

1999-Peoples Message No Single Party Worthy Of Ruling Alone

1. As expected, the 1999 peoples verdict once again confirms the electoral trend—i.e., the rise of a multi-party rule—initiated by the 1989-electoral results. Since then, it has been the 5th electoral message that no single party is worthy of ruling the country all alone.

I. Fundamental Feature Of Last 10 Years Electoral Trend

2. The fundamental feature of this trend has been the weakening of centralism and the centralised parties and the corresponding rise of regionalism, regional parties and leaders.

3. This conclusion is verified by three facts.

(A) Downslide Of Pan-Indian Parties

4. Firstly, the electorate has dearly downgraded the All India parties—i.e., the Congress and the BJP. The Congress has got a drubbing, losing 29 seats (112 in 1999) than its number (141) in 1998. The BJP has remained where it had been in 1998, i.e., 182 seats. And of this number, only 108 had been won in direct contests, the rest (i.e., 74) coming via its allies.

5. There has been no mass wind in favour of the ideology of any party or the charisma of any leader, except in the electronic and the print media. The star performer of the 24-party National Democratic Alliance (NDA) and the 'ablest' Prime Minister Atal Behari Vajpayee, of the BJP, projected by the whole media as the most popular leader of India, has fallen by one lakh votes in his own constituency of Lucknow than he polled in 1998. In contrast to this, Sonia Gandhi has won by the highest margin of over 3 lakh votes from Amethi, despite the noisome cackling of India's jingoist lobby about her foreign origin.

6. Personal vilification and muck racking did not cut any ice. The qualification of Vajpayee's ability and his government's stability and Sonia's lack of political experience and native values proved totally unattractive. People took the accusers as liars who are only interested in money-making (through corruption and underhand deals) and power-grabbing (by manipulation, false promises, and foul means) and have failed them during the last five decades.

7. In the mud slinging business, BJP's Pramod Mahajan set the ball rolling by comparing Sonia with Monica Lewinsky (a charge which he later denied by shifting it on to the media) and NDA's George Fernandes attacked Sonia by saying that her only contribution to India was to add two people to the 100 crore population of the country. Congress spokesman Kapil Sibbal described Prime Minister Vajpayee as a "habitual liar" who was "not only sleeping when the enemy came but also actively connived and consorted with them." The AICC office distributed extracts from the 'the Morarji Papers' where the former had referred to a rumour that his external affairs minister Vajpayee "spent more time imbibing alcohol and flirting with women than in the administration of his ministry."

8. The character assassination only comes when parties have no specific agendas but merely party and media built personalities for sale in the electoral market.

(B) Absence Of National Issues

9. Secondly, there has been a lack of any major national issue—political, economic, cultural, diplomatic, etc.—in the electoral process. The BJP and the Congress did try to bring in the issue of Kargil, with each striving to cash it in its favour. But it did not translate into an emotive electoral topic across the board. Similar was the case with the Swadeshi versus Videshi slogan. The other issues projected by the parties also did not motivate the common man. Low turn-out in these elections is a judgement on the incredibility of the manifestos and their propounders and adherents. It is also a sign of the peoples lack of faith in systemic institutions, i.e., legislature, executive, judiciary, etc., at their failure in tackling the basic issues. Everywhere, the voters raised issues that bettered their quality of life.

10. It is wrong to say that the electorate was tired of frequent elections. In fact, they were fed up with the parties and their

leaders perpetually made false and deceptive declarations.

(C) Regional Perspective Dominates Voting Pattern

11. Thirdly, the biggest factor that prompted the voters to exercise their electoral option in favour of one political variety of candidates or the other has been their urge to improve the quality of public life involving the solution of their basic problems (namely, development, hunger, inequality, unemployment, homelessness, population growth, environmental deterioration, etc.), immediate needs (i.e., water, sanitation, power, high prices, jobs, education, health-care, social services, etc.), and issues of injustice (such as corruption, cheating, fraud, communalism, casteism, lawlessness, violence, etc.). They voted for those whom they considered fit to work actively for their welfare and reflect their hopes and aspirations. If any party or candidate did not rise up to their expectations, they threw out the incumbent party or the candidate and tried a new one even if it meant going back to the one tried earlier. They voted neither for any particular party nor manifesto or leader. This naturally made the regional parties as their main choice. Because they were, and are, more interested in local issues and at least devote some time in getting them redressed.

12. Looking at the electoral outcomes since 1989, it becomes obvious that the focus of political competition has been shifting to the states and next to them the casteist outfits (BSP, SP, RJD, JD, etc.).

13. In 1991, the regional parties secured 14.17% of the votes cast and got 55 seats in the Lok Sabha. In the 13th Lok Sabha poll, their vote share has risen to nearly 50%, with a tally of 243 members (including CPM's 32 and the CPI's 4 whose electoral reach is mainly confined to West Bengal, Tripura and Kerala). The BJP and the Congress have 294 of the 537 Lok Sabha seats, with a little over 50% of votes cast.

14. The BJP realised the growing trend of the regionalisation of politics and rapidly moved ahead in the pre-1999-election days to forge regional alliances which later developed into a 24-party alliance, called the NDA. Despite the BJP's low political stock, it was able to retain its earlier numbers. But it had to give a go-by to the two fundamentals of its national agenda—i.e., the *Hindutva* and the *Swadeshi* for the sake of its politics of expediency.

15. The Sonia-led Congress, however, misread the Indian

reality, viewing that the Indian people had become sick of coalitions and were yearning for a single party-based stable rule. This caused a heavy loss to the Congress, with its Lok Sabha seats declining from 141 in 1998 to 112 in 1999.

II. Implications Of 1999-Verdict

16. The development of the regionalisation of politics is not an aberration but a general tendency which has been step by step evolving since 1989. It is an expression of the country's diverse social reality, i.e., the reality of its multi-cultural, multi-ethnic, multi-religious, multi-lingual and multi-regional character. It has generally emerged because of the failure of the centralised Indian state and its centralist parties to fulfil the genuine aspirations and concerns of the diverse variety of the Indian people.

17. In the pre-1947 phase also, it was the perversion of India's social diversity by Gandhian majoritarian and chauvinistic nationalism that could not keep India united.

18. Failing to learn from its pre-1947 experience, India continued to pursue the same old track of majoritarian chauvinistic nationalism by constitutionalising it in the form of a highly centralised system. The results are now quite obvious. Over half a century practice of this system has produced a sense of disillusionment and frustration among the masses. Consequently, the alienated people, disgusted with the operators of this system, i.e., the centralist parties and their top leaders, have now turned to their respective ethno-regional parties to seek solutions to their basic and immediate problems.

III. Some Wishful Perceptions

19. There have been varied perceptions about the rise of multi-partyism in our electoral process.

20. Some people hold that there is nothing to be worried about the multifarious electoral trend, because, according to their perception, India's social system has some in-built mechanism to tackle every systemic complication. But it is an unfounded view. The 50-year experience of this system shows that almost all basic public needs promised by the Indian constitution—namely, water, health, education, employment, poverty-removal, freedom from corruption, etc.—have remained empty words and not a single one has, during the 5 decades, flowed to the people. On what basis can one expect better performance in future?

21. Others think that the present rise of the BJP and the

continuation of the traditional Congress represent the beginning of a 2-party system in India. But experience shows that such a system generally emerges in countries where there is ethnically homogeneous population with a higher degree of emotional integration on political, economic, cultural and historical matters. The 50-year practice of our centralised system and its centralist parties has failed to create a stable sense of national oneness among the Indian people. They still continue to view them in terms of caste, religion, ethnicity, region, etc. Even a rumour of a communal or casteist clash or a provocative report can puncture our national unity at any moment.

22. Some others consider that coalition politics can, if genuinely pursued, set things right. But coalition politics too works in given conditions. The first condition is that there should be a harmony between the character of the population and the nature of the constitution. If there is little correspondence between peoples aspirations and the constitutional principles, then political instability is bound to follow, sooner or later. In such a situation, coalition politics itself becomes a victim of unstable politics.

23. In certain multi-ethnic countries of Europe—Switzerland, Belgium, Germany, etc.—the viability of the coalitions is facilitated by their respective federal constitutional norms and value-based federal party mechanism. In our case, the coalition is hindered by the multiple composition of the people and the regional concerns of the regional parties, on the one hand, and the centralised constitutional basis and the centralist perspective of the centralist parties, on the other.

24. Moreover, the coalition between a centralist party and some regional parties too represents a fragile combination, because, despite having framed a common minimum programme at certain occasions, their respective perspectives and priorities often diverge—causing continuous uneasy relationship between them. Naturally, such coalitions cannot be a sustainable factor. Hence, they had so far been only a short-term phenomenon. Further, there is little possibility of a coalition between India's two centralist parties, i.e., the Congress and the BJP.

25. Taking into account the above facts, the practicability of coalition politics in India is confronted with many obstacles. Unless the road is cleared, the coalition politics will operate only as a patchy solution.

26. Some other devices of arresting the volatility in our political process, namely, the presidential system, fixing a five year term for the parliament or the prime minister, etc., also represent a centralised pattern under a different garb. If adopted, they may be equally damaging.

IV. Needed A Realistic Response

27. The situation calls for a realistic response to our unstable political process rather than making it more critical through other defective means. If we want to remedy our political malaise, we will have to address to its basic and immediate causes in an appropriate way, since the political instability is basically an outcome of a given social system (i.e., constitution or state), with its immediate cause resting with the neglect of mass issues, it is necessary to deal with these two agendas in a proper way.

(A) Basic Agenda

28. With regard to the basic agenda, the multifarious Indian reality, with its present context in the global reality of the inter-dependence of countries, demands the transformation of India's centralised constitution into a federal/confederal constitution, adoption of people and environment as its two fundamentals, upholding of the rule of law with maximum possible empowerment of the people, building of the economy on a sustainable, equitable and productive basis, generating of a value-based conduct, creating of a democratic consensus on all the major controversial issues, resolving of all the internal conflicts through dialogue, settling of all the disputes with the neighbours through give and take and organising (in cooperation with other SAARC members) a trade-cum-economic zone and a regional security mechanism in South Asia.

(B) Immediate Agenda

29. Coming to the immediate agenda, the most effective way of tackling the mass issues is the method of involving the people in the decision making process. Here, the people may be defined in three terms, i.e., area-specific (village, panchayat, block, ward and so on), problem-specific (poor, unemployed, homeless, beggars, slum-dwellers, etc.), and class or trade union-specific (agricultural workers, unorganised workers, industrial workers, employees, traders, industrialists and so on). The peoples involvement may be ensured by taking certain steps, such as

(a) providing full information to the concerned people about the government policy/plan on the given issue, (b) involving a representative committee of the concerned people in the formulation and implementation of the government policy/plan, and (c) association of a local all-party representative committee (with equal representation to all types of big and small parties) along with the concerned peoples committee. Similarly, in all issues of injustice against the people (like corruption, cheating, crime, fraud, lawlessness, violence, communal or casteist conflicts, etc.), the concerned peoples and all-parties involvement should be ensured in the process of seeking justice.

30. Obviously, the way out always lies in a realistic approach and action.

04-11-1999

Jammu-Kashmir Problem Hawkish Line Will Doom Us All, Common Solution Saves Jammu- Kashmir, Pakistan And India

I. Now what?

1. This is the question that faces all those concerned with the issue of Jammu-Kashmir. It has arisen after the establishment of military rule in Pakistan.

2. New Delhi has responded by reverting to its usual theme of conditional talks. It has asked Pakistan to stop 'cross border terrorism' in order to create 'right environment' for facilitating the resumption of talks between the two countries.

3. Pakistan's military ruler has declared that Islamabad is prepared to resume negotiations with New Delhi on the previously-settled 'package' agenda, including the Jammu-Kashmir problem, adding further that there is going to be no change in its traditional policy of 'helping the Kashmiris in their struggle for self-determination'. He has also announced to withdraw the Pakistani army from the forward positions on the international border between the two countries.

4. From the international councils, the same sane message continues to be repeated that, in order to establish a durable peace in South Asia, both New Delhi and Islamabad should, with the involvement of the Jammu-Kashmir people, seek to resolve the Jammu-Kashmir problem through bilateral talks.

5. In Jammu-Kashmir, the tempo of militant activity has increased. At the moment, it is not clear whether it will gain further momentum or remain as before. This, however, mainly depends on how the Musharraf government decides its own course.

6. Obviously, the facts do not reflect an encouraging picture.

II. Unremitting Indo-Pak Hostility

7. It seems that both New Delhi and Islamabad remain on the same wavelength as before, i.e., still stuck to their 50-year old unremitting mutual hostility on the Jammu-Kashmir question. In the process, both have suffered terrible losses respectively. While India has as usual remained poor and politically become an unstable country, with Kashmiris having got totally alienated and the world pressing for the sorting out of an early solution to the Jammu-Kashmir problem, Pakistan had got destabilised, losing in turn East Pakistan, without gaining Jammu-Kashmir.

8. The 5-decade old respective record of these two countries is so disgusting that it always invites a slurring comment from every international body. Just two days before (November 2, 1999), the 1999-Report on Human Development in South Asia prepared by the Mahbub-ul-Haq Human Development Centre in Islamabad (funded by the UNDP) reported: "South Asia, including India and Pakistan, is one of the most corrupt and poorly governed regions of the world where the ruling elite is often too powerful to be accountable."

As many as 47 approvals are required to construct a building in Mumbai and small-scale entrepreneurs have to deal with 36 different inspectors each month, an example of poor governance.

The magnitude of corruption in Pakistan alone exceeds Rs 100 billion a year or 5 per cent of the GDP.

In Bangladesh, the implicit 'private taxes'—cost of corruption—of setting up business comes to 340 percent of the estimated initial official cost. The report decried nuclear tests by New Delhi and Islamabad, saying they led to an increase of almost 14 percent in India's defence budget and 8.5 percent in the case of Pakistan.

It estimated the cost of maintaining arsenals by the two countries at \$15 billion over 10 years, a sum enough to educate, nourish and provide health-care to more than 37 million neglected children in the region. The report said poverty is on the rise again in South Asia, despite decrease in poverty in India by 8 percent between 1988 and 1993.

Except in India, poverty of opportunity—defined as lack of access to education, health, employment, sanitation and productive resources—is increasing in all other South Asian countries.

Rampant corruption was frustrating the region's economic and social agenda and costing it billions of dollars each year with

the poorest bearing disproportionate burden.

“South-Asian corruption has four key characteristics that make it far more dangerous and damaging than corruption in other parts of the world.

- * Corruption occurs at the top, not the bottom, distorting decisions on development programmes and priorities.

- * Corrupt money has wings, not wheels and is smuggled abroad to safe havens, not ploughed back into the domestic economy.

- * Corruption often leads to promotion, not prison, and the big fish—unless they belong to the opposition—rarely fry.

- * Corruption is occurring with 515 million people in poverty, not with per capita incomes above \$20,000.”

To fight corruption, it called for creation of exclusive corruption courts, requirement by the public officials to declare their assets, provision of immunity to informers, debating of all major contracts in parliament and transparent procurement laws.

III. Unrealistic Indo-Pak Perceptions

9. Doubtlessly, India and Pakistan have suffered immense losses in human and material terms during the past 5 decades. This has been mainly due to their unrealistic perceptions and responses respectively. These are:

Firstly, they identified each other (having been misdirected by their respective chauvinistic and majoritarian national outlooks) as the enemy number one and accordingly did everything under the sun to harm and undermine each other.

Secondly, they adopted the issue of Jammu-Kashmir as the question of their national survival. This made their positions totally irreconcilable, cut off all their lines of dialogue and negotiations and closed every door for a peaceful resolution of the Jammu-Kashmir problem.

Thirdly, they pursued the path of confrontation as the only way to deal with each other. Naturally, this path brought forth militarisation as their respective top national priority, giving rise to continuous Indo-Pak tensions, interspersed with three wars in the post-1947 period.

10. Obviously, all the above stated wrong assumptions of their respective national threat, path and priority relegated the human and environmental priorities to the background.

11. As regards the viability of their respective concepts of the national enemy and the confrontationist path, they did work to a

limited extent in the days of cold war (1947-1987), with India tied to the former Soviet bloc and Pakistan to the US one. But, having been the newly liberated countries, the confrontationist path and the priority of militarisation over-strained their respective economic and financial resources—thus keeping them as marginal players.

IV. New World Reality

12. With the dawning of the post-cold war era, the ways of cold war have been losing their validity. In fact, they have, to a great extent, become incongruous with the new world reality of the inter-dependence of nations. In such a world, the main challenge was the proper management of the inter-dependence of nations. And this challenge can be met by accepting economic development (based on the principles of sustainability, productivity and equity), as global-cum-national priority and economic cooperation and political-cultural friendship among countries as global-cum-national task. That is why the economic development has become the earnest yearning of every nation and sustainable, productive and equitable growth as the dire need of its common masses.

13. In such a world, national sovereignty and national frontiers can become secondary if mutually beneficial to all concerned (NAFTA, ASEAN, etc.). Further, different communities can, provided it is rewarding to all, even unite their respective national sovereignty within a single entity and a common frontier (EC). If it is harmful and disadvantageous, even a single community can split into various social formations, namely, the former Soviet Union, Yugoslavia, Czechoslovakia, Pakistan, etc.

14. Today's world demands that the traditional national enemies change themselves into inter-dependent national friends and build their common future through friendship and cooperation.

15. The first priority of such a world is the de-escalation of all conflicts and the establishment of a genuine peace—bringing relaxation and improvement in bilateral and collective relations.

V. Where India's Interests Lie

16. Given the foregoing spirit of our times, where does India's national interests lie? Do they rest with the postponing of Jammu-Kashmir solution for an indefinite period by prolonging or sleeping over the matter or insisting on a pre-conditional dialogue as New Delhi has often been doing? Surely not.

Because all these responses do constitute an agenda of cold war that has been only increasing tension with Pakistan. By all counts, it has been only a negative, a counter productive approach which has done a great harm to the country. It has no rationale except that of the continuation of cold war against Pakistan. India's recent conditional response to Pakistani military ruler's call for resuming stalled Indo-Pak negotiations in order to avoid 'lending credibility' to a military regime is only a continuation of its traditional hawkish approach to a political problem, given the country's engagement with so many military rulers in the recent past and the 6 furtive meetings between Atal Behari Vajpayee's representative (R.K. Mishra) and Nawaz Sharief's nominee (Niaz A. Naik) in New Delhi and Islamabad respectively during the Kargil and the post-Kargil crisis days.

17. What does the policy of dodging the issue aim at and how would it benefit India? The standard hawkish argument is that Pakistan is a failing state which must be pushed further towards its final doom. With Pakistan's irrelevance, the Kashmiri militancy, according to this lobby, will fizzle out. And the rapidly spreading effect of market consumerism will puncture the momentum of Kashmiriat. But this is merely a self-delusion. Pakistan is not as isolated from the world community as the hawkish lobby thinks it to be. It holds an important position in the 55 member OIC. It still remains in the priority list of the developed countries, particularly, the US. Even among the developed countries, it maintains certain influence. It has very intimate relations with China, a resourceful country, which will, not allow it to go down the drain, like Yugoslavia and few other countries.

18. Turning to its effects on the country, the hawkish line would further worsen India's two most serious current problems, i.e., the political instability and the fiscal crisis. Both these problems are inter-related. The political instability calls for an immediate redressal of the mass troubles which is dependent on the availability of funds, while the bloated fiscal deficit demands a drastic cut in government expenditure. Contrary to this national dilemma, the hawkish line asks for an unprecedented expenditure on updating the armed defence in order to crush militancy and undermine Pakistan, via cold war.

19. The hawkish excuses—that better revenue collections and more FDI arrivals will bailout the fiscal deficit and the wearing away of Pakistan will rekindle national spirit—represent only illusory ideas, having no relation with the most backward, most

corruption-ridden and the most troublesome South Asian reality where the foreign capital, talent, expertise and technology abhor to enter and their indigenous counterparts take flight to foreign lands.

20. Thus, the hawkish line of undermining Pakistan is co-terminus with the line of destabilising India's politics and economy, or in other words, harming the national interests of India.

VI. Where Pakistan Goes From Here

21. Where does Pakistan go from here and how its new military regime is going to react to India's tough stand? Taking into account the existing conditions in Pakistan, the Musharraf government is likely to give its first attention to the domestic agenda, in which the economic factor constitutes the first priority. Here, its chief task will be to meet the peoples newly aroused expectations. That is, in order to fulfil the common man's hope, it will have to show its performance with regard to its declared 4 point agenda in which the economic factor constitutes the first priority. If it passes that test, everything will fall in place.

22. The second, but equally significant, task will be to build its credible image in the international community by taking a sober and moderate stand in both the internal and the external matters.

23. The other challenges confronting this government may include: (a) to evolve a balance in the system of governance between the military generals and the civilian advisers, (b) to handle the different militant groups, the various fundamentalist and the liberal parties, and (c) to keep the army hardliners in check, a very tough and delicate job whose mishandling can generate a serious threat to Musharraf government, particularly if the first task is not done well.

24. With regard to India, it will, even if the former takes a hard line, try to avoid every escalation both in words and action so long as it is not able to consolidate its home constituency

25. As to Jammu-Kashmir, it will respond according to the Indian position if the latter enters into a dialogue with the present government of Pakistan, the militant activity in Jammu-Kashmir will mainly take a defensive form. Otherwise, it will resort to highly aggressive and suicidal ways.

VII. What Serves Jammu-Kashmir's Cause

26. What serves the interests of Jammu-Kashmir people or which of the options concerning Jammu-Kashmir problem would suit their cause? Here, the term Jammu-Kashmir people denotes

all those people living on both the Indian and the Pakistani sides of the pre-1947 Jammu-Kashmir state territorial boundaries. And the concept serving the interests of Jammu-Kashmir people means which state or social system can ensure their welfare and prosperity.

27. The afore-mentioned question arises from the present world reality where the various countries, including now even India, have accepted that the question of Jammu-Kashmir continues to be an unresolved problem. Though the world has for the present accepted it as a bilateral, Indo-Pak issue, yet, if these two countries could not find out a satisfactory solution within a reasonable time and instead continued on their traditional confrontational course, the world community, as represented by the UN, can interfere in due course.

28. True, the post-Lahore summit normalisation process of Indo-Pak relations had suffered a setback due to the Kargil crisis and the post-Kargil developments in which the Pakistani army has succeeded in putting its chief as the Chief Executive of Pakistan by confining Nawaz Sharief behind the bars. But the ongoing Indo-Pak stalemate cannot remain for long. The global pressures compounded by the developmental needs of the two countries, will force the Indo-Pak governments to resume the normalisation process.

29. The Jammu-Kashmir people themselves can also play some role in the breaking of the present Indo-Pak deadlock, provided they are able to reach at some broad consensus on certain basic points. These are:

(a) The world has entered a new post-cold war global era in which nations of the world have become more inter-dependent than they had been at the end of 2nd world war (i.e., 1945). This national inter-dependence has transformed the main nature of the public problems from the national to the global.

(b) The different countries in the world are getting themselves organised into various types of regional development groupings—like free market areas, trade zones, economic integration and common security-based communities, and so on.

(c) The world is faced with very serious problems—like environmental degradation, natural disasters, population growth, inequality, poverty, unemployment, etc.—which can, if not properly managed, pose a danger to human existence.

(d) Such a world needs a stable global peace. That is why the global community is, through the UN, trying to resolve various

conflicts, whether between countries or within them, either by the bilateral dialogue between the parties concerned or through the UN or any third party mediation. The other social needs of national integration or globalisation are: rule of law based on peoples empowerment; sustainable, productive and, equalitarian development; value-based norms and behaviour; common security systems and above all recognition of people and natural environment as two reference points in the process of human thinking, functioning and organisation.

(e) Some negative forces are trying to reverse the process of global integration, but they cannot succeed. Because, global integration is a natural evolution of the thousands years of the human development process.

(f) Some forces, like the US or NATO, are, while actively participating in the global integration activity, trying to establish their permanent hegemony over this process. But, this is a transitory trend (having its basis in the existing global power balance) which will get smoothened with the widening and the deepening of the global democratic process and the changing balance of forces.

(g) The future of Jammu-Kashmir people is linked with South Asia in which both India and Pakistan are going to play a prominent role. Jammu-Kashmir's future is neither related to Central Asia nor Middle East or any other region.

30. Given the afore-mentioned global understanding, the fundamental principle in the just and viable solution to Jammu-Kashmir problem should be to bring India and Pakistan closer to each other on a just and fair basis. All our initiatives and responses should be in the light of this principle. All actions which sharpen Indo-Pak animosity are antagonistic to Jammu-Kashmir peoples future.

31. The other leading principles should comprise:

(a) To treat Jammu-Kashmir problem as a trilateral question, involving India, Pakistan and Jammu-Kashmir people, which can be resolved with the involvement of all the concerned.

(b) To strive for a solution which generates Indo-Pak friendship, on the one hand, and constitutionally links Jammu-Kashmir with the two states of India and Pakistan respectively, on the other.

(c) To give due consideration to the aspirations and the concerns of Jammu-Kashmir's ethno-regional identities.

32. These principles fully represent the global and the South Asian spirit of our times. Upholding these principles means

meeting the present aspirations and the future concerns of Jammu-Kashmir people. Any option which violates these principles cannot serve their interests. A solution which backs up one country and opposes the other or the one which denigrates the two together are both equally damaging to Jammu-Kashmir peoples cause.

VIII. Common Solution For Us All

33. Though overdue, there is still time that both India and Pakistan undergo a serious review of their respective Jammu-Kashmir policies which have brought heavy losses to them and terrible sufferings to Kashmiris. Giving up the 1947-perspective of getting the whole of Jammu-Kashmir for their respective nations, they should now adopt the SAARC perspective to seek a corporate solution to Jammu-Kashmir problem, establishing a partnership between India, Pakistan and Jammu-Kashmir people. Pakistan should get ready to give up its traditional slogans of self-determination and plebiscite, while India should prepare itself to abandon its present position in Jammu-Kashmir. Both should prepare their respective people for a collective answer to the Jammu-Kashmir tangle. A change in the respective mindsets of the three parties can work wonders for their present and future.

34. There can be a number of options which may sort out a mutually acceptable solution to the three parties. In our view, the following 3-point based proposal, which meets the respective collective-cum-individual aspirations of each party, is also worth-considering. That is:

(a) The respective national interests of India and Pakistan should be balanced by establishing an Indo-Pak (or SAARC if the three parties concerned decide as such) Condominium over Jammu-Kashmir State which should handle Jammu-Kashmir's defence, foreign affairs and currency and be a sovereign power in relation to Jammu-Kashmir.

(b) Jammu-Kashmir state should be an independent state, with its sovereignty vesting in Indo-Pak Condominium. The state should adopt a federal constitution, laying down a common head of the state, a common high court, a common election commission, a common public service commission and a common human development commission, all to be elected by the ethno-regional councils with one representative from each.

(c) The state federal constitution will ensure the maximum-possible autonomy to each ethnic region in the state.

(d) Under Indo-Pak Condominium, the total costs on Jammu-Kashmir's defence, foreign affairs and currency will be borne by the former. The Jammu-Kashmir citizens will have the citizenship rights in both the countries. The Jammu-Kashmir's trade with India and Pakistan will be regulated in the same way as if it is one of their respective states. The different projects in Jammu-Kashmir state will be worked out on a partnership basis between India, Pakistan and Jammu-Kashmir state—with three shareholders having equal rights and India and Pakistan contributing the total investment and technology, while Jammu-Kashmir state funding through the valuation of its resources.

IX. Immediate Tasks

35. To start and carry forward the above-stated option, it is necessary that all peace-loving and democratic forces become active and mobilise the people in favour of this fair and rational plan, on the one hand, and for, creating a normal situation between the two countries, on the other. Here, the following immediate steps are quite essential.

(a) To demand that New Delhi immediately release all the APHC leaders and invite them for talks on starting the process of a trilateral dialogue, including Pakistan, concerning the resolution of Jammu-Kashmir problem.

(b) To call for the stoppage of all human rights violations in Jammu-Kashmir by all sides, particularly New Delhi.

(c) To appeal to New Delhi and Islamabad for bringing to an end the enemy notion of the two countries about each other; signing the two agreements on Siachen and Wular Barrage which had been preliminary approved by the two countries sometimes ago; starting talks on Sir Creek and arrive at some settlement; disengaging their respective forces on the Jammu-Kashmir border by bringing them one Km behind the line of control; joint patrolling of the disengaged area by the forces of the two countries, etc.

(d) To initiate inter-ethnic talks between different ethno-regional groups for arriving at some consensus on the trilateral option, seeking a common solution.

36. Given the call of this era, it can be said without a shade of doubt that the partnership between India, Pakistan and Jammu-Kashmir people will serve them well and also the world.

06-11-1999

Presidential Address Vajpayee Government's Misdirected Agenda

1. The Presidential address to the first session of Parliament on October 25, 1999 unfolds the newly-elected Atal Behari Vajpayee Government's agenda, outlining its priorities, policies and tasks. The document presents its case in a highly shrewd way which conceals its ugly features under the cover of promises to meet various public concerns.

(A) Vajpayee Government's World Perspective

2. It holds that the global peace and stability today stands threatened by global terrorism (which, according to its interpretation, denotes Islamic fundamentalism). Hence, it has called upon the nations of the world to undertake the fight against this global threat as the main global task and to build a global united front to fulfil this task. Exactly, the same understanding prevailed in Vajpayee's first address to the nation as head of the government on October 16, 1999. Here, it is worth-mentioning that the card of Islamic fundamentalism (Bin Laden type) as the chief global threat is the main card today played by the US diplomacy, the world over.

(i) World Reality And Its Real Perspective

3. Contrary to this global threat perception, the world reality today shows that the principal threat to humanity has been coming from the unjust and the inequalitarian global order as well as the national systems where the mighty ride roughshod over the backs of the weak and the haves dominate the have-nots—with money and privilege constituting the accepted norms of justice and truth, both on the global and the national levels.

4. This assertion is fully obvious from the following facts:

(a) The overlordship over the security council and the UN of the 5 militarily most powerful states, holding permanent seats and the veto powers in the highest decision-making body;

(b) The domination in the IMF and the World Bank of the few economically most powerful states, enjoying voting strength on the basis of their economic weightage in the two institutions;

(c) The virtual nuclear monopoly of the big nuclear powers as guaranteed under the CTBT;

(d) The control of over 86% of the world's economic and financial resources by a handful of developed countries (having about 15% of the world population), while about 85% of the world people (living in 130 countries) subsist on less than 14% of the world resources;

(e) High inequality in every nation-state between the rich and the poor, especially in the developing countries where 1/3rd of their total population lives below the poverty line.

(ii) Reasons Underlying Unjust Global Order

5. The underlying reasons of this unjust and inequalitarian global order as well as the national systems rest with fundamentalism of various varieties now dominating the world and the various nation-states, namely:

(a) The Western liberal development model which gives primacy to the individual over the social, treats the market as a natural mechanism to develop highest competition and balance economic disparities and advocates the over-exploitation of nature;

(b) The communist development model which projects the social, neglects the individual and stresses the maximal use of material resources;

(c) The religious fundamentalism which believes in the divine nature of its brand and denounces other religious products; and

(d) The third worldist mode which regards the developing countries as the liberator of humanity in combat with the first world.

6. All the above-mentioned developmental concepts, characterised by one-sidedness, have, while working within the national framework, today become inoperative in the highly complex structure of a single human society in the global era. Of course, the most powerful of these development models, i.e., the marketist, constitutes the main problem today.

(iii) Question Of Terrorism

7. As regards terrorism, it is neither an ideology nor a model. It is simply a technique of terror to overpower the opponent by force. It is not the inherent characteristic of any fundamentalism, including the religious. It generally arises when any fundamentalism is, instead of an ideo-political struggle, gagged by forcible means.

(iv) A Rational Alternative Global Development Model

8. Today, a rational alternative to the afore-mentioned developmental models is the one that stands for a balanced development between nature and human beings, on the one hand, and between the social individual (or group) and the social collective, on the other. Such a development is based on global peace and stability, resolution of all types of national, regional, economic, political, ethnic, religious conflicts through dialogue, rule of law resting on the empowerment of the people at all levels, a sustainable equitable and productive growth, a value-based lifestyle facilitating the integration of different nations into a single human community.

(B) Vajpayee Government's National Perspective

9. Following its global perspective, the Vajpayee government maintains that, at present, the main threat to the Indian nation is being generated by global terrorism in general, while, specifically it is coming from Pakistan's state-sponsored terrorism. Obviously, this perception projects armed defence as India's top-most national priority, instead of the Indian people.

10. Looking at the post-1947 history of India's defence network, one finds that the former has remained the principal priority of every Indian government and the national 'lifeline' and 'holy cow' for every traditional national party, with all else subservient to it. Every defence budget has been generally passed by the Indian parliament without any substantial discussion. Consequently, there has been a phenomenal rise in its size, i.e., from about Rs 168 crore in 1950-51 to over Rs 55,000 crore in 1999 (budgeted). It has been this galloping defence expenditure that has been forcing the Indian economy to negotiate more and more debts from abroad (to meet the balance of payments decline due to weapons' imports) and public borrowings at home (to spend on the rising internal expenditure, chiefly the armed forces). Today, the Indian debt has

assumed threatening proportions, consuming about 60% of India's total annual revenue as a cost of only the yearly interest payments, with the actual debt standing as usual.

11. The results of worshipping this 'holy cow' are quite obvious. That is while the India's defence has gone on rising to a higher and higher level of development with each passing year, the vast majority of the Indian people has continued downslide all the time—with the highest number of hungry, half-naked, shelterless, illiterate, disease-prone and alienated people in the present-day world (according to the facts released by different global agencies, including the UN, and also by India).

(i) Indian Reality And Its Real Perspective

12. Contrary to this perspective, the Indian reality today indicates that the chief threat to the Indian nation has been originating from its centralised, unaccountable and unfair social system and its unscrupulous, power-hungry and money-minded operators (i.e., the traditional nationalist parties and their top politicians). This system makes defence as the be-all and end-all of national survival; establishes a social framework dominated by vested interests; provides privileges and special rights to legislators, corporate industry, big business, judges, bureaucrats and rich; punishes the genuine and honest; shields the guilty; and promotes the mafia. It is characterised by high cost of production, inferior quality of goods, low productivity and exemplary inefficiency in the sphere of economic development and growth. Culturally, it generates the public motivation for money and power, encourages outdated beliefs and customs, trust in fate, fear of the powerful and the rich, toleration of injustice, personality cult, etc., and develops a tricky style of saying one thing and doing another. In diplomacy and defence, it pursues the politics of big brother in its relations with neighbouring countries, but always takes a conciliatory and concessionist line towards all big brothers—the US, China, Russia and so on. The politics of confrontation with Pakistan had involved the country into four wars with its two neighbours—three with Pakistan and one with China. In internal conflicts (Jammu-Kashmir, Punjab and the North-Eastern states), it has firmly followed the politics of gun which has failed to resolve matters to any satisfactory extent.

13. Over 50 year long practice of the Indian social system and its operating mechanism is quite obvious today. It has mainly resulted in the perversion of rule of law, criminalisation of polity,

an unsustainable, inequalitarian and inefficient economy, a top-heavy security mechanism (both external and internal), a money and power-oriented value-system, conflicts and tensions with the neighbours in general and confrontation with Pakistan and China in particular, a massive level of deprivation in human living and the worsening of its natural resources. Above all, it has brought political instability in the country which can, if not managed properly in time, step by step lead to the destabilisation of the country itself.

(ii) Source Of India's Defaulting System

14. The systemic defect lies in its majoritarian and chauvinistic nationalism that does not accord with the needs of the country's growing inter-dependence with other countries.

(iii) An Appropriate Alternative National System

15. Today, an appropriate alternative to this unjust system is the one that transforms the centralised Indian state into a federal/confederal state, makes people and environment as its 2-ended central reference point, firmly upholds the rule of law based on the empowerment of the people, builds the economy on a sustainable, equitable and productive basis, generates a value-based lifestyle, tries to create a democratic consensus on all the controversial issues, resolves all the internal conflicts through dialogue, settles all the disputes with its neighbours through give and take and strives to organise (in cooperation with other SAARC members) a free-trade economic zone and a regional security mechanism in South Asia.

(C) Vajpayee Government's Political Perspective

16. Consequent to its national perspective, it perceives that the continuing political instability in the country is erupting from the defective methodology of its electoral process and the technique of its parliamentary motion of no-confidence. Hence, it proposes a fixed 5-year term for the Lok Sabha along with some other electoral reforms (including the right to proxy voting by the defence and the security forces) and suggests the replacing of the present method of no confidence motion by the German method of constructive vote of confidence. Doubtlessly, this simplistic political device wants to remove the political instability in India by manipulating certain procedural changes instead of dealing with the real cause of the problem.

(i) Basis Of India's Political Instability

17. Where does instability arise from? Definitely, it emerges from the fractured electoral verdict of the people who do not consider any single party suitable for managing the country on its own. Why? Because the emergence of a highly troublesome and disgusting state of affairs in the country, after over 50 years of independence has disturbed the peoples mindset which gets its reflection in a divided mandate.

18. Briefly stated, more than half of India (62%) remains in the category of poor, over one-third (i.e., 40%) half-starved, three-fourth (i.e., 75%) without a proper lavatory facility, nearly half (i.e. 48%) totally illiterate, one-third (33%) shelterless, over half (i.e., 53%) children denied the opportunity to basic education & three-fourth (i.e., 75%) of women suffering some form of oppression.

19. This pitiable state of human living is compounded by degrading environmental resources (i.e., air, water, land, forest, bio-diversity etc.) which, in turn, adversely affect the public health.

20. The day-to-day mass problems—(i.e., water, sanitation, electricity, roads, transport, railways, schools, hospitals, tele and postal services, etc.—present a chaotic picture.

21. Pollution, insanitation, food adulteration, sub-standard drugs, illicit liquor, drug-taking, etc., have all become means of spoiling healthy public life.

22. All sorts of illegal and immoral vices—corruption, black market, criminalisation, cheating, fraud, lawlessness, violence, etc.—have choked the public existence.

23. There prevails a general disillusionment about the motives, behaviours and performances of the main nationalist parties and their politicians. The people have become disenchanted with their money and muscle power-based, manipulative politics. They have realised that there is no basic difference in the agendas, priorities, styles and records of all these brands. Obviously, the credibility of these parties and their top politicians has sunk to its lowest ebb.

24. The afore-mentioned sorry state of affairs has alienated the Indian voter from the parties, politicians and the ongoing system. And this public alienation is getting reflected in every voting process since the last 10 years.

(ii) Remedy For Political Instability

25. The answer lies in improving the quality of human living, attending to the mass problems, eradicating all social evils and

developing a value-based politics and finally changing this system.

26. Thus, the perpetual political instability is the product of a given improper social system and until the fundamentals of that system are changed, political instability cannot be done away with. Legal quibbling or procedural tinkering further weakens the already fragile democratic structure.

(D) Vajpayee Government's Economic Agenda

27. Unveiling the economic agenda of the Vajpayee government, the Presidential address speaks of achieving faster economic growth, making a deep dent on poverty, creation of 10 million jobs every year, giving a boost to social sector and ensuring the percolation of the fruits of development to the grassroots level. But it is silent on their road map.

28. As regards its objective of achieving faster economic growth, the Centre for Monitoring the Indian Economy (CMIE), in its September, 1999 review, has summed up a pessimistic picture of growth, both in the agricultural and the industrial sectors in the 2nd half of this year. In exports, the declining trend continues—from 13.9% in 1997-98 to 11% in 1998-99. This year's figure may be even less.

29. As usual, the biggest challenge to the economic growth is emerging from the financial sector in which the fiscal sector is spinning out of control. The finance minister has recently said that the country is facing a serious challenge of fiscal deficit. And the country was living on borrowed means and on the verge of an internal debt trap.

30. Economists have pointed out that, during the current financial year, the government will shell out Rs 88,000 crore to meeting its interest obligations, while the gross market borrowings will cross Rs 1,00,000 crore by the end of this year. It is further estimated that if the payment of the principal is added to the interest bill, the debt servicing obligations will eat up 135% of the current annual tax collections.

It is reported that the central deficit today stands at 7% of the GDP. The states also are not behind in the spending spree. In 1998-99, six states ran up a collective fiscal deficit of Rs 59,776 crore which amounted to 17.50% over the previous year's deficit. As a percentage of GDP, it worked out to 3.70 percent.

31. During the past 52 years, no government has been able to control revenue deficit. As a result, the successive governments have been borrowing heavily from the market to meet their

current expenditure, chiefly to fulfilling the needs of the defence.

32. In the mid 1980s, the economists had pointed out that more than half of the then government's current revenue went to meeting the expenditure on defence and interest payments. During that period the expenditure on defence was more than the interest payments. Gradually, interest payments started overriding defence expenditure and today they have reached a critical stage. And yet the government is going to undertake the full modernisation of the defence as committed by it during the Kargil crisis. This is estimated to involve a total cost of Rs 10,000 crore apart from Rs 55,000 crore budgeted for the current year.

33. In the light of the past over half a century experience, it is beyond the capacity of this government to properly manage its fiscal deficit, given the continuation of defence as the topmost national priority. All it can do is to use the public sector sale proceeds to meeting its debt obligations. This will give it a respite for a while and then the continuation of the same business would carry it to a more serious fiscal crisis.

34. Unless the central and the state governments improve their fiscal health, they will neither be able to undertake new investments, especially in the economic infrastructure and the social sector nor will the government and the RBI be able to protect the economy from external economic pressures.

35. Other factors responsible for the over-stretched expenditure are the spendings on the top-heavy administration and the burgeoning subsidies (mainly oriented to well-to-do groups). And there is little likelihood of reduction in their costs, except cosmetic alterations in the near future.

36. The pressure on the financial sector is going to further rise because of the possibility of low performance in the agricultural sector and on the exports front.

37. The second step in pushing for growth is the building of infrastructure sector. It needs an investment of about \$130 billion over the next 15 years. But the government is already starved of cash and the private sector shuns this investment because of low returns.

38. The growth process can also be better served if the country can increase its share in the world trade and attract more foreign investments. But exports have been declining continuously. As to the foreign investments, the country lacks the basic facilities, services and equipment needed for such an investment. That is why it gets only a trickle of annual foreign flows.

39. As to the additional resource mobilisation, the government has not come out with any fresh proposal so far.

40. The 52 year developmental process of the Indian economy has made a very little impact on the problems of poverty and unemployment. The problem of poverty remains more or less at the same level, while the unemployment problem has worsened. From 1991 to 1999, the total additional jobs could amount to no more than 19 lakh both in the public and the private sector, i.e., over 2 lakh jobs a year, when the number of young persons moving out of the plus-2 institutions has grown more than 60 lakhs in 1998.

41. The Indian economy cannot get rid of fiscal deficits and capital shortages so long as India continues to pursue militarism as a short-cut to super-powerism, with defence as the topmost national priority entailing all economic and social priorities (such as poverty, unemployment, education, health, environment, fiscal deficit and so on) to its bandwagon.

(E) Vajpayee Government's Anti-Corruption Agenda

42. On the question of corruption, the Vajpayee government expresses its resolve to ensure probity in public life. Towards this end, it declares to have already introduced the Lok Pal bill in the Lok Sabha which would, inter alia, also cover the office of the prime minister. Further, the government would also soon get the Central Vigilance Commission Bill enacted for conferring statutory status on the Central Vigilance Commission.

43. Experience, however, shows that the legal checks on corruption become effective only when their implementation is premised on the awakening and the involvement of the people. To root out the cancer of corruption eating into the very vitals of the nation is not an ordinary task, especially in India.

44. According to the 1999-Report of the Transparency International, India ranks 73 among the most corrupt countries (99) in the world. The Central Vigilance Commission in its annual report for 1997 (released in April 1999) acknowledges that corruption pervades all spheres of public administration and observes, "even the qualities of a government servant of integrity in public service are at a great discount." Since its inception, there has been a steady increase in the number of vigilance cases. In terms of absolute figures, it disposed of 363 cases during 1964-65 and 5,700 in 1997—a 16 times increase. The Commission in an annual conference of chief vigilance officers in

1997 put forth a 15-point agenda for action. It pleads for an environment where the poor and the marginalised sections of our population feel empowered to stand up and demand their rights for an efficient delivery of government services, availability of open systems and transparent procedures.

45. Thus, all available evidence suggests that corruption has become a way of life in this country. And banishing this social evil requires the gearing up of the entire nation (i.e., the sensitisation and the participation of the masses in the political struggle and the legal process against corruption).

(F) Vajpayee Government's Social Agenda

46. The Presidential address outlines a set of schemes to improve the content of social life in the country.

47. It promises to provide basic facilities to the people, especially at the lower levels by transforming the neglected rural areas into liveable places with new houses, drinking water, schools, health centres, jobs, etc. But it does not delineate any road map. There are no funds in the government's kitty and also there has been no provision of these schemes in the current year's budget.

48. It expresses the government's commitment to promote the interests of labour and, without specifying as to what, in its opinion, the labour interests are, entrusts this task to the 2nd Labour Commission whose terms of reference include to propose the changes needed in various labour laws.

49. It undertakes to protect the rights and the interests of the minorities and takes the credit for the lowest number of incidents of communal violence in the last decade. But it refuses to see the fact that the minorities have been feeling more insecure than ever before. Unless the environment of insecurity is ended and a sense of security is developed, a riot free India (based on the conscious public mindset, not on chance factors) cannot emerge.

50. It pledges to overcome the scourge of poverty, unemployment and discrimination by ushering in economic and social changes. But, in actual practice, it adopts the agenda of cold war, N-weaponisation and militarisation, squeezing the country of all financial resources.

51. Two laudable measures announced by it are the introduction of two bills in the Parliament, one legalising 33% reservation of seats for women in the Parliament and the state legislatures and the other granting statehood to certain regions.

Caste-Based Reservations

52. Upholding the caste-based reservation formula, it announces the extension of reservation for SCs & STs by another 10 years and the constitutional validation of reservation above 50% followed by some states. Being a new entrant in the caste-based reservation business, the BJP-led NDA is highlighting this step as a notable deed. But, in reality, it is merely a vote catching device, having nothing to do with the welfare of those social groups.

53. Here, three points are worth-considering: (a) is reservation necessary, (b) has it achieved its objective in the light of the past over 50-year experience, and (c) if it has not delivered, what is the alternative and if, it has finished its job, then why it should be continued?

54. As regards the first point, there is no denying the fact that under an oppressive and inequalitarian system, some affirmative steps in favour of the deprived and the weaker sections are necessary. In that sense, the norm of reservation represents a positive measure. And since no basic change has occurred in Indian society from the poverty and the deprivation angle, it is needed even now.

55. As regards the 2nd point, its 50 year experience shows that it has not delivered the desired results. A study brought out by the United Nations Population Fund shows that it has helped only an insignificant number of people. Already many official surveys have reported that hardly 20% of the SC & ST population has benefitted by it. Overall, it has helped either the traditional creamy layers in these castes or developed a few more creamy sections in its fold. Still nearly 80% of the SCs and STs remain under the category of the deprived lot.

56. The reason why the reservation policy has failed to achieve its goal lies in its misdirected approach which identifies backwardness on the caste basis. Caste has in recent times ceased to be a measure of determining the socio-economic status of people. Because, each class today is, due to the operation of the market and the commodity exchange, characterised by the rich and advanced, on the one side, and the poor and the backward, on the other. It is possible that the present-day rich and advanced may be 80% in the higher castes, and only 20% or less in the SCs and STs and other backward classes. Necessarily, the small minority of the rich and the advanced and the middle groups in the SCs and STs and backward classes have used the reservation policy for further

improving their position. And this is just what has happened.

57. The whole past experience and the present facts prove that the caste as a criterion for reservations should be replaced by the below poverty line norm. And next, when the position of any family goes up the poverty line, that family should be dropped from the list of people below the poverty line. Thus, the problem of reservation could be ended within 20 years. Reservation policy should entail a 3-sided development process. Firstly, it should provide minimum necessities of life in exchange for some productive work; secondly, it should equip working members of the concerned families with vocational skills; and thirdly, it should provide them reservations in democratic institutions.

(G) Vajpayee Government's First Few Deeds

58. How did Vajpayee government act in the context of its declared objectives during its first 15 days in office? On the second day after the last round of poll, Vajpayee government raised the diesel prices, leading to truckers strike, shortages of commodities and price-rise. Immediately after taking the oath of his office, Vajpayee himself violated his own declaration of observing austerity in government functioning by imposing on the people the burden of crores of rupees to be spent on his 70-member jumbo-ministry.

Next, this government played the caste-card by extending reservations to some new castes.

Then, his human resources minister, Murli Manohar Joshi, assumed the saffronising of the academic institutions by recruiting two BJP stalwarts as heads of ICHR and ICSSR.

Further, the Sangh Parivar launched a tirade against the Pope and the Christianity.

More, after the poll, power crisis deepened in Delhi and DTC fares were hiked.

Furthermore, the government decided to hike defence spending by about Rs 8,000 crore for the modernisation of weaponry. The defence minister also announced that the government is considering the export of missiles.

59. Obviously, there is a wide gap between this government's saying and doing.

29-11-1999

More On Trade Unionism Today* **Main Issue Is To End Labour Subordination And Establish Labour-Capital Partnership**

I. Origin Of The TU Movement

1. Trade Unionism denotes the general approach of the trade union (henceforth TU) movement. By the term trade union is generally meant an association of the members of a trade for the protection of their rights. The expression 'workers rights' has normally implied the claims to which they are entitled legally or morally or traditionally, and so on.

2. The TU movement has been a matter of quite recent origin. It did not appear all of a sudden, but emerged as a social need when, following the rise of industrial workers in the Western Europe, particularly Great Britain, there emerged in the first quarter of the 19th century the workers struggle for better living and working conditions, necessitating the formation of some sort of workers organisation.

3. The working class itself erupted out of the emergence of an industrial technology, its work culture and the organisational principles. This new industrial mechanism (then comprising steam-based machine technology, its multi-sided form of work confined to one place and its organisation consisting of a number of workers doing inter-connected jobs in the work process) demanded a new set of labour relations (or industrial relations) between the workers and the industrialists. Because, the old type of agricultural labour relations of subordination of the serf to the landlord (based on the animal driven plough technology, agricultural operations spread over vast and diverse portions of land and one-man organisation tied to the land) did not meet the requirements of the new industrial technology. Consequently, the old labour relations (where the serf was tied to the land and

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eventually to the landlord) were replaced by the new labour relations, based on the wage connection between the worker and the factory owner where the worker became free to go and work anywhere on an acceptable wage.

II. Historical Development Of TU Movement

4. Since its inception, the TU movement has played a positive role in the life of workers in particular and the working people in general. It has contributed in widening the human vision by uniting workers of different races, religious communities, cultural and regional groups, etc., into one union. It has greatly helped in achieving a number of rights for the working people, particularly the blue and the white collar workers and the unorganised labour. These rights include: workers right to unite in one union, right to strike and collective bargaining, increase in wages and salaries, reduction in the working hours, prohibition of child labour and employment of minors, prohibition of child labour and employment of minors, maternity leave for working women, social security for working people in matters of housing facilities, sickness benefits, childcare centres, factory canteens, ventilation system, safety measures, insurance advantages, holiday homes, health centres, labour welfare schemes, etc.

5. Over 150 years ago, the TUs were not regarded as legal bodies. Because the factory owners were opposed to their formation. To get the trade union rights, the earlier workers had to wage a long struggle and make great sacrifices. And today, the trade unions are not only recognised by law but also accepted as a potent force in the development process. In the meanwhile, trade unionism has become a general approach of functioning and organising of all trades and occupations—involving factory and office goers, peasants, middle strata, businessmen, etc.—thus further enhancing TU role and place in society.

6. Notwithstanding its numerous achievements, the TU movement has also been marked by some weaknesses as given below.

Firstly, the TUs have mainly been led and controlled by the non-working organisers (coming generally from the political parties) who have, while working for their given unions, got them affiliated to their respective party-run TU centres. These varying centres have kept the workers divided into various political segments, treating them as their respective vote banks. This has maintained inter-union confrontation, bringing forth unhealthy norms of behaviour, such as physical fights, premature labour

demands, disruption of rival union-led struggles, etc.

Secondly, the party-led trade unionism has generally concentrated more on individual problems of its members than the more important task of raising workers social awareness and their legal and trade union knowledge. The result is that the workers continue to lack the consciousness and the art to lead their unions and remain dependent on outside trade unionists.

Thirdly, the party-led trade unionism has continuously disoriented the TU movement by propagating certain one-sided concepts, e.g., the left theories of working class as the sole liberator of mankind in the present epoch (instead of people and their realistic leaders pursuing an agenda conforming to the existing social realities); labour and capital as antagonistic forces (instead of having more common and less contradictory interests); management as always anti-labour (instead of having been one-sidedly interested in advancing the interests of capital and ignoring those of the labour which ultimately goes against the capital); workers to be concerned only with their demands and not with the productivity of their units (instead of related to both); demagogues as brave leaders (instead of having been irrational persons); etc. Contrary to this, the rightist party-led trade unionism has misled the TU movement by making the trade unions docile to the management and organising them on sectarian, communal, ethnic or regional basis.

7. Perhaps, the above brand of trade unionism had certain relevance to the national phase of capital, but, in the era of global capital, it has outgrown its utility and become counter-productive, both for the growth of the TU movement and the development of the economic process. The growing irrelevance of the traditional TU line, whether of the left form or the right variety, is obvious from the continuously weakening of the TU movement in each country as well as the world-over, in the post cold war period.

III. Two-Sided Task Of TU Movement In New Era

8. In the newly-emerged global era, the TU movement is confronted with a 2-sided general task, i.e., to understand the existing social reality, on the one hand, and to update the TU line by restructuring its traditional concepts, operational methods and norms of organisation in correspondence with the new social reality.

(A) Issue Of Existing Social Reality

9. Turning to the issue of existing social reality, the human

world today is chiefly characterised by the inter-dependence of countries. This national inter-dependence is the outcome of new scientific-technological changes (i.e., space, energy, biology, materials and information). These changes have resulted in establishing the human communication at the speed of light and the human and material contact at the ultrasonic speed.

10. A superfast change in human mental and tactile relations and its principal product of the inter-dependence of countries have brought forth a global mode of thinking, functioning and organising. But this newly-emerged global mode has been hindered by all types of old national models (communist, liberal, religious, etc.). While the new mode demands a new development strategy (whose 2-sided aim is to give top priority to the people, on the one hand, and the environment, on the other), the old national model, while making certain operational and organisational changes in its development strategy, continues to stick to its traditional objective (i.e., to uphold the interests of the owners of power and money at the cost of the people and the environment). Specifically, the new development strategy, in order to serve the above-stated 2-sided aim, requires to focus on the fulfilment of 5 principles. That is, democracy (i.e., building peoples power), social peace (which serves both the people and the environment), sustainability (which protects environment), equity or social justice (which defends the interests of weaker sections) and productivity (which benefits society as a whole in combination with the preceding 4 principles, while single-handedly it goes mainly in favour of the owners of power and money). In brief, the global development strategy serves the 2-sided aim of developing the human resources, on the one hand, and promoting the material resources, on the other.

(B) Question Of Updating TU General Line

11. Taking up the question of updating the TU general line, the following issues need consideration.

12. As regards the conceptual principles, two points, i.e., the aim and the main task of the TU movement, require redefinition.

(i) With regard to the general TU aim, it cannot, but be that of the global development strategy, (as mentioned in para 10). Specifically, it means to at least secure one-third partnership of labour in the management of development projects (in regard to the application of the principle of democracy), harmonise or reduce internal and external tensions or conflicts on a just basis

and by removing inequality and deprivation (concerning the principle of social peace), assert for the promotion of all material resources (in relation to sustainability), claim for need-based minimum wage (regarding equity) and the responsibility to raise the optimal efficiency, productivity and product quality of the venture (relating to the 5th principle). To stress the equal importance of the human and the material factors provides a rational and realistic definition of the capital that has been one-sidedly explained as the surplus labour or the surplus value by the Marxist economics and as the means of production by the Liberal economics. The historical process of social development shows that the human and the material aspects of the capital have existed since the very beginning of the human society.

(ii) As to the main task, the TU aim necessitates the carrying out of a 3-sided integrated activity, i.e., (a) to enhance the workers social consciousness by raising their political, economic, legal (concerning labour legislation) and cultural levels, (b) to strive for the democratic functioning of the trade unions, and (c) to unite the workers on the basis of their immediate and the long-range demands in conformity with the norm of one project-one union.

13. As regards the functional standards, it is necessary that, in order to carry out the above 3-sided main task, a new work culture, based on the following norms, be adopted.

(i) For enhancing the workers social consciousness, it is necessary to create an adequate understanding of the global social reality and its demands, TU aim and task. TU work culture, its organisational norms and a brief gist of all existing labour laws, while countering all such approaches that are hostile to globalisation (namely, ultra-nationalism, racialism, communalism, casteism, regionalism, etc.). In this regard, a brief and simple course, containing important talking points, be prepared and propagated through both oral and written ways.

(ii) For ensuring democratic functioning of the TUs, it is necessary to follow the democratic principle at all times. This implies the holding of regular elections, allowing of full expression of views, maintaining of continuous contact with the workers, making of efforts to involve every worker in the shaping of policies and decisions and their implementation and always upholding the norm of accountability to the union, the workers and the masses.

This also implies the adoption of legal and peaceful means to achieve every labour demand, i.e., the deciding of the method of struggle (which includes negotiations, conciliation, arbitration

and lastly strike that is adopted only when all other options have been closed) by the workers general body either by show of hands or by ballot on every issue agitating the minds of the workers. In the period of actual participatory management, the method of strike is liable to become irrelevant.

This further implies the resisting of all impositions on civil liberties and human rights; the supporting of all movements struggling for social justice, ending inequalities, defending the rights of weaker sections and minorities; the linking of the TU movement with the problems of other sections of the people; the maintaining of close contact with other mass and class organisations; and the affiliating of national trade unions to their respective global trade unions for keeping constant cooperation and solidarity among the workers (as well as other sections of working people) of different countries (having common interests).

14. As regards the organisational form, the trade union movement's main task and work culture demand that everything be done to build the maximum-possible unity among the workers and thus to follow the one project-one union norm. For this, it is first necessary to prepare a reasonable charter of workers demands with their consultation and participation in every project, and then, on its basis, organise the concerned workers into a union. Wherever the application of one union norm is not practicable, efforts should be made to unite all the existing unions into a united front on the basis of a common minimum programme. To end the political discord within the TU movement and bring it out of the undue political interference and inter-party rivalry, it is highly essential to campaign and convince the workers and the trade unions for the adoption of the principle which upholds the TU management to be run by the concerned workers themselves instead of the outside party organisers. All these organisational norms need to be followed from the project up to the international level.

IV. New Situation Demands Updating Of ILO Priorities

15. Proceeding from the above-said general principles of global trade unionism, it is necessary to demand that the International Labour Organisation (ILO), taking into account the new global social realities, update its general policy, elaborating its opinion on all the main issues confronting the labour in various countries of the world. Some of these include:

(i) To redefine its present 2-ended goal of social peace and

social justice as 5-fold goal of social peace, empowerment of the people, environmental promotion, social equity (or social justice) and a rational value system. The rationale for this change is that the new social realities demand the peoples empowerment (the present phase of democracy), environmental promotion and a rational value system as urgently and vehemently as are needed social peace and social justice. The new social realities require not only social justice for the labour but also an equality-based labour-capital partnership in management—thus ending the age-old subordination of labour to capital.

(ii) To redefine its concept of capital, comprising human and material as its two aspects.

(iii) To redefine its concept of labour (stated as “labour is not a commodity”) in clear terms as labour being (and having been) a human capital.

(iv) To become the spokesman of all types of labour, especially the most oppressed and deprived, i.e., the agricultural and the organised labour. Hitherto, the emphasis had remained on organised labour.

(v) To carefully examine how it can become more useful in the elimination of glaring inequality, deprivation and the widening gap between high and low.

(vi) To appeal to the UN and other international bodies as well as all the nation-states to accord equal priority to labour and management in all spheres of the development process. The subordination of the labour to the management in the beginning arose from the earliest industrial technology, but has been later consolidated by the two most dominant economic theories—the market-oriented concept and the public sector based proposition. The former exclusively subordinated the labour to the management, while the latter, despite its one-sided exaggeration of labour’s predominant position in relation to capital, actually used the labour movement for shoring up its own political strength instead of empowering the labour economically, culturally and politically.

(vii) To make a forceful appeal to the UN to give its approval to the ILO’s Code of Conduct for MNCs and TNCs (1995) and its monitoring mechanism to be put in place by the UN.

(viii) To appeal to the WTO, IMF, WB and all the nation-states to lend their support to the ILO’s above proposal.

(ix) To get a commitment from all states for the fixation of need-based minimum wage concerning all types of labour (such

as organised, small factory workers, unorganised workers, farm workers, etc.).

(x) To update its code of conduct for labour and companies in different countries.

V. Labour Problems And TU Strategy In India

16. Applying the foregoing general principles of global trade unionism to the concrete labour conditions obtaining in India (i.e., where the labour comprises of various segments, like organised workers, government employees, commercial or shop employees, agricultural workers, varying sections of unorganised labour, etc., and where each of the segments is, with its specific problems, divided into rival trade unions led mainly by party based trade unionists and somewhere by non-party professionalists), it is first of all necessary to analyse the main problems presently facing the Indian labour, and then to sort out a realistic TU strategy (including the TU perspective, a common charter of labour demands, style of TU work and form of organisation) for the awakening and the involving of all types of workers and the uniting of the different trade unions in a broad united front.

(A) Main Problems Presently Confronting Indian Labour

17. The principal or the fundamental problem confronting the Indian labour and its TU movement has been the question of labour’s low priority in relation to capital (or management) in all spheres of social life in the Indian systemic order (i.e., its official outlook), its economic (i.e., industrial, agricultural and trade sectors), political and cultural agenda, its work-style and organisational structure. Unless this systemic defect is removed, the labour cannot get its due place in society as well as in the development sector.

This problem exists the world over and thus also needs a global answer.

18. The problem had existed since the beginning of human society, with its basis lying in the continuously evolving scientific-technological modes of working and organising (such as food-gathering, hunting, animal husbandry and agriculture). Two hundred years ago, the then emerged industrial mode made a big dent in its basis (by breaking the bondage of labour). But the subordination of labour to all managerial forms still continued. Now the newly-emerged scientific-technological mode, its global

dimension and its development strategy demands a new people friendly and nature friendly order, based on a fair equality in every social sphere.

19. The other old and the new problems faced by the Indian labour and its TU movement are as follows:

(i) The problem of low wages in all spheres of work. This is because the payment for work has nowhere been related to the minimum needs of the workers. It is particularly acute in small-scale industry and the unorganised and the agricultural sectors.

(ii) The problem of unemployment and under-employment. This is a question related to the basic development strategy of a state. Hence, it is the duty of the state to mitigate its social effects. The problem of inhuman inequality in labour/management incomes.

(iii) The problem of the existence of child labour. A socially horrible phenomenon where the children instead of their socially needed mental and physical development had to undergo the rigours of physical labour—thus remaining underdeveloped, both socially and individually. Of approximately 203 million, only about 120 million children attended schools. Estimates for the number of child labourers range widely. Most of the 87 million children not in schools work in various activities, such as domestic service, agricultural labour, rag-picking, bidi-manufacturing, etc. According to the official figures provided recently in the Lok Sabha, there are 11.2 million child labourers in India, while the ILO estimates it to be 44 million. NGOs put the number at 55 million.

(iv) The problem of gender inequality in relation to wages. This exists everywhere except the highly organised and the government sectors.

(v) The problem of labourers low health and diseases. This is because the low wages can provide only low level of nutrition, causing distortions in the health of the labouring people.

(vi) The problem of illiteracy among workers. This is because the predominant poverty and the prevailing social backwardness induce the poor and the socially backwards to get their children into some earning activity instead of sending them to schools.

(vii) The problem of litigation and the provision of free legal aid by the government. This is because the workers, except in the highly organised and government sectors, generally become victims of non-payment of wages, wage cuts and the denial of other basic facilities legally entitled to them.

(viii) The liberal (or market) oriented management's one-sided

emphasis on labour productivity without a proper solution of labour's basic problems. Such a one-sided stress puts extra burden on labour, without giving it anything in return.

(ix) Similarly, the public sector-oriented one-sided stress on pro-labour rights without linking it with labour productivity or the project's optimal growth is harmful not only to the interests of the concerned enterprise but also its labour.

(x) The problem of the revision of labour laws by which the government and the big industry want to take away or dilute the legal rights now available to the labour. Here, the main issues are the exit policy, the voluntary retirement scheme and the sale of sick units.

(xi) The problem of industrial sickness. Its first victims are the workers because its immediate fallout is default in the payment of workers dues. Hence, the workers are called upon to make sacrifices in the form of exemption from wage-awards, non-payment of bonus, reduction in wages, postponement of annual increments and modification of service conditions. Sickness is highest in the textile sector, followed by engineering and chemical sectors. The main reason for industrial sickness has, as shown by various old and new enquiries, been the mismanagement of the concerned industry or enterprise. The economic recession and the supply and demand factors constitute some other causes. The labour's role in causing any sickness has been quite insignificant. Even in the ongoing industrial sickness, labour indiscipline bears only 10% responsibility, according to official facts.

(xii) The problem of bonded labour. Though all forms of forced or compulsory labour are prohibited under the Indian law, there are still 15 million bonded labourers in India, as stated by the 1999-US state department's annual human rights report on India. The report alleged that the condition of some domestics and children at workplaces amounted to bonded labour. Female bondage, forced prostitution and the trafficking of children for prostitution are other forms of such bondage.

(xiii) The problem of casual workers or daily wagers. The lot of millions of such workers in the country (some of whom have been working in this capacity even for 20 years) remains hanging in uncertainty for years together. Now, a significant judgement by the Delhi High Court in the first week of December 1999, has put such workers belonging to the Delhi Administration under the purview of the Industrial Disputes Act. This may have legal

implications for lakhs of daily wagers working under the other state governments and the centre.

(xiv) The problem of unorganised urban labour. This is a very big work sector, employing lakhs of workers in various types of activities, such as construction workers, domestic labour. There is yet no law regulating the rights and the welfare of such workers.

(xv) The problem of agricultural (including other rural forms) labour. This is India's biggest employment sector where about 100 million workers constituting 25% of India's total labour force work. But it constitutes India's most neglected sector, comprising the country's highly deprived people.

(B) Indian TU Strategy

20. Turning to the Indian TU strategy, it is necessary to attend to 4 strategic issues: TU perspective, charter of labour demands TU work-style and organisational form.

(i) Indian TU Perspective

21. The Indian TU perspective should uphold a 2-sided priority, i.e., to serve the interests of the people, on the one hand, and of environment (or nature), on the other. In general, it means the economic, political and cultural empowerment of labour. Specifically, it implies to secure the rights of due representation of labour in the management of all types of development projects, to protect and promote environment, get a need-based minimum wage and other necessary facilities (such as bonus, provident fund, holidays, fixed working hours, safety requirements, health and sanitation measures, labour welfare schemes, etc.) and the responsibility to raise the labour efficiency up to the optimal level in regard to productivity, quality, variety, availability, lowering costs, wastage reduction, etc.

22. The above perspective develops the consciousness among the workers that they are a partner in the development process and the administering of their concerned enterprise. This gives rise to the feeling that the project in which they work is their own and its prosperity depends on them. Contrary to the perspective (holding the supremacy of capital or management and the subordination of labour), the perspective of labour-capital partnership can go a long way in improving the work culture of the entire development process. The understanding of labour-capital partnership also checks market (or capital)

glorification as well as TU (or labour) populism, both of which resort to one-sided slogans and actions—resulting in labour-capital confrontation.

(ii) Charter Of Indian Labour Demands

23. The charter of labour demands includes all those claims which the labour or its TU movement consider as rational and relevant solutions to all the outstanding labour problems (as mentioned under paras 17, 19 and 20). These are:

(i) To demand that the labour be treated as a human capital and not as a commodity—thus ending the subordinate position of labour to capital and bringing it at par with the latter.

(ii) To demand the formulation of a proper government labour policy which aims at achieving harmonious labour-capital relations by ensuring equal status to labour and capital and by conceding, all the just demands of labour, on the one hand, and by giving a fair deal to capital, on the other.

(iii) To demand the building of India's national competitiveness (now an urgent demand of India's capital in view of strong global competition) by developing the capacities and the capabilities of labour. These cannot be raised under the old set of relations, based on the overlordship of the management and the subordination of labour (and thus constantly marked by labour-capital friction). The tension-ridden relations de-motivate the workers and hinder their performance. The workers competencies and abilities can alone be enhanced by the partnership of labour and capital. And this alone can motivate the workers to develop their productivity, product quality, cost reduction, variety, availability and waste reduction skill.

(iv) To demand the dropping of government plan of developing India's competitive quality through the route of anti-labour legislation, like increase in the hours of work, legalising contract labour, allowing the right of closure and layoff to management without government permission and the right of hiring and firing the worker at will, introducing exit policy, productivity linked bonus (withdrawing the existing legal labour incentive), etc. No change in labour legislation be made at the cost of the worker.

(v) To demand the salary (including all perks and concessions) difference between the top and the bottom to be not more than five times.

(vi) To demand the introduction of one unit-one union norm in every enterprise as well as in every industry or trade

through election by secret ballot in order to eliminate the multiplicity of unions.

(vii) To demand the effective implementation of the Abolition of Bonded Labour Act.

(viii) To demand a comprehensive central law dealing with the problems of the unorganised labour.

(ix) To demand the enacting of a comprehensive central legislation concerning the problems of agricultural workers, especially the minimum wage, bonus and old age pension.

(x) To demand the democratic restructuring of the sick PSEs, firstly, by selling them or handing them over (whichever is more practicable) to the concerned workers cooperative; and, secondly, by running them under a joint management comprising the official nominees and the workers elected representatives. This is because the reason for the losses of these projects has been the bureaucratic mishandling and thus its antidote is the democratic solution alone. If the 1st and the 2nd options are not attainable, then to sell them in the market.

(xi) To demand the full democratisation of the corporate companies by ending the promoters special rights to obtain shares in big blocks at nominal prices for themselves and in the name of their relatives and friends, thus enabling the promoters' dynasties to hold on the control of these companies till their end. This democratic reform would empower the ordinary shareholders to democratically elect the management boards, making the latter (having also the elected labour representatives) more efficient and innovative. The inefficiency of the corporate managements can be seen from the fact that already the total bank loan to certain corporate companies stands at Rs 55,000 crore. The concerned corporate managements want to get this loan out-dated, the bank managements want the government signal to take legal steps for the realisation of this loan and the government as usual remains mum—thus pushing some banks to the verge of bankruptcy.

(xii) To demand the taking of certain essential steps for ending the industrial sickness through democratic reforms, like motivating the labour by according the latter a high priority with the provision to get its elected representatives included in the management, updating workers skills, improving the labour capacities and capabilities—thus enhancing the competitiveness of the Indian industry. A major reason for India's low competitiveness has been the conflictual relationship between

labour and capital.

(xiii) To demand the generation of new employment opportunities by developing human ingenuity and promoting environmental resources through the developing of labour expertise, providing of vocational education, deploying of the agricultural workers and the rural and urban unemployed in soil conservation, converting desert and degraded lands into cultivable areas, agro-forestry, reforestation, water harvesting, biodiversity, agro-industry, village and cottage industries, small-scale industries, handicrafts, handlooms, services and info-industries, etc.

(xiv) To demand that the Government of India—under Article 43A of the Indian Constitution which directs the Indian State “to secure the participation of workers in the management of undertakings, establishments or other organisations, engaged in industry”—soon enact a law giving one-third representation to the concerned workers in the management of every such enterprise. The fulfilment of this demand will establish a capital-labour partnership in the organised sector and meet a basic requirement of the democratisation of this sector.

(xv) To demand that the Government of India—under Article 41 of the Indian Constitution which directs the Indian State to “make effective provision for securing the right to work, to education, and to public assistance in cases of unemployment, old age, sickness and disablement”—enact a law granting the right to work to all unemployed and proper public assistance in case of unemployment.

(xvi) To demand that the Government of India—under Article 43 of the Indian Constitution which directs the Indian State “to secure by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment and social and cultural opportunities”—immediately enact a law ensuring a minimum living wage to all sorts of workers, particularly those in the agricultural and unorganised sectors.

(xvii) To demand that the Government of India—under Article 38(2) of the Indian Constitution which directs the Indian State “to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations”—take

necessary legal steps to reduce the huge income inequalities to the level of 1:5 times at the maximum in industry, trade and administrative services.

(xviii) To demand that the Government of India—under Article 39(D) of the Indian Constitution which calls upon the Indian State to “direct its policy towards securing that there is equal pay for equal work for both men and women”—legally and practically ensure the payment of equal pay or wages for equal work for both men and women, particularly in the agricultural and the unorganised sectors.

(xix) To demand that the Government of India—under Article 24 of the Indian Constitution which ordains “prohibition of employment of children in factories or in any other hazardous employment” and Article 39 (E) and (F) which direct the Indian State to ensure “that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment”—enact the law prohibiting all sorts of child labour and effectively implement it.

(xx) To demand that the Government of India—under Article 45 of the Indian Constitution which places responsibility on the Indian State “to provide within a period of 10 years from the commencement of this constitution for free and compulsory education for all children until they complete the age of 14 years”—provide free education to all those living below the poverty line, particularly the children and also those working in the agricultural and the unorganised sectors.

(xxi) To demand that the Government of India—under Article 47 of the Indian Constitution which directs the Indian State to regard “the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties”—ensure the provision of free health services to all those labouring people living below the poverty line, particularly in the agricultural and the unorganised sectors.

(xxii) To demand that the Government of India—under Article 39A of the Indian Constitution which directs the Indian State to “provide free legal aid to any citizen by reason of economic or other disabilities”—make it certain to provide free legal assistance to the agricultural and the unorganised labour.

(xxiii) To demand that the Government of India—under Article 40 of the Indian Constitution which deals with the “organisation

of village panchayats”—provide 1/3rd reservation out of the total number of seats in a panchayat to all the working people living below the poverty line.

(xxiv) To demand that the Government of India—under Article 15(4), and 16(4) and (5) of the Indian Constitution which empowers the Indian State to make “any special provision for the advancement of any socially and educationally backward classes of citizens of for the Scheduled Castes and the Scheduled Tribes”—revise its unproductive 5 decade old caste reservation policy according to the dictates of the Indian Constitution which specifically uses the term “classes of backward citizens” in the first instance and not backward castes (exempting only the scheduled castes and the scheduled tribes to be treated in the category of the backward classes). This defective caste-led reservation policy be rectified by defining backwardness as a living below the poverty line.

(iii) TU Work Style

24. Following the afore-mentioned Indian TU perspective and the charter of Indian labour demands, it is necessary to continuously carry out a 5-sided integrated activity.

Firstly, we should always uphold ourselves accountable to the workers as well as the TU movement in our thought and action.

Secondly, we should prepare a reasonable charter of the problems and the demands of the workers in every project with their consultation and familiarise ourselves with it.

Thirdly, we should daily carry out the TU work and maintain close contact with the workers by daily attending to the workers routine problems, individual or collective, and by daily carrying out the task of raising the workers social and TU consciousness through the explaining of their own problems and demands in coordination with the Indian TU perspective, the charter of Indian labour demands and the global social reality and its TU implications (as given in this document).

Fourthly, we should strictly uphold democratic norms in our TU functioning, patiently listen to every worker and try to integrate with the concerned workers by conversing with them about various problems concerning their living, their enterprise, their area, state, country and the world.

Fifthly, we should hold a fortnightly general body meeting of workers in every given concern or trade concern, as the case may be, to discuss the concerned workers common problems,

the rights available to them in the concerned project, trade or industry and the Indian laws (like Trade Unions Act 1926, Industrial Disputes Act 1947, Payment of Wages Act 1936, Minimum Wages Act 1938, Payment of Bonus Act, Contract Labour Act 1970, and various laws and orders concerning different sections of unorganised labour).

(iv) TU Organisational Form

25. Upholding the above-stated Indian TU perspective and the charter of Indian labour demands and pursuing the TU work-style, we should try to create the maximum-possible unity among the workers and act on the principle of one project-one union. Wherever the application of this norm is not practicable, efforts should be made to unite all the existing unions into a UF on the basis of a common minimum agenda.

VI. Some Important Issues Of Discussion

26. Turning to some important issues of global and national discussion, it is necessary to view them in a rational and realistic manner. These are:

What do the concepts of globalisation, restructuring, liberalisation and privatisation denote? Does their practice harms labour or benefits only capital at the cost of labour? What does foreign capital imply? Does its import or the coming of MNCs injure the interests of India or its labour? What do WTO, IMF and WB signify? Does their membership of India go against the country's national interests?

(A) Globalisation

27. The concept of globalisation denotes the newly-developed, present phase of human inter-dependence and inter-action or human inter-relation. In other words, the ongoing phase of human development is a phase of the inter-dependence of nations or their relations of mutual dependence. This is because all human beings today form part of their respective national units.

28. Though human inter-dependence and inter-action have existed from the very beginning of human society and developed through various stages of human development—i.e., clannish, tribal, agricultural, monarchical and national, its global phase has brought a big qualitative change from all previous formations. While all the earlier phases have been chiefly characterised by

mutually conflictual relations among the given social units, in the current phase of mutual human dependence, relations of friendship, cooperation and conciliation among nations have come to the first position, pushing the aspect of conflict to the secondary place.

29. Thus, globalisation today, in fact, represents a phase of newly-emerged global order, i.e., a process which is integrating the different nations into a single human society, ending the age-old human divisions—i.e., racial, clannish, tribal, religious, national, etc. The management of this integrating process demands new parameters of unity or a new set of rules to regulate the economic, cultural and political relations among different nations.

30. As to its origin, globalisation is not a sudden eruption. It is a product of the new scientific-technological knowledge and its operational mechanism which demands the recasting of human thinking, functioning and organising on a global basis. Thus, globalisation is an imperative for human development that all nations have to accept and act upon. It is not the creation of any nation or the choice of any individual that can be adopted or discarded at will. The change of Congress from its public sector-based socialism and of BJP from its pure *swadeshi* to the agenda of liberalisation and reformism and the muted tone of the leftist phrases of imperialist intrigue and machination shows the vitality and the urgency of the new global order. The national outbursts of certain left sectarians and the liberal diehards (like Madam Thatcher) represent an aimless attempt by a frustrated fringe.

31. True, the present global order is still marked by unjust and inequalitarian rules and practices. And the sooner they are ended, the better for human development and its global phase. But these rules and practices are not new creations. They were the products of the pre-global systems and had continued to persist up to this day. Their distinguishing feature is, and has been, that they work, and had worked, for only a minority of people, while keeping the vast masses in an oppressed position. What now needs to be done is to oppose the continuation of these unfair parameters and demand their rejection as social standards of behaviour and not to thwart the formation and the development of the world community.

32. To transform the old nation-state arrangement into a new global order requires the methodology of restructuring.

(B) Restructuring

33. The concept of restructuring in general denotes the updating of an old model, code or organisation. In terms of globalisation, it implies to reorder the national parameters into global ones, whether at the national or the international level.

34. At the national level restructuring involves a 2-sided activity—internal and external. Internal restructuring pertains to regulatory changes within the country in accordance with the global norms while the external restructuring concerns with the rearrangement of old national sovereignty-based laws (which do not take into account the interests of other nations) on the inter-dependent national basis (which aims at reconciling national interests with those of other nations).

35. At the international level, every world institution strives to modify its principles and procedures corresponding to the needs of the inter-dependence of nations.

36. To update the restrictive standards of nation-states in accordance with the needs of a world of inter-dependent nations asks for liberalisation.

(C) Liberalisation

37. The concept of liberalisation in general implies freedom from restrictions. It can be operative in a single process as well as in a whole system. In the case of the transformation of national modes into inter-dependent national modes, it functions at the systemic level.

38. The nation-states, guided by their respective national perspectives, have imposed many restrictions on internal and external inter-actions in the name of national interests. Now, all these restrictions are, in accordance with the new conditions of national inter-dependence, required either to be lifted or decreased.

39. The left complains that liberalisation serves only the interests of the market by increasing its role.

40. Since trade, both internal and external, is a major activity of human inter-action through the market, liberalisation in trade matters (like foreign investments, exchange rates, banking and insurance reforms, patent law, etc.), seems to be its major concern. But if one looks around, one finds that the new agendas of human rights, social justice, gender, equality, empowerment of women, reservation for women, child welfare, protection of minority rights, promotion of the rights of weaker sections,

changes in labour legislation, environmental protection, anti-pollution measures, water management, bio-diversity, reforestation and so on—all are liberal steps meant to reduce restrictions in every sphere. It is another matter that systemic defects and the politics of corruption and manipulation are blocking the realisation of desired results.

(D) Privatisation

41. Privatisation denotes the role of individual activity in social inter-action and development. Since the beginning of human society, both the individual effort and the collective social activity have played their respective roles in society.

42. The basis of the existence of the individual and the social roles rests with the very nature of human society which comprises two aspects—the individual and the social or collective. Hence, as long as society exists, both the individual and the social will go on playing their respective roles, benefitting both the individual and the social. Both are social factors and need to be used according to concrete conditions.

43. The private initiative puts more stress on the individual, while the social lays more emphasis on the collective. But in the process of development, the private also serves the social and the latter benefits the individual. The left opposition of privatisation as an evil is based on the neglect of the real character of society and its historical evolution. The over-emphasis of liberal die-hards on privatisation comes from the market-oriented philosophy which considers market as the be-all and the end-all of society.

44. Throughout history, market has played an important role as an economic institution of exchange and competition in the development of productivity, product quality, cost reduction, variety, availability, avoidance of waste, etc. But it creates imbalances in the sphere of social justice, a highly important matter which should be handled by the social institution, called the State.

45. Taking into account the individual-cum-social nature of the human society, it is necessary that both the public enterprise and the private initiative be given an equal importance and neither of the two should be made the decisive factor. The socialist model in the former Soviet Union and the other communist countries, despite their respective big achievements in economic welfare and social development, failed because it could not make a creative and efficient use of its highly capable human resources and abundant

material resources due to the absence of market competition (along with its law of supply and demand) and the individual effort (which constitutes 50% of human nature). The Western liberal model still carries on because, while competing with the socialist model, it adopted the communist agenda of social security in coordination with its market-based economic development.

(E) Foreign Capital And MNCs

46. Capital, in its literal meaning, denotes a highly important phenomenon. In its social sense, it implies the most valuable thing in society. Since human being and nature are the main factors of human development, they together constitute the social capital—assuming the 2-sided form of human ingenuity, on the one hand, and natural resources, on the other.

47. In the economic area, capital, as a medium of exchange, operates in a given form of money. In its accumulated form, money is called wealth and the latter is, when put into productive use, designated capital. The Marxist theory of capital as accumulated labour and the liberal theory of capital as factors of production ignore the 2-sided nature (i.e., human and material) of capital.

48. Capital, whether foreign or domestic, is highly useful for development. The question of its utility depends on the way we make use of it. The US, Japan and Germany had, during the preparation of their economic take-off used large amounts of foreign capital. Only the misuse or the mishandling of capital leads to either poor or negative results. This has been the case throughout history.

49. In its historical development capital has after passing through various stages, got recently concentrated in the kitty of the developed countries. The main reason has rested with its proper expending by them. In the meanwhile, they have highly developed their human and material resources (including their scientific-technological and social knowledge). Today, capital mainly remains in the hands of the MNCs.

50. MNCs in general are developed countries-based public limited companies, mainly comprising public share capital. A few may still be controlled by big business houses.

51. The unregulated operations of the MNCs in many countries of the world have in certain cases caused troublesome situations. The time has come when their functioning should be subjected to an international code. Such a code has already

been sent by the ILO to the UN for putting it into effect. But the UN has not taken any decision on it so far.

52. The most appropriate solution to the MNCs high-handedness lies in their full democratisation. Here, three steps are urgently needed: (a) ending the rule of promoters special rights in regard to shares and representation in the management board of the public limited companies, (b) constituting of the management board on the basis of labour-capital partnership, comprising 2/3rd members elected directly by all the shareholders and 1/3rd members elected directly by the concerned workers, and (c) the settling of MNCs investment priorities in any country on the basis of a consensus between the concerned MNC and the related State.

(F) WTO, IMF And WB

53. The WTO is an organisation for regulating world trade. It works on the basis of a democratic constitution, embodying the principle of one country-one vote. It upholds multilateralism and discards unilateralism, protectionism and monopolisation.

54. The IMF and the WB are international financial institutions. The IMF gives loans to the member countries for tiding over their balance of payment problems. The WB is a lending institution providing loans for development projects undertaken by different countries. For the time being, they are oriented by the free market perspective and controlled by the US and other developed countries due to their dominant voting power, based on financial weightage.

55. The left die-hards oppose these institutions by characterising them as US tools. But the reality is that they are, despite their certain defects playing a positive role in global development.

56. The way-out lies not in their boycott but in ending their big power domination by democratising their system of management and by presenting alternative proposals to their defective decisions.

24-12-1999

A Note On The Issue Of Autonomy In J&K with special reference to reports of the State Autonomy Committee (SAC) and the Regional Autonomy Committee (RAC)— a topic of discussion in a seminar organised by the Political Science Department of the Jammu University

Rationality And Relevance Of Autonomy In The Context Of Jammu-Kashmir Problem (Social Truth Always Lies In Realism, Not Conformism)

I. A Question Facing Jammu-Kashmir, Indo-Pak And World People

(1) What should be our starting point in Jammu-Kashmir today? And where should we focus here? This 2-sided question is today, and has for sometime been, facing not only to us, the residents of this state, but also the people of India and Pakistan, nay, the whole world. Why? Because, it is Jammu-Kashmir problem that is today (and has for decades been) setting up the respective confrontationist agendas of India and Pakistan, throttling the stability and development of South Asia (involving the fate of 130 million people) and posing the biggest threat to world peace and security. Now, it is this flashpoint that has, after acquiring a nuclear dimension, become the most complex and intractable question before the international community. The whole world, including the UN (comprising 186 nations) and the main global superpower, the US, accepts this reality, India's differing perception notwithstanding.

(2) This critical international dimension of Jammu-Kashmir problem demands whether the issue of autonomy to Jammu-Kashmir (as a constituent part of the Indian Union) is, and can be, a rational and relevant starting point and focus of Jammu-

Kashmir tangle.

(3) History says that our agenda (whatever we think, discuss or do) should always be connected with a 2-sided reality, That is, it should always be linked to its immediate reality (its existing form or dimension) and always be handled (i.e., thought, discussed or done) from its historical perspective (which shows its cause of origin and the course of further development, thus indicating its nature or basic dimension). Science tells that every thing is related to time (its form of existence at a given moment or the process of its origin and development in different phases of time) and space (its way of origin, existence, movement and development at a given place, thus showing its nature or character).

(4) All this implies that our starting-point should be the existing social reality of Jammu-Kashmir problem, while it should be guided by the historical (or strategic) perspective of its nature. Only such a course would indicate whether the issue of Jammu-Kashmir autonomy is a rational and relevant reason of and answer to Jammu-Kashmir question.

II. Most Obvious Jammu-Kashmir Reality Today

(5) What is the most obvious existing Jammu-Kashmir reality? It is that the Kashmiri militancy and the Indian state counter-militancy are locked in a deadly contest. No doubt, a large number of Pakistan-supported foreign elements have joined the ranks of the indigenous militant movement but they had been accepted by the locals as the supporters of their cause. Here, particularly in the Kashmir valley, the peoples sufferings, miseries and troubles know no bounds. The common man's lot has become the worst than even hell. On an average, ten human lives (taking into account the loss on both sides) are daily being finished with utter ferocity and aggressiveness. Custodial killings, raping of women, atrocities in interrogation centres, beatings and abusing of ordinary citizens, burnings of citizens houses, shops and other buildings, mass searches and cordons, etc., have become routine matters. So far, about 70,000 people, mostly Kashmiris, are, according to the pro-militancy sources, said to have been killed in this holocaust. The official figures put the loss around 25,000 human lives. Sometime back, the present Jammu-Kashmir Chief Minister himself said that his wife was scared of living in Kashmir, Z-security notwithstanding. There is total disorder, complete instability and thorough anarchy everywhere in the state. Today, it stands as the most violence prone area in the world.

(6) The Jammu-Kashmir's turbulent reality naturally raises the question where should we look for its cause and solution. Does the erosion of Jammu-Kashmir autonomy really constitute its reason and answer?

III. On The Question Of Underlying Cause Of Jammu-Kashmir Problem

(7) Turning to the underlying cause of Jammu-Kashmir problem, a sharp division prevails in the whole spectrum of the concerned public opinion. The pro-militant forces argue that the cause of Jammu-Kashmir militancy rests with New Delhi which, by refusing to accept the reality of the disputed nature of Jammu-Kashmir problem and thus denying to the Jammu-Kashmir people the right to determine their own future, has started a thoroughly destructive armed attack on the Jammu-Kashmir people. And the people have thus been forced to take up the arms only in self-defence.

(8) The pro-autonomy forces in the early 1990s said that militancy was a Pakistan-sponsored trouble, but in the later part of that decade modified their argument by saying that the erosion of Jammu-Kashmir autonomy was "the primary cause of Kashmir discontent" (as stated in the 1999-Autonomy Committee Report).

(9) New Delhi, in the earlier phase of militancy, held that it was a Pakistan supported movement, but later shifted to the proposition that it was Pakistan's proxy war or cross-border terrorism against India. The leading party in the Vajpayee coalition maintains that Article 370 of the Indian Constitution (which transfers additional powers to Jammu-Kashmir state) has also contributed in generating Kashmiri 'secessionism'.

(10) Some other pro-Indian forces regard that the cause of Jammu-Kashmir problem lies in the undemocratic policies and the corrupt practices pursued by both the central and the state governments in Jammu-Kashmir, especially in the valley.

(11) Pakistan contends that Jammu-Kashmir is an unfinished agenda of India's partition, that India has kept its illegal occupation over Jammu-Kashmir, that militancy is an indigenous movement of the concerned people and that Pakistan's support to the latter is confined within the political and moral limits.

(12) The entire world maintains that Jammu-Kashmir problem, having arisen with the partition of India, continues to be an unresolved issue so far and needs to be resolved bilaterally between India and Pakistan, with the involvement of Jammu-

Kashmir people.

(13) Here, two points need particular consideration. One is that New Delhi and the pro-autonomy forces have now come to (somewhat) differ on the cause of Jammu-Kashmir problem. While New Delhi holds Pakistan as the only source of Jammu-Kashmir trouble and the main coalition partner blames Jammu-Kashmir's special status for creating secessionism, pro-autonomy camp has now arrived at the understanding that the erosion of pre-1953 Jammu-Kashmir autonomy is the main reason of Jammu-Kashmir disturbance. The other point is that, while militancy treats New Delhi as the sole cause of Jammu-Kashmir problem, the pro-autonomy plank also places some responsibility on New Delhi for fertilising the soil which facilitated the growth of militancy.

IV. On The Question Of The Resolution Of Jammu-Kashmir Problem

(14) Taking up the question of the resolving of Jammu-Kashmir problem, the pro-militancy camp (particularly in Kashmir valley and certain areas of Jammu region as well as Kargil district) demands a change in the present political status of Jammu-Kashmir. The dominant tendency on that side seems to favour independence, followed by the option of accession with Pakistan. Those viewing Jammu-Kashmir as a trilateral issue (involving India, Pakistan and Jammu-Kashmir people) want a consensus solution between the three parties.

(15) The pro-Indian forces in the valley think that the restoration of pre-1953 autonomy is the most appropriate step towards its settlement, while the main public trend in Jammu and Ladakh continues to support New Delhi's position.

(16) New Delhi has always taken a vague and ambiguous stand on the resolution of Jammu-Kashmir problem. Outwardly, it has everywhere loudly declared that the only answer to this problem has been, and is, the ending of Pakistan's proxy war or cross-border terrorism against India. But, on many occasions it has inwardly proposed to Pakistan a compromising formula of suggesting Jammu-Kashmir division along the line of control or ceasefire line, with some give and take here or there. Pakistan, however, has, on every such occasion, disagreed with this proposal. At times, while conceding the contentious nature of Jammu-Kashmir problem, New Delhi simultaneously declares that the only issue in this dispute has been to get Pakistan's aggression over its occupied part of Jammu-Kashmir vacated.

(17) Here also, it is apparent that the respective views of New Delhi and the pro-autonomy group do not fully coincide.

V. Logic And Relativity Of Autonomy With Regard To The Reason Of And Answer To Jammu-Kashmir Problem

(18) Looking closely at the preceding arguments concerning the cause of and the response to Jammu-Kashmir problem, five main facts markedly stand out in regard to the logic and relativity of the issue of Jammu-Kashmir autonomy.

Firstly, it is obvious that New Delhi and the pro-autonomy perceptions do not see eye to eye on the reason of and the response to Jammu-Kashmir problem.

Secondly, it can be seen that there is no mass movement demanding the restoration of pre-1953 autonomy in any region of Jammu-Kashmir.

Thirdly, it is easily noticeable that neither the public opinion in India nor the world consider autonomy to Jammu-Kashmir (as a constituent part of the Indian union) to be a feasible option for the resolution of Jammu-Kashmir problem.

Fourthly, it is evident that New Delhi does not view Jammu-Kashmir autonomy as a relevant factor concerning the reason of and the option to Jammu-Kashmir problem.

Fifthly, it is visible that the vacillating stand and the dilly-dally style of the pro-autonomy leadership itself reflect its lack of awareness, weak motivation and inconsistent practice with regard to its goal, i.e., autonomy to Jammu-Kashmir.

VI. Misconception About The Concept Of Autonomy And Its Incompatibility With Indian Constitution

(19) Since the very beginning of the post-1947 relationship between India and the state of Jammu-Kashmir, the pro-autonomy plank has remained a victim of many misconceptions. The main ones are as follows.

(20) The fundamental misconception relates to the very concept of autonomy. This is obvious from the undefined state of this crucial concept in almost all the concerned constitutional and legal documents belonging to the Indian Union or Jammu-Kashmir state including the two respective 1999-reports prepared by the State Autonomy Committee and the Regional Autonomy Committee in the past 52 years.

(A) As is commonly known, the term autonomy is not an abstract proposition, but has a specific meaning, i.e., self-government. In ordinary use, it expresses freedom to manage one's own affairs. But in terms of social science, it implies the political power enjoyed by a particular community or a social group in any region or area. Such a community is not a loose agglomeration of people, but is characterised by a common language, way of life, moral values, shared history, etc. In fact, such a community has already attained a stage of nationality while in the process of forming its own state and reaching nationhood. But, in the meanwhile, it compromises with another nation-state on terms acceptable to both sides and becomes an autonomous unit of that state. However, such a compromise does take place within the framework of a federal state. In Jammu-Kashmir, the Kashmiri community can be identified to have attained the consciousness of a nationality.

(B) The word federal, a Latin word, denotes various types of associations. As a social system, it represents the process of governance at two levels—the federal centre and the federating states, both wielding powers and autonomy within their respective defined jurisdiction. Such a federal model exists only in two states, the US and Switzerland, out of 186 nation-states now forming part of the UN. But here also, the federating states possess no right to secede from the centre. Two other states, Canada and Australia, are quasi-federal. Some 15 more states, including India, also have a mechanism of 2-level governance. But here states only hold and use power on behalf of their respective centre. However, all these varieties are classical forms of federalism, deriving their concept from the social conditions of the 18th-19th centuries.

(C) The 20th century model of federalism can be seen in the system of UN, WTO, ILO, etc., in which the federating nation-states can opt out from the central body at any moment. And this type is going to be the new federal-confederal pattern in the 21st century. In the present era of transformation from nationalism to internationalism, the world is entering a poly-ethnic civilisation which demands a plural type of state rather than a monolithic one. Obviously, in such a structure, federalism-confederalism will, and can, alone foot the bill.

(21) The other misconception rests with the belief that any genuine autonomy or special constitutional status can be attained by any social unit or regional group within the present Indian constitutional parameters. The Indian constitution represents a fully unitary national vision in which supreme

authority (or sovereignty) vests in a single undivided entity (i.e., the Union President as advised by his Council of Ministers), while autonomy means the division of power between the centre and the state (or states, as the case may be). That is why the Indian constitution (including Article 370) shuns to use even once the word autonomy and its co-terminus word 'federal' in its entire text (comprising 395 Articles and 12 schedules). It only authorises the centre to delegate certain powers to states or some given powers to any state to administer state affairs on the centre's behalf. This delegation is based on the centre's administrative convenience and not any democratic principle.

(22) The third misconception lies in the idea that the powers entrusted by Article 370 of the Indian constitution to Jammu-Kashmir provide an autonomous or special status to Jammu-Kashmir state. The title and the substance of this Article avoids to use even the word special in order not to give any particular distinction to Jammu-Kashmir. Instead the first place in the title is occupied by the word 'temporary' which gives the signal that it is only a transitional arrangement to meet a given social need. Here also, the nature of power is delegated and not substantive. That is, a power exercised on behalf of the centre and not as one's own right.

(23) The fourth misconception comprises the absence of any explanation why it is necessary that Jammu-Kashmir state be given more powers than other states. If this has been due to the specific nature of Jammu-Kashmir people, then the right to autonomy assumes a strategic dimension. Otherwise, in case of any then existing extra-ordinary situation, it becomes a matter of temporary nature.

(24) The fifth misconception resides in the fact that, after 50 year experience of centre's unitary approach and negative attitude towards Jammu-Kashmir autonomy, it still hopes to get Jammu-Kashmir autonomy restored even by a BJP-led government—a party which had all along vehemently opposed any special constitutional reform with regard to Jammu-Kashmir.

VII. Illusory Assumptions Of SAC And RAC Reports

(A) State Autonomy Committee Report

(25) Proceeding from a faulty understanding about the concept of a genuine autonomy and the real nature of the Indian constitution, the SAC Report, despite containing many

meaningful facts and comment, is characterised by illusory assumptions. It has refused to listen to the existing Jammu-Kashmir reality, denied to learn from the experience of Jammu-Kashmir's constitutional relationship with India during the past 52 years and declined to see the majoritarian and the chauvinistic nature of Indian nationalism, as reflected from the Indian constitution's unitary and centralised theory and style.

(26) The first illusory assumption of the 184 page (divided into 15 chapters) SAC Report is its suggestion of a new compact between the state and the centre that makes "ample redress and finalises their relationship by declaring a constitutional understanding that Article 370 of the Constitution of India can no longer be used to apply to the state of Jammu-Kashmir any other provision of the Constitution of India beyond the one extended under 1950-Order and the Delhi Agreement 1952" (last chapter of the Report, titled Safeguards for future). Obviously, there can be no constitutional agreement between the paramount power (i.e. the centre) and its agency (i.e., the states working on centre's terms) under the present unitary Indian constitution.

(27) The second illusory assumption is its attempt to impress upon the centre the fact that the erosion of Jammu-Kashmir autonomy "is the primary cause of Kashmir discontent." This is because the matter of erosion is little understood by the present Prime Minister and his assorted allies who have always attacked Jammu-Kashmir autonomy as the reason for the troubles in Jammu-Kashmir. Also, this is contrary to the understanding of the Congress which characterises the extension of the Indian constitutional provisions to Jammu-Kashmir as the strengthening of the latter's 'democratic' fabric. Notwithstanding the centre-state contradictory postures, however, the SAC Report's graphic account of the erosion movement is note-worthy.

According to it, the process has, with its beginnings in May 1954, continued for over three decades. Up to July 30, 1984, forty-two Constitutional Application Orders applying various provisions of the Indian constitution were issued—restricting the power of the state legislature on matters in the concurrent list and even those that ought to have been state concerns. Of 395 Articles in the Indian Constitution, 260 are applicable to Jammu-Kashmir. The remaining 135 are Articles for which there are identical provisions in the Jammu-Kashmir constitution. Only 3 of 97 areas listed in the Union List are now inapplicable to the state as are 26 of the 47 entries in the concurrent list. And 7 of the 12

Schedules have been extended to the State.

Emergency powers that were applicable in all other states came into force in Jammu-Kashmir too. The All India Services gained entry as did the Election Commission of India. Major Reforms in the State Constitution were also brought about.

(28) The third illusory assumption is its demand which seeks over 24 changes under 13 broad heads in the Union and the State constitutions. These, in brief, are:

- * Centre to limit its legislative control over the state only to Defence, External Affairs, Communications and ancillary matters.

- * Nomenclature of the Head of the State and the Chief Executive be changed to pre-1952 position.

- * Article 370 of the Constitution of India be made a special provision instead of a temporary one.

- * Article 356 of the Indian Constitution, empowering the centre to dismiss a state Government, should not apply to the state.

- * Almost all major laws applied to J&K after 1953 be repealed.

- * All modifications made in Article 246 in its application to the state subsequent to 1950 order be rescinded.

- * Articles 248, 249, 250 and 251, whether applied in original or substituted/modified form, be omitted from their application to state.

- * Article 254 be restored to the position it had in its application to state in 1954.

- * Articles 262 and 263, which were not applicable under 1950-order but were subsequently extended to the state, should cease to apply.

- * Articles 255, 256, 357, 358, 359 and 360 be made non-applicable to the state as was the position in 1954.

- * Articles 72(1)(C), 72(3), 133, 134, 135, 136, 138, 145(1)(C) and 151(2) be made non-applicable to the state as was the position in the 1950 order.

- * Articles 149, 150 and 151 to apply to the state in the form in which they were in 1954.

- * Articles 218, 220, 222 and 226 be omitted in their application to state.

(B) Regional Autonomy Committee Report

(29) Turning to the RAC Report, it is marked by a vague-cum-confused thinking.

First, it remains, like its sister SAC Report, totally silent about

the exact meaning of its basic reference point, i.e., autonomy.

Second, it suggests reconstitution, without identifying any guiding norm, of the existing 2 provinces of Jammu and Kashmir of the present Jammu-Kashmir state into 8 provinces. While in Jammu region, it proposes the carving out of a ethnic-Dogra province by amalgamating 3 districts (i.e., Jammu, Kathua and Udhampur), in Kashmir region, it puts forth the idea of splitting the ethnically more homogenous Kashmir province into three provinces, without clarifying its discriminatory purpose.

Third, it recommends, without specifying its own mind, two alternative models of development. That is (a) the formation of councils on the basis of its proposed reconstituted 8 provinces, and (b) the setting up of such councils on the existing district level.

VIII. Sum Up

(30) The 52 year experience of the issue of Jammu-Kashmir autonomy demands that the pro-autonomy camp take a fresh look at its entire balance sheet. This will provide it a new insight in whose light it should, and can, update its traditional strategy.

(31) Social science repeatedly proves that we should always listen to social reality. And Jammu-Kashmir reality today is that autonomy is not at all the real issue here. This is because it is, today neither the social need of the masses, particularly the Kashmiris, nor they are least interested in it. That is why it has no appeal to the masses anywhere in this state.

(32) The need of the hour today is that we should search for and find out the real issue in Jammu-Kashmir. And this issue is what 186 nations of the world, including India and Pakistan, are since long stressing and what the present ground reality in Kashmir and the 52 year long Jammu-Kashmir history is crying out. Obviously, all these elements are one in pointing out that the issue in Jammu-Kashmir is its unresolved problem. The only hitch in Jammu-Kashmir problem's solution is the Indo-Pak contention.

(33) India argues that the entire Jammu-Kashmir state belongs to her and that Pakistan had since illegally occupied a part of the state and has now started a proxy war against her. Hence, the only issue in Jammu-Kashmir, according to India, is to force Pakistan to end its proxy war and vacate its illegal occupation of a part of Jammu-Kashmir.

(34) Pakistan contends that it is India that has forcefully kept 2/3rd of Jammu-Kashmir under its control and recently launched

an armed attack to terrorise the Jammu-Kashmir people struggling for their liberation from India. Hence, the only issue in Jammu-Kashmir, according to Pakistan, is to get India's aggressive control over Jammu-Kashmir vacated.

(35) The whole world demands that both India and Pakistan should, by getting rid of their respective confrontationist modes, try to seek the resolution of Jammu-Kashmir problem with the involvement of Jammu-Kashmir people. This implies that the world considers Jammu-Kashmir a trilateral issue with a trilateral solution. Obviously, every unilateral proposal whether it is accession with India or Pakistan, self-determination, plebiscite, independence or autonomy within India or Pakistan, is a confrontationist agenda. The world people and the new era of globalisation cannot today tolerate confrontation anywhere which can lead to war and thus cause hindrance in the process of global stability and development.

(36) Given the trilateral nature of the Jammu-Kashmir problem, a just, rational and viable solution to the Jammu-Kashmir problem lies in the safe-guarding of the respective national honour of both India and Pakistan and reconciling their national interests, on the one hand, and of meeting the aspirations of the Jammu-Kashmir people, especially the Kashmiris (including the migrants), on the other.

(37) The respective national interests of India and Pakistan should be balanced by establishing an Indo-Pak (or SAARC if the three parties concerned decide as such) Condominium over Jammu-Kashmir state which should handle Jammu-Kashmir's defence, foreign affairs and currency and be a sovereign power in relation to Jammu-Kashmir.

(38) Jammu-Kashmir state should be an independent state, with its sovereignty vesting in Indo-Pak Condominium. The state should adopt a federal constitution, laying down a common head of the state, a common high court, a common election commission, a common public service commission and a common human development commission—all to be elected by the ethno-regional councils with one representative from each.

(39) The state federal constitution will ensure the maximum-possible autonomy to each ethnic region in the state.

(40) Under Indo-Pak Condominium, the total costs on Jammu-Kashmir's defence, foreign affairs and currency will be borne by the former. The Jammu-Kashmir citizens will have the citizenship rights in both the countries. The Jammu-Kashmir's trade with

India and Pakistan will be regulated in the same way as if it is one of their respective states. The different projects in Jammu-Kashmir state will be worked out on a partnership basis between India, Pakistan and Jammu-Kashmir state—with three shareholders having equal rights and India and Pakistan contributing total investment and technology, while Jammu-Kashmir state funding through the valuation of its resources.

(41) Given the call of our era, it can be said without a shade of doubt that partnership between India, Pakistan and Jammu-Kashmir people will serve them well and also South Asia as well as the world.

(42) The pro-autonomy camp should see for itself that its objective of Jammu-Kashmir autonomy can be achieved only within a system that harmonises the interests of India, Pakistan and the people of Jammu-Kashmir. 10-01-2000

Problem of Child Labour— The Worst Social Crime

I. Children—Future Of Humankind

The problem of child labour has in recent times become an issue of human concern all over the world. Because, it has become an ordeal, a source of suffering and exploitation and an abuse of fundamental human rights for a large number of children in human society. Thus, it has turned into a scourge of human development.

Children are the future of humankind. They are the crops which feed the human future. If they are bio-socially fit, the human future is well-ensured. If they are lacking in such fitness, the human tomorrow is doomed. Labour is worshipping, no doubt. But, it should be got done by those who are fit for it.

II. Concept Of Child Labour

Briefly stated, the concept of child labour denotes the employing of children of tender age (i.e., less than 14 years) to hard work for long hours which adversely affects their physical, mental, emotional and social development and deprives them of the right to health, education and a happy childhood.

The International Labour Organization (ILO) has defined it in these words: “Child labour includes children prematurely leading adult lives, working long hours for low wages under conditions damaging to their health and their mental development, sometimes separated from their families, frequently deprived of meaningful educational and training opportunities that could open up for them a better future.”

The chairman of the U.S. National Child Labour Committee, Mr. Folks, defines child labour as: “any work by children that interfere with their full physical development, their opportunities for a desirable minimum of education or their needed recreation.”

Encyclopaedia of Social Sciences provides its definition in

these words: “when the business of wage earning or its participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is Child Labour.”

III. A Problem Of Gigantic Proportions

Child labour remains a widespread phenomenon throughout the world. A recent study by the ILO mentioned that hundreds of millions of children around the world—as many as 25% of all children between the ages of 10 and 14—are being forced to work often at dangerous or illegal jobs and a rising number of them have become prostitutes or drug-runners. The problem has now reached explosive proportions. The developing world has the largest child work force, with Asia heading the list. In some countries, children make up 11% of the labour force. Italy and Spain top the list in Western Europe. In the US, a recent government study showed a 250% increase in child labour law violations between 1983 and 1990. According to a recent report of the US Labour Department, more than 50% of the world’s estimated 100 million to 200 million child labourers are in Asia and also constitute a large part of the work force in parts of Latin America and Africa.

Several estimates have been made about the magnitude of child workers in India. The 1971-census estimated 10.74 million child workers. The 1981-census put the figure at 13.6 million. In 1983, the Planning Commission had projected the number of child workers at 17.36 million. The Operations Research Group, Baroda estimated 44 million working children in India in 1983. In 1998, of approximately 203 million children in India, only about 120 million attended schools. Most of the 87 million children not in schools work in various activities. According to the official figures provided recently in the Lok Sabha, there are 11.2 million child workers in India, while the ILO estimates it to be 44 million. NGOs put the number at 55 million.

IV. Areas Of Work Of Child Labour

More than 80% of working children work in the agricultural sector in India. According to 1981-census, about 86.4% child work-force is employed in the rural areas and engaged in activities, such as sowing, reaping, grazing cattle, collecting fuel, etc.

In the industrial sector, more than 1/3rd of the workers are children and more than 1/4th of them belong to non-household

industries and construction.

In urban areas, children work in small factory units in shops, restaurants, hotels, garages and petrol pumps, as petty hawkers, vendors, porters, loading and unloading workers, scavengers, rag-pickers, shoe-shiners, etc. Some children are used for illegal, anti-social activities, like prostitution, smuggling goods, selling of illicit liquor and drugs. Children also work in many hazardous industries, like fireworks, glass-making, carpet-weaving, diamond polishing, lock-making, etc.

A large number of child labourers are bought like bonded labourers and kept in captivity as slaves by contractors. Children are traded or contracted out for long often resulting in permanent separation from parents. Some indebted parents pledge or mortgage their children to landlords or money-lenders. Such children have to work under servitude till the time the amount is cleared.

As the child workers are not organised, they have little resisting power. Hence they are subjected to various types of abuses. The employers hire and fire them at will. Physical abuse, cruelty and coercion are quite common in the field of child labour. Female child workers are, in many cases, sexually exploited.

V. Working And Living Conditions Of Child Labour

Child workers work and live under most unhealthy conditions. A large number of them, particularly in the urban area, sleep on pavements and sometimes even in kitchen of the hotel or restaurant where they are employed. The working and living places lack sanitation facilities and other basic amenities. Many of them are exposed to hazardous and unsafe working conditions due to their constant handling of harmful chemicals, such as fertilisers, pesticides, paints, dyes and other toxic substances which are harmful to their physical growth.

Dangerous and unguarded machinery, lack of training in handling tools and equipments, non-availability of protective equipments like gloves, goggles, masks, etc., poor lighting and lack of sanitation facilities coupled with their fatigue, monotony at work and weakness due to malnourishment often lead to accidents. Some children develop chronic diseases.

In mines, quarries and construction work, children carry heavy loads and are vulnerable to injuries from falling objects. Exposed to dangerous fumes, dust and poisonous gases, children easily develop respiratory problems and other diseases and are likely

to die at an early age. Many children develop sight problems due to over-straining of eyes, insufficient light or over-exposure to light and heat.

VI. Evolution Of Child Labour

Since the beginning of society, children have at all times taken part in economic activity. It was necessitated by the given social division of labour and its related work culture and organisational norms which ensured the survival of the social group the children belonged to.

In all pre-industrial societies (i.e., clannish, tribal and agricultural), the children used to work within their family circle. They received their vocational education through 'on the job' training in the traditional occupation of their family. In the family circle, work was a source of joy and thus free from any harmful effects, ill-treatment and exploitation.

With the beginning of industrial society, new technology, preceded by the opening of new markets, gave an impetus to economic activity. This brought in its wake many problems, such as degradation of natural resources, migration of people from villages to cities in search of employment, unhealthy conditions of work, health hazards, disregard of workers health, etc. One of the main problems was the need for cheap labour and the child labour easily met this need.

VII. Lack Of Will In Global And National Efforts

All global organisations go on preaching that child labour is a dreadful and detestable social practice. All countries have enacted laws to end this social vice. Continuous seminars are being held, resolutions passed and action plans drawn up on the protection and development of children, yet not much has been done in the matter so far. And the problem of child labour continues to grow out of proportion every day.

(A) International Declarations

The League of Nations, in 1924, adopted Geneva Declaration on the Rights of the Child. It says that measures should be taken against the social evil of slavery, child labour and traffic and prostitution of minors.

On December 20, 1959, the UN unanimously adopted a resolution on the rights of the child. It says that the child, by reason of his physical and mental immaturity needs special

safeguards and care, including adequate legal protection, before as well as after birth.

On September 30, 1990, political leaders of more than 150 countries (including 71 Presidents and Prime Ministers) came together in New York to making their firm commitment for reaching out to the world's children.

In the preamble to the Constitution of ILO, it is stated: "...an improvement is urgently required in many domains, including the protection of children and young persons. During the last 75 years of its existence, the ILO has so far adopted 18 Conventions (whose ratification requires complete compliance with all provisions) and 9 recommendations (whose provisions only comprise guiding principles for action and may be implemented progressively and in parts).

ILO's convention No. 5 of 1919 provides that children under 14 years of age should not be employed or allowed to work in any industrial undertaking. Convention No. 10 of 1921 prohibits employment of children under the age of 14 years in any agricultural undertaking. Convention No. 60 of 1937 prohibits the employment of children under 13 in non-industrial occupations (i.e., shops, hotels, places of public entertainment, etc.) in India. Convention No. 138 of 1973 calls for the pursuit of a national policy to ensure the effective abolition of child labour.

In 1990, the ILO launched the International Programme on Elimination of Child Labour. It called upon governments, workers and employer organisations, NGOs, educators, parents and children for action against the worst abuse of child labour.

(B) Constitutional And Legal Provisions In India

The Indian Constitution's Article 14 makes the protection of the children below 14 years as a fundamental right. Article 24 forbids the employment of children below the age of 14 years in construction work. Article 39 (e) and (f) calls for the protection of childhood and youth from exploitation.

The Employment of Children Act, 1938 (sec. 3), prohibits employment of children below 15 years of age in railways and handling of goods at ports, and those below 12 years of age in bidi-making, manufacture of matches, explosives and fire-works, mica-cutting and splitting, soap manufacture and wool-cleaning. The Indian Factories Act, 1948, prohibits employment of children below 14 years of age to work in any factory.

After the Constitution came into force, more Acts, namely, the

Plantation Act, 1951, the Mines Act, 1952, and the Apprentices Act, 1961, came into force prohibiting employment of children below 14 years in mining operations and apprenticeship in industries. However, the Child Labour Bill was passed only in 1986 and the New National Labour Policy adopted as late as 1987. Both of them seek the strict enforcement of the provisions relating to the prohibition of child labour in Indian legislation.

(C) Present State Of Children In World And India

In the light of the above international declarations and the Indian government's commitment to the children's rights, the present state of children both in the world as well as in India remains dismal.

As per the World Report on Children, 1993, 30% of all the children die each year. 30% of all those who are not immunised and 40% of those who are malnourished are to be found in three countries, namely, Bangladesh, Pakistan and India. And India has a high mortality rate (USMR) of 126 under 5. The child needs health, food, immunisation, education, shelter, etc. However, the global network of all these essential needs is deficient.

With regard to India, the latter has the largest labour force. Two fifths of India's population is reported to have been below 14 years. The recent UNICEF data claims that children are forced to drop out of schools and accept meagre wage for working under inhuman conditions.

As estimated by the UNICEF, every third house in India has a working child. Every fourth child in the 1-5 age group is employed. Nearly 15 lakh child workers are employed in the lock, glass and carpet industry alone. Though the employment of children is legally prohibited, the employers continue to violate the law. No one is ever touched. The working children are exposed to various occupational hazards. But this is not taken note of. According to some NGOs, nearly 80% of the total work force in India's carpet weaving industry comprises children.

The plantation industry in India is legally permitted to employ child labour. There were 55,000 permanent child workers in the West Bengal tea plantations in 1992. Here, the minimum employment age is 2 years lower than the stipulated minimum age, i.e., 14 years in the unorganised sector, such as bidi, cigar, match, carpet industry, etc.

On the basis of the existing laws, child labour is banned in 15 hazardous occupations in India, like manufacturing of matches,

fireworks, bidis, carpets, gem-polishing, cement, etc. However, millions of children are employed in these industries.

Domestic service engages the largest number of children, mostly female. The latter are physically assaulted and sexually exploited. In the household cottage industries also, the female children are preferred.

In every city, a large portion of child workers are engaged in hotels and restaurants, tea stalls, sweet shops and roadside establishments.

The findings of a survey in Bombay reveal that a huge number of working children don't have their homes. They are street children. Most of them work for 10-12 hours a day. Those who worked for lesser hours did part-time work after school or house work.

The existence of a large number of child labourers has adversely affected the quality of Indian labour force.

VIII. Causes Of Child Labour

The causes of child labour are many and inter-related. In general, poverty remains the principal reason of child labour. But the extent and quality of child labour are also influenced by many other factors. All these may be classified as follows:

(A) Economic Reasons

Child labour in India is primarily caused by economic compulsions, like poverty and unemployment (which themselves arise out of an inequitable system of wealth and income distribution). Nearly half of India's population subsists below the poverty line.

(B) Social And Cultural Factors

The prevailing modes of domestic organisation and system of kinship also affect child labour. What children should do is influenced by what the system of kinship considers the rights and obligations of children. Caste hierarchy in India has resulted in social inequality. The lower caste groups have generally remained backward and uneducated. Child labour is more prevalent among these groups.

(C) Educational Backwardness

Some people are compelled to send their children to work due to economic pressure. In some cases, illiterate parents do not realise the importance of educating their children. A number of

parents of poor families find no meaning in education as it does not guarantee a job in future. They prefer to send their children for work at an early age instead of sending them to school with the hope that the children will at least acquire a skill or learn a trade by the time they become adults.

The migrant labourers and those engaged in construction and seasonal work can't even think of sending their children to school as the whole family moves from place to place in search of work.

(D) Absence Of Right To Universal Education

The provision of compulsory universal education could also induce the parents and their children to attend the school and prevent the latter from entering into employment at an early age.

(E) Employer's Preference For Child Labour

Employers prefer child labour to adult labour for various reasons, such as lower wage, managing child labour is easier than managing adults, the freedom to hire and fire, lack of trade union consciousness and organisation, meek workforce, greater discipline and control, superior adaptive abilities, etc.

(F) Eradication Of Child Labour— Not The Ruling Parties Priority

In India (and similarly in almost all countries), legislation prohibiting child labour exist. But, the child labour continues to increase all over the world. This is particularly due to ruling parties' non-priority for developing this budding human potential. The ruling parties' disinterestedness generally results in social, legal and practical evasions. Socially, the ruling parties do not awaken the people about the harmful effects of child labour and fail to take effective measures to eradicate the main cause of such labour, i.e., poverty and unemployment, or perpetuating an inequalitarian system. Legally, they keep loopholes in the concerned laws, thus providing an opportunity to the offenders to either evade the law or easily get out of its clutches; they often exclude from the legislative purview small-scale units, traditional workshops, quasi-family undertakings, petty commerce, street traders and agriculture where we find the majority of working children. Practically, they neglect any effective implementation of even the existing laws.

(G) Lack Of Public Awareness

Lastly, but importantly, a major cause for the persistence of child labour has been the lack of awareness among the parents, consumers and society in general about the implications of child labour for human development and progress. Though global public consciousness is far ahead than in the past, yet it still lacks the force to put pressure on their respective expedient governments to take a just position on this crucial question. In India today, we do not find this awakening being reflected when we see a child with dirty and tattered shirts washing heaps of plates or lifting up building materials or serving meals or tea at a canteen. Such a scene does not make us feel how a child is compelled by our social necessity to invest his inadequate power to earn bread for himself and support his parents, remaining far away from his home, health-care and school.

IX. For Uprooting Child Labour

Both international and national experiences prove that eliminating child labour is not an easy task. Pious declarations, heaps of legislation and grandiose action plans have proved ineffective to tackle this issue. Unless the real nature of the problem is identified, it cannot be effectively dealt with.

From whatever angle one may look at, one finds that child labour is anti-human, because children are the future agents of change and development in human society. If they remain underdeveloped, the prospects of human future surely become dark. Without an all-round human growth, no development can become sustainable, no democracy can work, no value system can operate—no nothing of the sort.

Being a social evil and as such being multi-sided, the elimination of child labour demands multi-dimensional response.

The most important area of priority action should be the human psychological sector which plays a very important role in the adoption or the rejection of all types of social norms—political, economic and cultural.

Here, the main task should be to awaken the people about the long and the short-term negative effects of child labour on our society and to motivate them for mobilising more and more people on the child labour elimination agenda.

The next important area of focus should be the elimination of the material (or the socio-economic) roots of child labour. Specifically, these roots lie in abject poverty. Wherever social and

economic conditions have improved, children go to schools and child labour has virtually disappeared. So any society which wants to safeguard its future by getting its children to be free from bondage and be talented and creative should first free its entire population from fear of want. This means ensuring basic human needs of all people, such as water, food, shelter, clothing, education, health-care and employment. This also implies the launching of schemes that generate and enhance employment and income of the people. Another step is the promotion of schooling by improving the quality of curricula and teaching methods, bettering the students' mid-day feeding programmes, enriching the cultural and the sports activities, etc.

The afore-mentioned two initiatives (coordinating the two basic factors, i.e., psychological and material) are strategic, long-term measures. In the short-run, the protection of children and the abolition of child labour require the upholding of the rule of law and the effective implementation of all the existing anti-child labour laws. This should be supplemented by forming a child labour code which integrates all the labour laws, followed by the appointment of a special child labour court in each district to deal with all cases concerning child labour.

The concerted activity in the above-mentioned three social regions will go a long way in uprooting the social curse of child labour from human society.

23-01-2000

Jammu-Kashmir Problem The Choice Is Clear Conciliation And Development Or Confrontation And Destablisation

1. Once again, Jammu-Kashmir is crying out for attention. Its long simmering political cauldron is again on the boil. There has of late been an unprecedented escalation of violence in the state from all sides. This has further tended the continuing confrontation between the two traditional rival claimants over Jammu-Kashmir, i.e., India and Pakistan, and created the possibility of a bigger confrontation between them. Recently, the US has called our sub-continent as the most dangerous area on our planet, while the international community has characterised it as the biggest N-flashpoint of the world.

I. World Wants Resumption Of Indo-Pak Peace Process

2. The whole world (i.e., the UN and its 186 member nation-states) wants India and Pakistan to resume the stalled 1999-Lahore peace process and reduce the high level of their mutual tension. But neither of the two countries seems to be in a mood to listen to this international advice.

3. The world's desire for the resumption of Indo-Pak peace process does not come from any empty space. It emerges from its perception of the present global reality, on the one hand, and the current South Asian situation, on the other.

(A) Present Global Reality

4. As regards the present global reality, the international community holds that the new scientific-technological-social developments in the post-second world war period have been transforming our old world of sovereign nation-states, into a new

world of inter-dependent nation-states. The end of the cold war era (1945-87) has given a new impetus to this process of inter-dependence. In the post-cold war era of national inter-dependence, we are living in a world where nations can develop only through the politics of friendship and cooperation and where the traditional methods of hawkishness, confrontation and war for seeking money and power have become counter-productive, not yet extinct.

5. The main feature of our inter-dependent world is the countries' mutual trade. Because, the trade, having been the main technique of connecting different far-off communities since ancient times, has today become the main factor of world economic growth, linking all other productive sectors to the fundamental economic imperative of demand and supply (at the highest level, i.e., global). Since the world trade has turned out to be the main source of wealth-generation (not of equitable distribution), countries in various areas are, and have since been, coalescing into free trade areas (like EC, NAFTA, MERCOSER, ASEAN, SAARC, etc.). In today's world, national sovereignty and national boundaries have lost much of their rigour. If it is mutually beneficial, different countries do unite at required levels. If not, then even a single community (like Russian-Ukrainian slavs) gets split.

6. In such an inter-dependent world, if there is a dispute between two countries in any region, the international community, without taking sides, generally calls for its resolution through a dialogue between the parties concerned. Because disturbance in any area of the world ipso-facto hinders the process of international trade and development, having a negative impact on the economic interests of all countries.

(B) South Asian Situation

7. As regards the South Asian situation, the international community feels that the highly surcharged state of Indo-Pak confrontation, with its N-dimension, poses a serious threat to world peace, stability and development. That is why the international community, worried over the serious Indo-Pak conflict potential, wants the resumption of long-delayed Indo-Pak talks and the defusion of the overloaded political atmosphere in this region.

II. India And Pakistan Still Stuck In Cold War Logic

8. Coming to the respective Indian and Pakistani response to the world demand for the resumption of Indo-Pak peace

process, both take a negative position in their own particular ways, with each having its own specific purpose. India dodges it by putting forth new preconditions for its revival, while Pakistan does the same by accepting it in words and opposing it in deeds.

9. The respective negative Indian and Pakistani response arises from their traditional might-oriented outlook which considers military force as the instrument and the war as a means to power. That is why these two countries, while reciting the mantra of globalisation, go on issuing mutually provocative statements and committing hostile activities against each other (such as inciting hatred between the two nations, giving top priority to militarisation, resorting to clandestine armed attacks on each other on their borders, etc.). This shows that these two countries have failed to understand the new spirit of our times, i.e., the emergence of trade as the main factor of growth and the political relations of friendship and cooperation among countries as the means to flourish trade and to integrate national economies into the global economy. That is why India and Pakistan have, contrary to the over-whelming majority of countries in the world, failed to update their traditional muscle-power approach.

(A) Indian Jammu-Kashmir Policy's Chief Military Priority

10. Following its iron-fist outlook (which always wants to talk from the position of strength and not in accordance with reality), India holds that it should enter into a dialogue with Pakistan only when its forces will have established their full control over the ground situation in the valley or at least when these forces would have gained an upper hand over the militancy in the state. Just now when the militancy holds the edge, India is putting forth illogical conditions (like the vacation of the part of pre-1947 Jammu-Kashmir now under Pakistani control) to delay the talks. Last year (February, 1999), when the Indian army was in a favourable position in the state, Prime Minister Atal Behari Vajpayee enthusiastically undertook a trip to Lahore to launch, along with the then Prime Minister of Pakistan, the Indo-Pak peace process. Thus, the Indian Jammu-Kashmir policy's chief priority today is to gain more advantageous position militarily. To attain this immediate aim, it is employing its increased military might in Jammu-Kashmir and using every diplomatic means to get Pakistan branded as the centre of world terrorism and Islamic fundamentalism.

(B) Pakistan's Principal Military Priority In Jammu-Kashmir

11. Pakistan's militaristic outlook regards that since it is relatively weak in armed might, it cannot compete with India at an equal footing in any bilateral dialogue. To overcome this lacking, its principal priority is, and has been, the internationalisation of the Jammu-Kashmir issue or the invoking of a third party mediation (may it be the UN or some other international agency or even a powerful country, like the US). Obviously, this purpose can be achieved only by intensifying the militancy in Jammu-Kashmir. And today Pakistan is doing everything to develop the militant potential into the actual to the maximum level. Already, while daily putting forth proposals for unconditional talks with India as compared with India's demand for a conditional dialogue with Pakistan, it has raised the militants fighting motivation to the death defying (i.e., suicide squad) level.

(C) Predominant Possibility Of Indo-Pak Talks

12. The world political priority of a peaceful Indo-Pak dialogue and the respective Indian and Pakistani political priorities of postponing these talks cannot stay in an equilibrium for long. Sooner or later, the world political priority is going to assert itself or a change in the relative position of the two countries could bring them round a conference table. This is the most predominant possibility today. At the moment, the possibility of a war, with N-dimension, is not so dominant. But it can, due to the desperate action by one side or a chance factor, turn into an actuality at any time.

(D) Basis Of Indian And Pakistani Cold War Approaches

13. The basis of cold war approach still practised each by India and Pakistan rests with the post-1947 sectarian and chauvinistic nationalism upheld by these two countries respectively, i.e., India's majoritarian nationalism and Pakistan's Sunni nationalism.

III. Jammu-Kashmir— Central Issue Of Indo-Pak Conflict

14. The world wants the resumption of Indo-Pak peace process in Jammu-Kashmir as it perceives the latter state as the principal source of conflict between the said two countries. That

is why the international community does not ask, and had not asked, India and Pakistan to reopen their dialogue on trade, terrorism or any other irritant between the two countries, why it does not call, and had not called, militancy in Jammu-Kashmir as a terrorist movement and why it does not characterise, and had not characterised, Pakistan as the base of world terrorism and Islamic fundamentalism. And further, that is why, despite its naming the Jammu-Kashmir issue as a bilateral problem, it does ask, and had always asked, India and Pakistan to resolve the Jammu-Kashmir issue with the involvement of Jammu-Kashmir people. From the international community's total perception of the Jammu-Kashmir question, it logically follows that it accepts the Jammu-Kashmir people as the third affected party in the Jammu-Kashmir dispute, thus defining the latter as a trilateral political problem.

15. Today, everyone knows that the principal focus of Indo-Pak rivalry is, and has since these two countries' origin been, the issue of Jammu-Kashmir. It is this issue that has generally been setting up their national agendas and the top priorities respectively. The two countries had fought three wars and followed unceasing hostility towards each other on this very issue.

16. The two antagonists, India and Pakistan, also accept the fact of Jammu-Kashmir's disputed nature, though each has its own version of the dispute.

(A) India's Case

17. India maintains that Jammu-Kashmir's accession to India under the Instrument of Accession signed by the then Jammu-Kashmir ruler is, and has been, final and irrevocable, that Jammu-Kashmir issue is, and has been, an exclusive internal question of India and that the only question involved in the Jammu-Kashmir issue is, and has been, the vacation of Pakistan's illegal occupation of a part of Jammu-Kashmir. But this understanding does not represent a true picture of the Jammu-Kashmir reality as shown by the following facts.

(a) The Instrument of Accession was only provisionally accepted by the then governor-general of India, who, while conditionally accepting it, made a note on that document itself that the accession would be finalised after a referendum on this issue in the state.

(b) Again, India accepted the Jammu-Kashmir accession as a

temporary arrangement in the UN security council by itself proposing to the council the holding of a plebiscite in the state to ascertain the wishes of its people.

(c) Further, beginning from 1947 up to 1999, India held a series of talks and even officially signed joint documents with Pakistan for the resolution of Jammu-Kashmir problem, namely, 1949 Nehru-Liaquat Agreement on the peaceful resolution of Jammu-Kashmir issue, 1962 Swaran Singh-Zulfikar Ali Bhutto talks to settle the Jammu-Kashmir question, 1964 Sheikh Abdullah Mission to Pakistan for sorting out the Jammu-Kashmir issue within the framework of an Indo-Pak Confederation (as then approved by Nehru), 1972 Simla Pact which acknowledges the state of Jammu-Kashmir as a dispute (under clause 6), and 1993-99 various rounds of Indo-Pak talks, including the 1999 Lahore Declaration, for resolving the various contentious issues between India and Pakistan, including Jammu-Kashmir.

18. What strikes an independent observer of Jammu-Kashmir affairs is, however, the fact that India's stand on Jammu-Kashmir has been at variance with social reality and even double-dealing in certain aspects. Within the country, the people are told that Jammu-Kashmir is an internal matter. In international fora, Jammu-Kashmir is readily accepted as a disputed issue between India and Pakistan. The Hurriyat Conference is asked to hold the dialogue within the Indian Constitution. But the 50 year old Srinagar and Jammu offices of the UN observers for maintaining the LOC in Jammu-Kashmir speak for themselves. The third party mediation is rejected on the plea that the Indo-Pak Simla Pact includes the bilateral resolving of the Jammu-Kashmir question. But when the Indian hijacked plane was stranded at Kandhar, the foreign minister of India made a request not only to the governments of the US and other developed countries, but also to the government of Pakistan for intervention to bring about an agreement between New Delhi and the hijackers. On the world scale, India lays claim to be the biggest democracy of the world and declares Jammu-Kashmir as the core of its nationalism. But it treats the Kashmiri people like a cattle, unworthy of enjoying democratic or human rights.

(B) Pakistan's Position

19. Pakistan contends that, by all counts—political, cultural and geographical—Jammu-Kashmir belongs to it, that, since the 1947 partition was based on the two nation theory, the pre-1947

Jammu-Kashmir state, having been a Muslim majority unit, belongs to the Islam-based Pakistan. Culturally, it regards that Jammu-Kashmir is more akin to Pakistan in moral and ethical norms than India. Geographically, it holds that, with two-thirds of Jammu-Kashmir boundaries contiguous to Pakistan, the state forms a physical part of Pakistan. It further argues that the Hindu majority states of Hyderabad and Junagarh, having been surrounded by the Indian Union from all sides, were forcibly incorporated into India by its government when the rulers of these two states at that time declared their accession to Pakistan under the constitutional authority vested in them. Thereafter India held plebiscite in each of these two states in order to get the public approval for their accession to India. But in the case of Jammu-Kashmir's accession, the Government of India neither accepts, according to Pakistan, the norm of the majority of population nor the principle of plebiscite.

20. However, the 52 year practice of Pakistan itself demolishes the grandeur of its two nation or pan-Islamic theory and demonstrates the hollowness of its claim on Jammu-Kashmir as an Islam-based nation-state. A series of facts—such as, the separation of the Muslim majority province (then having more than half the population of Pakistan) of the original Pakistan, i.e., Bangladesh; the democratic movements of the different ethnic communities (like the Sindhis, Balochis, Pakhtoons, Mohajirs, etc.) for getting rid of Punjabi domination; the Shia-Sunni divide within the Muslim community; the miserable plight of those Islam professing sects, like the Ahmediyas, Bahavis, etc., which have been declared un-Islamic by the dominant Sunni Ulema; the wretched state of the Pakistani minorities, such as Hindus, Sikhs, Bengalis, etc; military dominated polity and lawlessness; failing economy; pervading corruption; spreading poverty and unemployment; etc.—go to prove that a religion based nationalism fails to work, especially in the new era of globalisation or the inter-dependence of nation-states.

(C) Basis Of Jammu-Kashmir Dispute

21. Summing up all that has been stated above, it can be seen that neither India nor Pakistan has a convincing case for having an exclusive right over the state of Jammu-Kashmir.

22. Turning to the question of the origin of Jammu-Kashmir issue and its resultant unremitting mutual hostility between India and Pakistan, its basis did lie in the 1947 partition of India. The

latter (i.e., the 1947 partition of India) itself was an outcome of the pre-1947 contention between the two misconceived brands of nationalism—liberal Hindu-oriented Gandhism and the Muslim League-sponsored pan-Islamism. The former was more at fault because, with its claim to represent the majority of people, it failed to win the confidence of the minority community. It is, and was, the respective confrontationist politics of these two nationalisms that had shaped much of the post-1947 history of India and Pakistan, putting a high cost on the people of these two countries, especially those of Jammu-Kashmir in the post-1947 period.

IV. The Ill Effects Of 52 Year Indo-Pak Confrontation

23. For over 5 decades, New Delhi and Islamabad had remained grounded in their never-slackening mutual hostility on the Jammu-Kashmir question. During this period, the three Indo-Pak wars and the thousands of major and minor encounters between their forces had further deepened their hatred against each other. Their respective national aim of perpetual enmity against each other and its logical priority of militarisation to combat and defeat the enemy had produced, and still continue to produce, highly damaging effects. This did, on the one hand, make the Jammu-Kashmir issue more intractable, and, on the other, produce acutely painful results for both the people of India and Pakistan.

24. The further complexity of the Jammu-Kashmir problem consisted in the denial of full democratic rights to the people, particularly in the electoral process in the valley; the rise of militancy in Jammu-Kashmir, especially in the Kashmir region; and the beginning of a period of daily human killings, including the common people, the unprecedented human rights violations, increasing mass miseries and troubles, etc., mainly in the valley.

25. The harmful effects of the unceasing Indo-Pak enmity on peoples lives had broken all records. This record is so disgusting that even the respective propounders and operators of the confrontationist path and their propaganda lobbies in the two countries cannot justify it by any standard. It has brought only suffering and trouble to the Indo-Pak people.

26. Briefly put, both the Indian and the Pakistani people remain among the deprived masses of the ten poorest countries of the world. About 2/3rd population in these two countries come under the category of the poor. Nearly, 40% in India and 50% in

Pakistan live below the poverty line. About half of their respective population is illiterate. Millions have no access to basic health facilities. One-third have no houses of their own. Three-fourth have no proper lavatory facilities. Nearly 50% Children are denied the right to basic and quality education. Three-fourth women in each country suffer some form of oppression. In environmental degradation and deforestation, both have raised their respective graphs up. There is increasing inequality in all spheres of social life, particularly the economic.

27. The reason for the human suffering and deprivation in both India and Pakistan lies in their respective confrontationist lines, each of which continues to waste its valuable resources on arms and militarisation. But they still refuse to learn any lesson from their past experience and continue to pursue the same course as can be seen from the present state of their relations.

V. Present State Of Indo-Pak Relations

28. At the moment, the Indo-Pak relations are at their lowest ebb. Never in the past over 50 years, except during the three Indo-Pak wars, had these relations been so bitter. The Kargil crisis and the hijacking of the Indian plane to Kandhar had contributed a lot in the present Indo-Pak tension.

29. Today, in their respective national discourses, India and Pakistan see nothing but the destabilising hand of each other anywhere and everywhere. India visualises the evil ISI spirit pervading all around, sabotaging every Indian initiative and achievement, while Pakistan feels the same thing happening to its performance by the wickedness of RAW or IB.

30. This mutual phobia is mainly due to the unrealistic prevalent strategic perceptions of the two adversaries.

31. India thinks that the Pakistani malaise is a terminal one and that, by branding Pakistan at this moment as the source of Islamic fundamentalism and world terrorism, it can be isolated and finally pushed into a corner.

32. Pakistan believes that it can, by fully supporting and intensifying the militancy in Jammu-Kashmir, tie down India in an unending conflict that will lead to its disgraceful defeat and final exit from the state. This may, according to Pakistan, generate a process which can, with the sharpening of conflict between India's unitary factors and diverse ethno-regional forces result in India's destabilisation.

33. The practical shape of the afore-stated understanding of

India and Pakistan is evident from the present ground reality in Jammu-Kashmir.

VI. Present Ground Reality In Jammu-Kashmir

34. Whatever has been happening in Jammu-Kashmir today is nothing but a natural corollary of the 52 year old Indo-Pak confrontation and the present state of Indo-Pak relations. Today, their confrontation has led to a new stage in the escalation of violence. Ten years after the beginning of the militancy in the state, the ground situation has worsened in all respects. The main features of this situation may be stated as follows:

35. (A) The graph of militancy has gone up. Its striking power has increased both in breadth and depth. The newly adopted strategy of 'death squads' has paid it rich dividends, enabling it to snatch the tactical initiative from the Indian security forces. Today, it is the militants' writ that runs in the entire valley.

(B) New Delhi is, and, has since been, depending entirely on Jammu-Kashmir's military solution. But this solution is, as is obvious in other parts of the world, proving unproductive. Just see, how all pro-active initiatives of Home Minister Lal Krishna Advani have gone awry. Never, rhetoric can be a substitute to realism. New Delhi's political line is a jumble of confusion. The result is that it has just now been confronting the worst situation of its career in Jammu-Kashmir.

(C) The state of Indian security forces is not very happy today. The daring attacks by militant 'death-squads' on their strongholds, the loss of tactical initiative to the militants, the sharp increase in their casualty rate, the continuing duty fatigue, the long separation from their near and dear ones and, above all, a passive impact of a hostile social environment has somewhat affected their morale.

(D) The state administration is, due to its total dependence on the centre concerning its financial and security matters, fully paralysed.

(E) The people's economic-political condition in terms of poverty, employment and human rights, particularly in the valley, has gone worse. Their disenchantment with the existing gun-based social order has further increased. A wave of alienation seems to sweep the valley. All this indicates more support for the militant agenda.

36. The ongoing Jammu-Kashmir scenario is really alarming. The deadly confrontation in the valley, the build-up of acute Indo-

Pak tension and the war-like threats on either side—all have Jammu-Kashmir centred one point agenda. Today neither India nor Pakistan can afford to part with Jammu-Kashmir's any portion now under their control respectively. For Pakistan, Jammu-Kashmir is its jugular vein and an unfinished agenda of partition. For India, it is the soul of its nationalism and the core of its nationhood. Both are determined to have Jammu-Kashmir whatever the cost. This means that the future of India, Pakistan and also of South Asia will be determined as to how the Jammu-Kashmir situation takes the next turn. As long as Jammu-Kashmir continues to boil, India, Pakistan and other South Asian countries cannot live in peace.

VII. Sorting A Political Way Out Of Jammu-Kashmir Quagmire

37. Social science shows that the solution to a complex problem requires a 3-sided understanding of its process of development. That is, (a) the experience of its past history, (b) its present state, and (c) the direction of its development. Proceeding from the afore-mentioned principle, it is necessary to look at the 3-sided reality of Jammu-Kashmir issue in order to find out its realistic solution.

(A) Lesson Of Jammu-Kashmir's 52 Year Historical Experience

38. Taking up the 52 year historical experience of Jammu-Kashmir problem, it can be seen that the respective confrontationist politics of India and Pakistan has led them in the middle of nowhere. Worst, it had done, and is still doing, the greatest harm to Jammu-Kashmir, both in human and material terms. Until and unless this confrontationist politics is given up, the Jammu-Kashmir issue cannot be properly resolved.

39. As to why the confrontationist politics could not resolve Jammu-Kashmir problem rests with two reasons. First, being incompatible with the newly-emerged global reality of the interdependence of countries (which demands the politics of friendship and cooperation among nations and its methodology of dialogue to resolve tensions and conflicts), the politics of confrontation and its methodology of war have lost much of their relevance (but have not yet become totally irrelevant). Second, the Indo-Pak historical experience shows that it was the confrontationist politics of partition that brought forth the

Jammu-Kashmir issue. Now, the cause which has given rise to this problem cannot be its appropriate cure.

40. The lesson from the 52 year history of Jammu-Kashmir issue is that it is imperative for anyone who stands for a realistic solution to Jammu-Kashmir issue to counter all confrontationist options concerning this question by a realistic and appropriate response. Obviously, all such proposals, which perpetuate Indo-Pak discord or divide the state on communal lines or break up the plural character of the state or split the state between India and Pakistan are confrontationist agendas. Under this head fall the propositions of Jammu-Kashmir's communal partition, accession with one country, division of the state between India and Pakistan, plebiscite, self-determination, etc.

41. In one sentence, it is necessary to uphold the principle of the integrity of Jammu-Kashmir state as one unit, with equal measure of autonomy to each of its ethno-regions, in any solution.

(B) Demand Of Present Jammu-Kashmir Reality

42. Turning to the demand of the present Jammu-Kashmir reality and its ground situation, it can be seen that the 52-year old Indo-Pak politics, equipped with nuclear and other deadly weapons and characterised by mutually provocative moves, has brought the Jammu-Kashmir political process to its flashpoint. If this fatal flashpoint is not immediately defused, it may lead to a dangerous explosion in the sub-continent, having global ramifications. Though there is no immediate threat of an Indo-Pak war due to the pressure of the world public opinion but the critical nature of the issue requires equal vigilance.

43. Given the perilous and volcanic present Jammu-Kashmir reality, it is necessary that all peace-loving people in the world (including India and Pakistan) in general, and Jammu-Kashmir people in particular, strive for decreasing the on-going high temperature of the threatening Indo-Pak tension and thus bringing a relaxed atmosphere in Jammu-Kashmir as well as in India and Pakistan. This should be our first priority or immediate aim in the Indo-Pak peace process. This immediate aim, obviously, demands the fulfilment of a number of integrated tasks. These may be summarised as follows:

(a) The first task should be to bring public pressure on both India and Pakistan to resume the stalled Indo-Pak peace process without any pre-conditions, on the one hand, and release all APHC leaders and start unconditional dialogue with them,

on the other.

(b) The second task should be to get an Indo-Pak public declaration to the effect that they would resolve Jammu-Kashmir problem through peaceful means. Better, if they conclude a no-war pact between them. Similar announcements should also come from all political organisations, including the APHC, operating in both parts of Jammu-Kashmir.

(c) The third task should be to have joint Indo-Pak observers (as decided by the two sides jointly) to monitor the LOC.

(d) The fourth task should be to get Indo-Pak acceptability to the trilateral nature of Jammu-Kashmir issue, involving India, Pakistan and Jammu-Kashmir people.

(e) The fifth task is to ask India and Pakistan to conclude the already agreed to two accords between them, i.e., one on Siachen and the other on Wular Barrage. After the signing of these accords, Siachen glacier be converted into a scientific research centre jointly run by both India and Pakistan. Another agreement on Sir Creek, which had already been discussed between the two countries, could also be signed next.

(f) The sixth task should be to establish a peaceful atmosphere at the ground level in the state, especially the valley. This requires the sending of the Indian security forces back to their barracks and the holding back of the militants' gun. Such a cease-fire agreement should be arrived at between the representatives of India, Pakistan and the militants. It should be for a fixed duration, say one month, and then be continuously extended from time to time. Simultaneously with the conclusion of a cease-fire agreement, all political detainees or prisoners, including the militants, should be released. A jointly agreed commission should be appointed to investigate into the complaints of human rights violations committed by the three sides, i.e., India, Pakistan and the militants, and to recommend proper compensation to all the victimised families. The compensation funds should be contributed both by India and Pakistan respectively in connection with the cases related to them. Militants' liability should be jointly paid by both India and Pakistan.

(g) The seventh task should be to call up on India and Pakistan to get their forces disengaged on the LOC by withdrawing them one kilometer behind the said line by each side. There should be joint patrolling of the disengaged area by the forces of the two countries. Inside the disengaged area, joint Indo-Pak friendship parks should be established at the selected places. Also in the

disengaged area, Indo-Pak friendship trade centres should be opened at important places, such as Suchetgarh in Jammu, Uri in Kashmir, etc. Even on the Indo-Pak border in Punjab and Rajasthan, the strategic points, like Wagha, Munavao, etc., can be linked by rail or bus service to certain important places on Pakistani side.

44. True, the afore-mentioned relaxation measures do not correspond with the prevailing enemy notion of the two countries about each other. It means that they lack a political base in India and Pakistan. And as such the atmosphere of Indo-Pak normalisation of relations is not much congenial. But it should also be noted that extraordinary matters have often been treated by very unusual methods in nature and society.

(C) Future Developmental Direction Of Indo-Pak And Jammu-Kashmir People

45. In the present day world of inter-dependent nations, no country can today live in splendid isolation for long. Countries are now in a stage where economic integration between them (through trade in capital, technology, labour, commodities and human and material resources, etc.) has become an imperative for growth and development. This developmental compulsion is now expressing itself through the formation of regional free trade areas in different parts of the world. These regional formations are, in fact, the prototype of the coming world order which is expected to next enter into the phase of building a world human society on this earth.

46. Following the emergence of such regional combinations, the countries of South Asia, including India and Pakistan, have also organised themselves into a South Asian Association for Regional Cooperation. Naturally, the SAARC today represents the future developmental direction of the countries in this region.

47. Like every other regional formation, the SAARC perspective demands that all inter and intra-country conflicts within this region should be resolved through its politics of friendship and cooperation and the methodology of dialogue between the conflicting sides, bringing the contenders nearer to each other by balancing their respective aspirations and interests. Thus, the SAARC perspective, its politics and methodology provide us a way-out of the Jammu-Kashmir quagmire, on the one hand, and enable us to build a common future of Jammu-Kashmir, Indian and Pakistani people together

on the other.

48. Proceeding from the above-said understanding, it follows that a relevant, just and fair solution to the Jammu-Kashmir problem is the one that harmonises the collective-cum-individual aspirations and interests of each of the three parties involved in Jammu-Kashmir issue, i.e., India, Pakistan and Jammu-Kashmir. The following three point formula quite serves this purpose.

(a) The respective national interests of India and Pakistan should be balanced by establishing an Indo-Pak (or SAARC if the three parties concerned decide as such) Condominium over Jammu-Kashmir state which should handle Jammu-Kashmir's defence, foreign affairs and currency and be a sovereign power in relation to Jammu-Kashmir.

(b) Jammu-Kashmir state should be an independent state, with its sovereignty vesting in Indo-Pak Condominium. The state should adopt a federal constitution, laying down a common head of the state, a common high court, a common election commission, a common public service commission, a common human development commission and environment promotion commission, all to be elected by the ethno-regional councils with one representative from each.

(c) The state federal constitution will ensure the maximum possible autonomy to each ethnic region in the state.

49. The foregoing three point formula serves the interests of the three parties concerned and thus benefits them all.

First, it meets the national aspirations of India and Pakistan by accepting their joint sovereignty over Jammu-Kashmir, on the one hand, and fulfils the regional aspirations of Jammu-Kashmir people by giving them an independent status (minus sovereignty), on the other. It also complies with ethnic aspirations of the people of different regions in Jammu-Kashmir state by ensuring each ethno-region maximum possible autonomy.

Second, it serves the national interests of both India and Pakistan by opening great possibilities of their mutual trade worth crores of rupees and by enabling them to reduce their respective huge unsustainable defence expenditures now being spent on Jammu-Kashmir military operations. This will provide resources to the two countries for their development plans respectively.

Third, it provides an opportunity to both India and Pakistan to be share-holders in the working out of Jammu-Kashmir's natural resources by providing needed capital in this respect.

Fourth, it immensely benefits Jammu-Kashmir people in multi ways. The Jammu-Kashmir people will enjoy citizenship rights in both the countries. Jammu-Kashmir will get the opportunity to trade with both the countries as if the former were one of the states of the two countries respectively. The different projects in Jammu-Kashmir state will be worked out on a partnership basis between India, Pakistan and Jammu-Kashmir state with three share-holders having equal rights by which India and Pakistan will contribute the total investment and technology, while Jammu-Kashmir state will fund its share through the valuation of its resources.

Fifth, it opens new possibilities of developing trade among the SAARC countries.

VIII. Historic Responsibility Of Jammu-Kashmir People

50. A major responsibility of starting and carrying forward this process falls on the shoulders of Jammu-Kashmir people. They can now do a lot in bringing India and Pakistan closer and getting the Jammu-Kashmir problem resolved on a just, rational and viable basis. To achieve this objective, it is necessary to take the following initiatives.

(a) To counter all confrontationist (or militaristic or pro-activist) options concerning Jammu-Kashmir's solution by a realistic and appropriate option.

(b) To uphold the principle of the integrity of Jammu-Kashmir state in any solution.

(c) To carry out the 7-fold task (as given on Pgs. 263-264) in order to defuse the critical Jammu-Kashmir situation and to restore normalisation in Jammu-Kashmir as well as in Indo-Pak relations.

(d) To uphold the SAARC perspective and its politics and to resolve the Jammu-Kashmir problem on the basis of a 3-point formula, balancing the interests of the three parties concerned

(e) To build a joint front of all those forces who accept Jammu-Kashmir as unresolved problem and stand for its peaceful solution.

(f) To obtain the active support of all peace-loving forces in Jammu-Kashmir, India, Pakistan, South Asia and other parts of the world in favour of Jammu-Kashmir's trilateral solution,

(g) To motivate and involve the Jammu-Kashmir people in a 3-sided process of the peaceful resolution of Jammu-Kashmir problem. (i) To mobilise them for the normalisation of

Jammu-Kashmir situation; (ii) To motivate them in favour of the 3-point formula for the resolution of Jammu-Kashmir problem; (iii) To involve them in the realisation of their immediate or daily demands.

(h) To make an appeal to both the people of India and Pakistan to demand from their respective governments to desist from the path of confrontation and militarisation which has made human living miserable in the two countries.

(i) To initiate talks between different ethno-regional groups for arriving at some consensus on the Jammu-Kashmir solution.

(j) To appeal to both New Delhi and Islamabad to accept the consensus solution to Jammu-Kashmir problem as agreed to by Jammu-Kashmir's various ethno-regional identities.

IX. To Sum Up

51. Summarising all that has been stated above, the choice becomes clear; either the three parties to the dispute conciliate and develop or go on fighting and get destabilised. There is no other alternative. 15-04-2000

A Note To APHC Executive

1. Whether Islamabad's peace campaign is, according to Indian media, merely a subtle move to secure the goodwill of the US and the EC and whether New Delhi's dialogue offer to All Party Hurriyat Conference (APHC) is, according to Pakistani media, only a crafty attempt to blunt Pakistani peace offensive—is still a matter of debate. But such moves, even if true, cannot go on for ever. The winds of peace blowing the world over cannot be blocked from flowing over our sub-continent for long. Whether this happens now or after the 4th Indo-Pak war, but happen it must. This is the truth of our age.

2. As is well known, the peace process has its own parameters, quite different from the operations of struggle. Here, the parameters of conceptual logic replace those of the logic of force.

3. It is quite possible that a new phase of dialogue and negotiations may soon open up in relation to Jammu-Kashmir problem. Hence, I am addressing this note for the consideration of APHC Executive.

I

4. First, it is necessary to seriously study the character of our times. Because, it provides one a realistic general perspective, without which one gropes in the dark. Briefly, it can be said that we are now in an era in which human beings have become dependent upon one another. This implies that, since humanity at the moment lives in the form of nations, all national units (i.e., states) have become inter-dependent. That is, ours is a world where no country can live in isolation and in enmity with its neighbours, where the traditional paths of confrontation and war for securing national interests have turned counter-productive (not yet extinct) and where the politics of friendship and cooperation has arisen as the new watchword for social development and progress.

5. Judging the above proposition on the test of practice, a case in point had been the year-old Kargil episode which, despite having been a big military-tactical gain for its sponsor in the beginning, finally resulted in Pakistan's diplomatic decline on the world-scale and its political-economic crisis at the national level. This change in the global attitude towards Pakistan and the adverse reaction of its politics and economics did emerge from the character of our new global era. To interpret it in terms of US 'trade interests' is to view the trees for the forests.

6. Another reference point has been the recent Clinton visit to the sub-continent which has led to important changes in the traditional agendas and priorities of the APHC, Pakistan and India.

7. APHC has shifted from its traditional basic slogans of self-determination and plebiscite to its last option of trilateral dialogue, as mentioned in its constitution. Obviously, self-determination, plebiscite and trilateralism are completely different concepts.

(i) Self-determination represents an inherent right of a given people who imbibe many common social traits (such as ethnic-genetic, cultural-moral, historical, economical and political) of a nationality and are on the way towards forming their own nation-state. In brief, the right of self-determination makes the enabling people as the sole deciding factor.

(ii) Plebiscite is an ordinary right given by any authority to a specific people to express their opinion on a given issue (even an issue like prohibition) and the matter ends there. That is why the UN resolutions, while giving plebiscitary right (not the right of self-determination) to Jammu-Kashmir people, do not accept the latter (i.e., Jammu-Kashmir people) as the third party and give them the only option to either accede with India or Pakistan.

(iii) Trilateralism accepts the three parties at an equal level, having similar rights.

8. Pakistan has changed from its general line of the internationalisation of Jammu-Kashmir problem and sometime of Indo-Pak bilateralism to trilateralism.

9. India has subtly moved from its pet theme of unilateralism (i.e., Jammu-Kashmir as an integral part of the Indian union, meant for national consumption) and convenient bilateralism (i.e., India's dispute with Pakistan over Jammu-Kashmir on getting 'POK' vacated, meant for influencing world public opinion) to unannounced trilateralism by publically accepting its national need

to talk with APHC (which, according to it has been a 'terrorist-sponsoring' organisation till a month ago) for resolving Jammu-Kashmir problem.

10. From the foregoing account of our era, it comes out that a realistic path to the resolving of a political conflict today lies in dialogue and negotiations and not in conflict and confrontation. It calls upon us to accord with our times and not lag behind them.

II

11. Second, following the nature of our era, it is necessary to closely look at the varying prevailing perceptive dimensions of Jammu-Kashmir problem. Because, it shows one the existing dominant social trends and mass moods in relation to Jammu-Kashmir question at various social levels.

12. On the international plane, the international community (comprising the people of all the countries in the world) acknowledges Jammu-Kashmir problem as a political dispute; considers it the most dangerous flashpoint of the world; wants its peaceful solution through negotiations between India and Pakistan along with the involvement of Jammu-Kashmir people (the 3rd affected party in Jammu-Kashmir dispute, according to world public opinion); and desires the immediate resumption of talks between the parties concerned.

13. On the sub-continental scale, India and Pakistan are still stuck to their respective traditional cold war logic. They have so far failed to update their respective iron-fist approaches. They still go on their respective confrontationist paths and continue to shun the globally desirable route of friendship and cooperation. Pakistan is now making every effort to have a third party mediation in Jammu-Kashmir dispute. India is striving for sidelining Pakistan by winning over APHC to its standpoint.

14. On Jammu-Kashmir level, APHC has yet to spell out what type of future it wants for Jammu-Kashmir (i.e., its future vision of Jammu-Kashmir). Its demands of self-determination, plebiscite and trilateralism are only means towards certain unpredictable ends. They do not signify any clear-cut goal respectively.

15. The above account, showing different perceptions of the main parties involved in Jammu-Kashmir problem, emphasises that a peaceful way to the resolution of Jammu-Kashmir problem, as demanded by our epoch and as desired by the international community, lies in harmonising the varying

approaches of the three parties concerned. This means that every military solution and every politics of gun has become counter-productive in dealing with all sensitive points in the world, including Jammu-Kashmir. That is why the US president did, during his sub-continental tour, warn that any attempt to change the borders in blood in this region will isolate the offender from the international community.

III

16. Third, proceeding from the afore-mentioned facts, it naturally follows that, in order to facilitate and stabilise the movement towards the peaceful resolution of Jammu-Kashmir problem, a 2-sided fundamental task be immediately fulfilled. That is, to evolve a consensus-based political solution to Jammu-Kashmir problem among all the political forces in Jammu-Kashmir, on the one hand, and to awaken and mobilise people, on the other. This necessitates the taking of the following steps.

(A) First of all, it is highly essential that the APHC executive itself sorts out an agreed solution to Jammu-Kashmir problem and then gets it confirmed by its general council. Without a single goal, the ideological unity of any party or front becomes untenable.

(B) Again, this solution should, on the one hand, be addressed to the militants for discussion through the media, and on the other, put to debate in a representative meeting of all those groups in the state who consider Jammu-Kashmir issue as an un-resolved political problem.

(C) Next, it should be discussed in an all parties meeting (irrespective of their different political approaches) in the valley, Jammu region, and Ladakh respectively. Later, a state wide all-parties meet be also held.

(D) Further, it is equally necessary to initiate a public debate on the different solutions to Jammu-Kashmir problem through the mass meetings as well as the media.

(E) Side by side with the general discussion in the Indian part of Jammu-Kashmir, a delegation should be sent to the Pakistani part of Jammu-Kashmir for conversing with the political parties and the people on the Jammu-Kashmir solution.

(F) In the meanwhile, every effort should be made to win over the sympathy and support of all peace-loving and democratic-minded people in India and Pakistan for the cause of Jammu-Kashmir people.

(G) After creating the broadest possible consensus in each of the two parts of Jammu-Kashmir and also between them, it is also necessary that the APHC organises two broadest possible fronts—one on this side and the other on the Pakistani side—on the basis of a consensus based political solution. This will equip APHC with an all-embracing public mandate and thus provide the answer to the decade old un-answered question as to ‘who is the genuine representative of Jammu-Kashmir people’.

17. The process of evolving a consensus-based political solution to Jammu-Kashmir problem, on the one hand, and of awakening and mobilising Jammu-Kashmir people on the consensus-based political solution, on the other, would attract worldwide attention. This would, logically, bring Jammu-Kashmir issue on the world agenda, on the one hand, and put pressure on India and Pakistan for a peaceful resolution of Jammu-Kashmir problem with the involvement of Jammu-Kashmir peoples representatives, on the other.

18. If the 2-sided fundamental task of evolving a consensus based political solution and of awakening and mobilising Jammu-Kashmir people on that solution remains unfulfilled, it can lead to an all-round confusion, both at the political and the public level.

IV

19. Fourth, keeping in view the fact that Jammu-Kashmir question today represents the most complex political issue of the present day world, it is exactly true that there is no easy solution to this puzzle. Even then, scores of political formulae for treating Jammu-Kashmir malaise continue circulating in varying political markets, not those operating in this sub-continent but the US and the EC. All of these political prescriptions demand our close attention—with each needed to be tested on the criterion whether it properly responds to the aspirations and urges of the three contesting parties.

20. Briefly, the standpoints of the three sides may be stated as under:

(a) India holds Jammu-Kashmir issue as the soul of its nationalism. Pakistan calls it as its jugular vein, while the Kashmiri people consider it as the basis of their historical identity.

(b) Neither India nor Pakistan is prepared to part with even a slight fraction of Jammu-Kashmir portion now under their

respective control.

(c) The status-quoism is, totally unacceptable to Kashmiris. Even the pro-India Kashmiris stand for the maximum possible autonomy and opposition to total merger. The 52 year miserable experience of Indian constitution's special status to Jammu-Kashmir and over 50 thousand kashmiri killings during the past 11 years have made status-quoism totally unviable in the Valley.

(d) Within the Jammu-Kashmir state itself, each of its 8 ethno-regional communities has its own vision, aspirations and urges. The essence of the matter is that if we take into account the proportion of Jammu-Kashmir's population to India's total population, this state has as much ethno-cultural diversity as India itself.

(e) The sociological lacking common to the three parties is that, in the existing world balance of forces, the international political centre, i.e., the UN can only exert pressure on them and not make them contrary to their opinions, accept any solution, howsoever realistic it may be.

21. Taking into account the divergent viewpoints of the three parties, it is obvious that no political formula favourable to one side or the other can be a relevant and proper solution to Jammu-Kashmir problem. It can only be the one which harmonises the aspirations and the interests of all of them. Here, the following 3-point political formula may provide the basis for further consideration.

(a) The respective national aspirations and interests of India and Pakistan be balanced by jointly entrusting to them Jammu-Kashmir's sovereignty in the constitutional form of Indo-Pak Condominium over Jammu-Kashmir's defence and foreign affairs.

(b) The regional aspirations and interests of Jammu-Kashmir people, especially the Kashmiris, be met by constitutionally accepting Jammu-Kashmir as an independent state, with its sovereignty vesting in the Indo-Pak Condominium.

(c) The ethnic aspirations and the interests of Jammu-Kashmir's different ethno-regional communities be accommodated by giving maximum possible constitutional autonomy to each of them. The Jammu-Kashmir state level matters may include: the head of the state, high court, election commission, human development commission, environmental commission, planning commission, etc.

22. Apart from satisfying the urges of the three concerned

parties, the above formula further delivers to them as well as the world community in many other ways.

It suits the world community by defusing the most dangerous global flashpoint.

It benefits the South Asian community by removing the blockade to the development of its free trade market.

It further serves India, Pakistan and Jammu-Kashmir people by making them equal partners in economic development in which each India and Pakistan provide an equal amount of finance, while Jammu-Kashmir state contributes its share in the form of natural resources. Also, Jammu-Kashmir people get additional advantages by virtue of their becoming the citizens of two countries and obtaining the facility of trading with them.

23. Lastly, a peaceful road to Jammu-Kashmir problem demands Jammu-Kashmir's ground reality as its starting-point. Today, the level of violence in the valley and the graph of militancy and counter-militancy operations in the state as well as the scale of Indo-Pak tension on the LOC has reached unprecedented proportions. The mass miseries, particularly in the valley, in regard to human rights and day-to-day living, have crossed all limits. Experience shows that so long as Jammu-Kashmir continues to boil, India, Pakistan and South Asia cannot live in peace.

24. This perilous and volcanic situation necessitates that, while seeking a political solution to Jammu-Kashmir problem, we should also demand the restoration of a normal atmosphere in the state, on the one hand, and the reduction in Indo-Pak tension, on the other.

Here, public pressure should be built for the adoption of the following measures which can help ease tensions and create a feeling of involvement among the masses in the peace process.

(a) The restoration of the stalled Indo-Pak dialogue.

(b) The release of all those who have been detained without any charge for years together.

(c) An Indo-Pak declaration that they would resolve Jammu-Kashmir problem through peaceful means.

(d) The acceptability of the trilateral nature of Jammu-Kashmir problem by India.

(e) An early conclusion of Siachen, Wular Barrage and Sir Creek agreements by India and Pakistan.

(f) Working out of a viable ceasefire in Jammu-Kashmir.

(g) Disengagement of Indo-Pak forces on the LOC by

withdrawing the forces of each country one kilometer behind the said line.

(h) Patrolling of the disengaged area by the joint forces of the two countries.

(i) Establishment of joint Indo-Pak friendship parks and trade centres at selected places in the disengaged area.

(j) Supply of power by Pakistan to the valley at reasonable rates.

(k) Training and scholarship facilities to about 100 students from the Pakistani part of Jammu-Kashmir by India in its technological institutions, especially the IT sector.

(l) To work for strengthening the political and emotional unity of the state.

(m) And, above all, to tell and convince the people that the future of India, Pakistan and Jammu-Kashmir people ties together.

25. Besides, the above-stated relaxation measures, two more points need to be emphasised here. One is that the universal principle of unconditional talks should be upheld at all times and climes. Any form of dialogue which facilitates the peace process and helps in the resolution of the problem should be possible. Whatever the objection, it should be raised in the first meeting itself.

26. The other is that, apart from the method of dialogue for resolving Jammu-Kashmir problem, there is no harm in adopting some other form of conflict-resolution—like facilitation, mediation, arbitration, etc., if it is more relevant in the given situation.

27. True, Jammu-Kashmir problem is a highly complex and complicated issue. But all such extraordinary matters lose their momentum in time and space and become ripe for resolution through ordinary means. Everything is relative. And nothing is absolute. 19-05-2000

*(Resolution Presented At IDP's Fazilka Conference
On May 27, 2000)*

Our Party's Chronic Problem (A rolling stone gathers no mass)

I

1. As everyone of us knows that, since the inception of our party, its two-sided task has been the one of increasing the general and the social consciousness of our party members (both individually and collectively), on the one hand, and of awakening and mobilising the people, on the other, for attaining its 3-fold objective, i.e., (a) the full democratisation of India, (b) the building of the South Asian community, and (c) the establishment of the world human society. The importance and the standing of this two-sided task is quite obvious from its having been a frequently recurring agenda in every one of our major party conclaves. This has been our only road towards our 3-fold objective. However, despite our continuous reiteration of its importance from day one, we have not yet been able to tackle it in an effective way.

2. Where does the fault lie? Obviously, it rests either with our party agenda as being irrelevant to the party and the public needs and priorities respectively or with our way of its (i.e., agenda's) explanation being defective or with our non-performance of this task. Possibly, all these reasons might be there, but the last one seems to be predominant. This becomes evident from the fact that, while the most important public welfare issues (like water, sanitation, anti-pollution, health, education, poverty, unemployment, houselessness, power, road and railway transport, telecommunications, IT sector, etc.) have, when and wherever neglected in the process of mass awakening, remained dormant in public activity, the out-grown agendas (such as, the demolition of Babri Mosque, the revival of Congress' dynastic rule, etc.) and non-issues (e.g., religious conversions, whether Sikh community

constitutes a sect of Hinduism or has an independent identity, etc.) had, when and wherever persistently and effectively campaigned for and agitated upon, worked to incite the masses (though the people did suffer their negative effects later on). This shows that even a more relevant agenda becomes less effective if it is not consistently and logically explained to rouse the people. The relevance of out-grown agendas and non-issues is explained by the fact that, in human society, even outmoded and irrelevant ideas continue to have emotional validity for sometime, despite losing their rationality and utility. And further, since change is the universal law of nature, people, at times, stirred by their impulsive instincts, opt for out of fashion opinions and their practitioners in contrast to genuine ideas and persons.

II

3. The question of our non-performance has generally been an outcome of three factors, i.e., (a) one's belief in the inevitable victory of one's agenda, (b) lack of one's motivation towards the realisation of one's agenda, and (c) one's inadequate understanding of the importance of organisation.

4. As regards the first point, the theory of inevitability (i.e., sure to happen) is an unrealistic proposition because nothing is absolute or final. A relevant natural phenomenon sometimes becomes irrelevant in nature due to certain chance or random factors and a socially desirable thing in society at times loses its relevance in competition with a less desirable and even an undesirable objective (e.g., the assuming of power by a fundamentalist party in New Delhi), if the desirable aim is not properly worked for.

5. With regard to the second point, the lack of motivation is the result of one's assumption of its own agenda as having a weak immediate social relevance or priority or having little chance of success in the given social context.

6. As to the third point, the organisational under-estimation is the product of one's ignorance of social laws or lack of understanding of the social truth that the socially alert and enthused people are the greatest motive force of change in human society.

7. The more aroused the people, the earliest the social transformation. The more the mass passivity, the more delayed and the less effective, and sometimes even negative, the social change.

8. It goes without saying that the question of building a given

party-cum-mass movement has been linked with the given party constitution which lays down its goal, direction and other parameters. If one lacks the organisational sense, one is liable to ignore the constitution and to frame or adopt one's own rules of work and organisation. And this is what had happened and still continues to happen in our party. We open our party constitution only when any general party meeting had called for this task. But we had hardly made it as the basic norm of our work at any time.

9. Just look back and reflect on what the 1988 party congress (which adopted our party's programme and constitution) did say in its third document (titled 'present situation and our tasks'). It reads:

"Taking into account the above situation along with a clear perception of our inadequate organisational structure and weak mass influence, this Congress holds that, in order to turn the situation towards further democratisation and social justice, the party should pursue a 2-sided task—that of improving its own organisational quality and quantity and that of mobilising and organising the masses on mass issues as well as against authoritarianism, bureaucratism and centralisation of authority (a trend presently represented by the two super-powers in general and the Indian government and the ruling party in particular). Both these aspects are inter-related and the one cannot be treated separately from the other. In order to carry out this 2-sided task, the party needs proper planning and its implementation followed by its review and re-planning and so on and on.

"On the party front, the starting point for all party units is the question whether they are working in accordance with the party constitution as regards the rights and duties of each member; enrolment of members and candidate members; observance of guiding organisational principle and its norms; holding of unit meetings; state of discipline among party members; functioning of party fractions in class and mass organisations; working among the masses; etc. If the above is not being done, this should be fully implemented. Secondly, all party units should deepen their understanding of the party line through individual study followed by collective reading and discussion. Thirdly, all party units should make a thorough study of the party journal both on the individual and the collective basis and chalk out a scheme for its proper distribution and sale. Fourthly, all party units should make an assessment whether their whole strength or capacity (i.e., capacity of members and sympathisers) is being utilised for party and mass work. If not, they should at once put

the idle capacity to use. Fifthly, all party units should always remain alert about their own defence (including the defence of individual members), both legally and politically, against provocations by anti-social elements. Sixthly, all party units should work out elaborate plans for mass work with particular emphasis on priority mass issue and priority area. Seventhly, all party units should devise effective methods to always remain accountable to the masses and implement them conscientiously. While continuing their research for new innovations in this regard, they should for the present observe these norms: (a) Work democratically within the party as required by its constitution, (b) Work in the class and mass organisations according to the discipline of their respective programmes and constitutions, (c) Invite criticism (about their style of functioning) from the masses where they work, once every year, (d) Place the account of every mass collection before the masses (unit-wise or individually, as the case may be), and (e) Inform the masses through the unit about the financial and economic position of every leading comrade.

“(A) On the mass front, the starting point for all party units is to satisfactorily settle two inter-related problems concerning mass work. One is the problem of chalking out a mass propaganda line. And the other is the problem of identifying those mass issues (causing immediate mass hardships and remaining unsolved due to the negligence of the ruling party) for whose resolution the masses stand in need of a proper solution and an effective leadership.

“(B) As regards the 1st problem (chalking out a mass propaganda line), it should be sorted out by taking into account the party’s general line as well as the following 5 points. Firstly, our mass propaganda line should begin with the issues immediately confronting the masses (be they local, national or international)—pointing out the cause of unsolved mass issues as lying in the reactionary policies of the present government and ruling party along with their proper solutions. Secondly, it should present a concrete exposure of the ruling party in regard to what did it promise (orally as well as in its manifesto) during the general election and what had it done after coming to power (including its constitutional and legal violations). Thirdly, it should explain our party programme (stressing its basic orientation of International Democracy in contrast to national parties’ National Democracy which is unable to solve basic world problems,

including those of India) and party policies concerning all local, national and international questions (emphasising their central principle of handing over maximum decision-making power to the masses in all spheres—political, economic and cultural) and also indicating the difference between our party programme and policies, on the one hand, and all other parties (Congress as well as opposition parties), on the other. Fourthly, it should orientate the masses to distinguish between different parties on the basis of their respective programmes and policies and to make this distinction as the criterion for selecting a national alternative to the ruling party. And fifthly, it should mentally prepare the people to get organised either into IDF or some other mass organisation (formed to agitate on some mass demand).

“(C). As regards the 2nd problem (i.e., identifying the mass issues causing immediate mass hardships), it should be sorted out through proper investigation and followed by the evolving of its concrete solution. Then this solution should be popularised among the masses, mobilising them to the extent of accepting its proposed organisational methodology—while stressing the fact that, without an organisation, even big mass mobilisation (whether on smaller mass issues or bigger ones) fizzles out and that, without an organisation, an effective activity can be performed—should induce the masses to get organised either into the IDF or any temporarily formed mass organisation on the concerned issue. Wherever possible, the broadest possible united front be formed. Without a joint programme (whether on a single issue or many issues or whether on a mass demand of contesting of elections), no united front (merely on anti-Congress basis) should be formed. And no party or group be shunned if it agrees with the joint programme. The action methodology should include the suitable form of struggle conforming to the mass mood and the actual mass strength (be it the presenting of an application of the waiting upon of a deputation on any minister or official or certain bigger step like a demonstration, dharna, strike or a prolonged agitation, etc.). After the mass mobilisation and organisation, the mass action should be consistently followed till the issue is resolved in favour of the masses. While mobilising the masses on immediate mass issues, we should also inform them about party’s mass propaganda line which, by realistically explaining the present social conditions, enhances social consciousness.”

10. The foregoing extracts speak for themselves as well as about us. As for themselves, they are self-explanatory, need no

elaboration and contain thorough logic and practicability. With regard to ourselves, they represent the living proof of our high-sounding phraseology, with little practical utility. Doubtlessly, our inconsistent party and public awakening line had been like a rolling stone which gathers no mass. It failed to strengthen the party and mass movement.

In estimating our party and its mass position, the measuring rod is, and has been, not the money and muscle-based politics but a value-based one. Our principal standard of measurement is, and has been, our members' consciousness and the mass movement.

III

11. Now what should be done? An old saying goes: it is no use crying over spilt milk. Hence, the only course before us is to turn our negative experience into positive one by taking a firm pledge that we will henceforth try our best to get rid of our defective organisational concept and style, organise our party-cum-mass work process in accordance with the rules of our constitution, review and update some of our out-of-tune constitutional formulations in accordance with the social changes of our times.

12. The main thing in our party work-style should be to deliberate over the concept and the actual implementation of each one of the clauses of our constitution. In these deliberations, the entire membership should be involved at all levels. Each unit should specify how it has met or is going to carry out the demands made by each clause. The constitutional review should be completed within one month and the adopted decisions be carried out within next two months. The lower committees should submit their detailed reports to their block units. All block units and above should hand over their written statements to the CC 15 days after the completion of the constitutional review and the decided tasks.

13. The main thing in our mass work should be to observe the fact that ever-increasing mass problems (both new and old) go on troubling our people. Today 5 types of issues are mainly agitating the public mind. The peculiarity of these issues is that they bear not only a national character but also imbibe sub-regional and regional features. These are: (a) the issue of primary human needs (such as water, sanitation, matters relating to pollution, health, education, power, road and railway transport, telecom, etc.), (b) the issue of poverty and hunger, (c) the issue of unemployment, (d) the issue of homelessness, (e) the issue of

agriculture and rural development, (f) the issue of gender inequality, and (g) the issue of injustices with the people (like corruption, human rights violations, criminalisation, lawlessness, violence, communalism, casteism, etc.). In the days ahead, the social groups concerned with workers rights, unemployment, poverty, small and marginal farming, gender inequality and houselessness need to be aroused and properly organised in order to raise the tempo of mass movement.

14. The inputs required for the process of involving the people are more or less similar in every sector. The only difference lies in their creative or inefficient use. These in general include:

(a) To select the agitational issue and the concerned group. The given issue and the group may be (i) area specific, (ii) class specific, (iii) problem specific and (iv) social group specific.

(b) To prepare the agenda of the target group explaining the group's aim, the different aspects of the agitational issue and the form of struggle.

(c) To get oneself well-acquainted with the target group and its positive and negative sides.

(d) To make use of the prepared agenda as a starting point for the overall awakening of the affected people at various get-togethers and persuade them to discuss these problems and their solutions.

(e) To enrich the target group's awakening by relating its agenda to the similar problems concerned with the region, country and the world.

(f) To get a core team elected by the participants and entrust the core team with the task of further mobilising the social group on its agenda and create more and more core teams.

(g) After creating certain level of mass awakening and organisation, the problem should be addressed to the concerned quarters and pressure of public opinion be created and exercised by resorting to various forms of struggle.

(h) Peoples awakening turns into an invincible power by tempering through various awareness campaigns and methods of struggle.

15. Peoples awakening and involvement in understanding and resolving social problems is the most important question in the process of establishing a nature-friendly and human-friendly society. Involvement depends on motivation and the motivation is determined by due rational and emotional awakening. It is a question of learning by doing. Achievements come from the

unending process of a proper mix-up of theory and practice. Readymade theorems are mere barren formulas.

IV

16. While concluding the above-stated agenda, three more inter-connected points need to be stated here.

First, the party upholds the vision of building a global order whose fundamental principle is to put the people and the environment (i.e., nature) at the centre of human thinking, activity and organisation.

Second, the party stands for building a global order which is based on a lasting peace by discarding the politics of super-powerism or hegemonism and its attendant confrontationist mode (i.e., the external-cum-defence policies of some big countries), reconciling the interests of various nations through friendship and cooperation and the resolving of all conflicts (whether between countries or within them) through talks and negotiations between the contending parties.

It advocates the restructuring of the UN and other international institutions on a democratic, equal and transparent basis by ending all special rights and discriminatory rules.

It emphasises a people-cum-environment friendly development, based on the norms of equity, sustainability, productivity, democracy and transparency.

It stresses the promotion of rational humanist thinking and democratic behaviour in all walks of life.

Third, the party maintains to reorder India on a realistic basis by establishing: (a) its political process on the improved norms of rule of law, the maximum possible direct empowerment of the people, transparency, peoples right to information and the administration's total accountability to the people at all levels; (b) its economic process on the rules of equity, sustainability, productivity, democracy and transparency; (c) its cultural process on the standards of humane thinking and democratic behaviour; (d) its foreign-cum-defence process on the proposition of stable peace by doing away with all sorts of external conflicts and internal irritants through dialogue and negotiations; and (e) its vision on the principle of inter-dependent nationalism (or the inter-dependence of nations) in place of the out-grown concept of a sovereign, independent and exclusive nationalism (which is often prone to chauvinism and jingoism). 27-05-2000