeod Ganj. However the plastic covers that I have collected have been put to best use this monsoon as I used them under broken slates that cover our rented house (see picture).

Rangzen (freedom in Tibetan) Ashram is where I and four other friends live together as a commune. And this season as the rains lash our 1924 vintage bungalow with partly corrugated tin-roof, partly slates, there have been many leakages and the rooms are already cluttered with buckets, pots and pans. So the *Freedom First* plastic covers cellotaped to the tin-roof and the slates is giving us tight protection and a lot of relief. Untill free Tibet, there is a lot of warmth and space under this roof.

Thank you *Freedom First*.

Tenzin Tsundue

Your rain photo from Dharamshala comes at a time when I was about to write to a weekly that I am subscribing to inform them that I am no more interested in reading their philosophies on life wrapped in plastic covers. As you are aware most of the so-called "people's" dailies and weeklies in this have no shame dumping millions of plastic envelopes (if their circulation figures are right) every month which I consider a war on our people and land. I have written to most editors about the plastic tragedy and only *Freedom First* had responded positively by mentioning my request in the editorial. We appreciate that. I sincerely hope that *Freedom First* will move towards a plastic-free journalism in the days to come!

Sethu Das
President, Friends of Tibet

Now read on this beautiful poem by Tenzin Tsundue – Ed.

When it rains in Dharamsala
raindrops wear boxing gloves,
thousands of them
come crashing down
and beat my room.
Under its tin roof
my room cries from inside
and wets my bed, my papers.

Sometimes the clever rain comes
from behind my room,
the treacherous walls lift
their heels and allow
a small flood into my room.

I sit on my island-nation bed
and watch my country in flood,
notes on freedom,
memoirs of my prison days,
letters from college friends,
crumbs of bread
and Maggi noodles

rise sprightly to the surface
like a sudden recovery
of a forgotten memory.

Three months of torture,
monsoon in the needle-leaved pines
Himalaya rinsed clean
glistens in the evening sun.

Until the rain calms down
and stops beating my room
I need to console my tin roof
who has been on duty
from the British Raj.
This room has sheltered
many homeless people.

Now captured by mongooses
and mice, lizards and spiders,
and partly rented by me.
A rented room for home
is a humbling existence.

My Kashmiri landlady
at eighty cannot return home.
We often compete for beauty
Kashmir or Tibet.

Every evening
I return to my rented room.
But I am not going to die this way.
There has got to be
some way out of here.
I cannot cry like my room
I have cried enough
in prisons and
in small moments of despair.

There has got to be
some way out of here.
I cannot cry,
my room is wet enough.



A CHILD FROM THE SLUMS VIDEO-CONFERENCING WITH CHILDREN FROM AUSTRALIA? MEET THE NEW WORLD CITIZENS.

NEW WORLD CITIZENS™

A group of children studying at Parikrma along with children from International schools in Songdo, Korea and Melbourne, Australia did a project on our environment and presented it at the prestigious TED conference (no less).

At Parikrma, a non-profit organization, we prepare the poorest children from the slums for our new age world - be it excellence in the English language, exposure to technology, science, sports or environmental concern. Our English medium education, built around the ICSE curriculum, is equal to or even better than some of the best schools.

YOU CAN HELP CREATE A NEW WORLD CITIZEN BY INVESTING IN A CHILD.

Visit us at any of our centers to get a first hand view. Write to Nikita Khosla at nikitak@parikrmfoundation.org or call on +91 9986 516465.

Parikrma is a non-profit organization that provides the best possible education to over 1300 children from 68 slums and 5 orphanages. We manage 4 centers for learning and a junior college. Parikrma also provides these children with 3 meals a day, health care and family care. All donations are tax exempt under section 80G to whatever extent permissible.


Parikrma
HUMANITY FOUNDATION
Change is on.
www.parikrmfoundation.org

Campaign supported by:



AFL PRIVATE LIMITED

Lok Bharati Complex, Marol Maroshi Road, Andheri (East), Mumbai 400 059.