

---

## **CONTENTS**

### **BOOK REVIEW**

The sin of judgment 3-6

### **CIVIL SERVICE**

Civil service aspirants demand equal attempts 8-9

### **EDUCATION**

Free higher education 11-14

Most govt schools without principal 15-16

RTE bill will be in effect soon: Center 17-18

### **ECONOMIC DEVELOPMENT**

Indians spend 25% of income on food,  
1.5% on health, 1.4% on EMIs 20-22

### **INTERNATIONAL TRADE**

A new ecosystem of ties in East Asia 24-27

### **POLITICS AND GOVERNMENT**

Governors & Raj bhog 29-32

Nationalism is so 2000 33-38

### **SOCIAL JUSTICE**

Invention and reinvention of ethnicity 40-44

# **BOOK REVIEW**

## **The sin of judgment**

Omais Ahmad

It is very difficult to review Ronojoy Sen's *Articles of Faith; Religion, Secularism and the Supreme Court* for the simple reason that the book is fabulous. There has probably been no more important question for India and Indians as religion and its relationship with the state. Within that broad field it is probably no overstatement that the two great questions are: "Who is a Hindu (and the related question of who decides)?" and "What rights does a modern state have to judge religion?" Sen's approach — using the judgments of the Supreme Court to examine the way that this important institution of governance has acted on the issue — is both innovative and fruitful. The research is meticulous, both of the Supreme Court as well as the history involving the interaction between the legal, political and religious spheres primarily over the last 60 years, but also encompassing the arguments and judgments that preceded Independence.

The book begins with a swift introduction laying out Sen's approach. His focus is narrow, in that he is looking exclusively at the Supreme Court's decisions involving Articles 25-30 of the Constitution which relate to freedom of religion and minority rights. This sharp focus on these decisions also allows him to situate the judicial decisions within the context of how we, as Indians, have negotiated our particular and peculiar form of secularism. He pays a great deal of attention to the judicial view of Hinduism, not only because it involves the largest number of people (and court cases) in India, but also because of the court and Indian state's zeal in dealing with the reform of Hinduism and Hindu Law. This has led the court into an awkward situation where it

feels it can judge Hinduism, and that inevitably leads to the idea that it can judge other religions as well. But is the judiciary the right authority for this? How correct is it that the state is this deeply involved in issues that are more theological than legal? And most importantly what is the political price paid by the Republic and its citizens for the Court's zeal? Its judgments, whether on the Hindutva rulings, the Shah Bano case or others, as Sen shows, have been politically naive at the best, presumptuous and immensely dangerous at the worst.

Sen does an excellent job laying down the historical foundations of the arguments he is dealing with, beginning with the "New Hindus". These were the reformers ranging from Raja Rammohan Roy to Swami Vivekananda and Sarvepalli Radhakrishnan to Bankim Chandra Chattopadhyay, Swami Dayanand, Vinayak Damodar Savarkar and Mohandas Karamchand Gandhi. All of them were trying to find a way to capture a way to be Hindu in the modern world. Their approaches differed widely, but there was an overwhelming tendency to "purge the religion of later accretions" separating Hinduism into the purer, higher Vedantic Hinduism ("Hinduism as it ought to be") and Hinduism as it was "misunderstood by the illiterate masses" full of traditions, rituals and superstitions ("Hinduism as it was"). (Sen says that Gandhi was an exception to this rule, but by and large I would have to disagree).

Sen separates the "New Hindus" into two basic camps: the "inclusivist Hinduism" versus the "exclusivist Hindu", with Vivekananda the prototypical inclusivist and Savarkar as the hardened exclusivist. But Sen shows how their relationship was actually not "versus", but something almost complementary. For Vivekananda "the infinite capacity to accommodate differences and dissent (became) the principal feature of Hinduism". Savarkar and his camp did not dispute that. Instead his key innovation was that "the concept of Hindu is given a predominantly territorial component (Ashis Nandy)". The Supreme Court was not immune to this approach and in the first attempt to define Hinduism, the Yagnapurushdasji vs Muldas (1966) case Supreme Court

drew heavily on the writings of Vivekananda and Radhakrishnan, coming to the conclusion that "it may be conceded that the genesis of the suit is the genuine apprehension entertained by the appellants, but as often happens in these matters the said apprehension is founded on superstition, ignorance and complete misunderstanding of the true teachings of Hindu religion". In other words the appellants do not understand the Hindu religion but the Supreme Court does, and it shall tell them what that is. Wow.

Who gave the Supreme Court that authority? Sen quotes many scholars who have written on the subject. Maybe the one worth quoting in full is Pratap Bhanu Mehta, "Hinduism lacks not only a caliphate but a Vatican as well. What agency was there, then, with the power and the legitimacy to undertake the overhaul of religious traditions? In post-Independence India, the answer turned out to be obvious: Only the modern state, with the institutions legitimised by universal suffrage, could take up the work of reforming Hinduism". Mehta's argument is in the middle, arguing that there was little choice, while others question the court's meddling in matters religious, and even others believe it to be benign. (I would also add, as a side note, that it was not the caliphate that determined the legality in (Sunni) Islam except in compiling the official Quran, but largely theologians often at odds with the state).

Even if we accept Mehta's argument of the inevitability of the state's intervention there is the attendant question of whether the court, with its tendency to promote "certainty" and "uniformity", was best equipped to deal with religion which by its very nature only offers these qualities among the most fundamentalist groups. This arrogance, related initially to Hinduism, as well as this leaning towards certainty and uniformity, has been the driver of the court's often harsh advocacy in favour of the Uniform Civil Code; it underlies the arrogance with which the Supreme Court has felt free to propound on Islam and Christianity in cases such as Shah Bano and *Jorden Diengdeh vs S.S. Chopra* (1985). It leaves little scope for plurality and gives an advantage to fundamentalists of all

stripes and flavours, either willing to implement the judicial decisions, or to fight against them.

Sen is not a "religion first" fundamentalist. Instead his book is a thoughtful critique of what happens when a state institution interferes deeply in matters that it may not be best equipped to deal with.

He is a strong advocate of the judicial system and it is precisely his care and concern for it that animates this book and brings out what happens when a very good institution, with all the best intentions and few options, takes on a task beyond its scope.

Omais Ahmad is an author based in New Delhi

# **CIVIL SERVICE**

## HINDUSTAN TIMES 7.1.10 CIVIL SERVICE

### **Civil service aspirants demand equal attempts**

Shruti Badyal

The quota debate has surfaced yet again. This time, the Supreme court has questioned UPSC on why a general candidate gets only four chances to clear the Civil Service Exam conducted by UPSC, while candidates belonging to SC, ST and OBC categories are given seven attempts. While the answer from UPSC is still awaited, students and teachers talk about some loopholes in the examination procedure which need immediate attention.

Ashima Bhatnagar, a student preparing for Civil Service exam, says, "There should be no quota for exams. Equal chances should be given to all sections of the society if sanctity of the civil services is to be maintained. You can't give three extra attempts to a student just because he belongs to some other category."

Out of the many changes students want, Ekta, another student preparing for Civil Services, wants the policy makers to increase both age limit and number of attempts for students. "The number of attempts for graduates who have attended three years of college and medical students who spend five years in a medical college is the same. The age limit is 30. So while after college and spending years in preparing for civil services, a student is not left with many chances and time to appear for UPSC. I am 27, and only have three attempts left," she says.

Others seek more transparency in the examination system and a common test for all students. "UPSC should rectify the examination system. Firstly, the subject options available to students are subjects like

Mathematics and literature. These subjects are not comparable. As a result, if a good student picks up a wrong subject, he can lose a chance to clear the exam. Many such reports are pending before the UPSC. They must take action," says Jojo Mathew, director of ALS coaching institute, Mukherjee Nagar.

# **EDUCATION**

## ASIAN AGE 7.1.10 EDUCATION

### **Free higher education**

Ashok Malik

If stakeholders in Indian education look to 2010 with hope and optimism, it is because the year could trigger a decade-long process of genuine expansion of opportunities. Ideally, these will run the gamut — from access to schools for all children of a certain age to greater availability of seats in higher education, especially technical fields such as engineering and medicine. A modern, transparent regulatory process and quicker clearances for honest investment in private universities — as opposed to fly-by-night racketeers and their degree shops — are also realisable.

Not all of this will happen in 2010. To be fair, some of it will probably still be an aspiration even in 2020. Yet, the coming year could see the first serious steps in the direction of making the country's education system compatible with the needs of a 21st century economy. India has wasted years not upgrading its education protocols. It was only in the summer of 2009, with the appointment of Kapil Sibal as human resource development minister, that decided urgency came into education policy, as opposed to education politicking.

In the past six months, Mr Sibal has been a very busy man and has thrown up a flurry of ideas. In the end, not all the minister's ideas and suggestions may fructify. Yet, grant him this, he has got a debate or even several debates going. Most reassuringly, he has not shown the kind of congenital hostility to private and non-Indian service providers in higher education that marked his predecessor's term.

Education reform is a complex business and means different things to different sections. It could simply imply entry into schooling for some people, availability of quality neighbourhood schools to other people, a greater number of colleges and higher educational institutions with contemporary curricula to a third set of people.

Reform in one component is not necessarily linked to that in another. The priorities and concerns of the urban parent who wants his daughter to graduate in computer engineering, and doesn't want to spend a fortune on a university in America or Australia, are never going to be the same as those of a humble semi-rural parent who only wants to find a good primary school, close enough to home, where he can send his son and have him learn basic, functional English.

Yet, if there is one catalyst for the coming decade, for 2010 and beyond, it is likely to be the freeing of higher education. This will do two things. First, it will take care of at least some of the pressure cooker atmosphere in high school. A system that has a Class 12 candidate getting 95 per cent and still not being sure of admission to a college of his choice is ridiculous. Yet, the fault lies less with the school examination and more with the fact that there are just not enough top-grade college seats to go around. Higher education is the last bastion of India's shortage economy.

Second, the arrival of private and foreign education providers — and often a mix of the two — will ease the burden on public education to that extent. The government will not only earn more revenue, it will also be able to transfer potential capital investment in higher education to enhanced outlays for primary and secondary education.

In turn, this could happen in a variety of ways — building government schools in hard-to-reach areas or, and this is perhaps more efficient, providing subsidy for a voucher system that would allow children from poorer families to seek admission even in expensive private schools with the promise that the government will "honour the voucher" and

reimburse the requisite fee. Indeed, Mr Sibal has mentioned the voucher model as one India could consider.

The key lies in revamping and rapid enlarging of higher education. It can be reasonably expected that Parliament will pass the necessary legislation and that by the end of 2010 the first foreign institutions will begin to set up facilities in India. Even so, these are unlikely to be full-fledged universities, at least initially.

There is no compelling logic for a Stanford or an Oxford to establish a second university in India. This will only deprive its original campus of an Indian or south Asian market. More important, it will dilute the brand, as there is no guarantee of finding gifted faculty and adequate human and institutional resources to replicate the excellence of the original.

Given this, foreign educational institutions are likely to come to India in one of two forms. Individual schools or departments in the best universities abroad will seek appropriate partners in this country. For example — and this is completely hypothetical — it is conceivable that an environmental sciences school in an Ivy League university could tie up with The Energy and Resources Institute in Delhi for a degree programme in, say, climate change mitigation technology.

Cornell University has a fine hotel management school. It could partner with the Oberoi School of Hotel Management or any one of the Indian Institutes of Management. The Singapore-based Cornell-Nanyang Institute of Hospitality Management offers a precedent. A California Institute of Technology or a Massachusetts Institute of Technology may seek synergies with one of the Indian Institutes of Technology for a specific programme.

These notional scenarios constitute the upper layer. On the other hand, the bulk of foreign education service providers may focus on the demand for vocational courses, often offering diplomas rather than degrees. For

instance, thousands of Indian students who go to Australia don't necessarily study mechanical engineering or history. They seek admission in small colleges, some of them downright dodgy, offering courses in hairdressing or cookery or automobile repair.

There is a domestic boom waiting to happen here. One or two year courses in nursing or cookery, in paramedical expertise, even in driving or tailoring, benchmarked against international standards and leading to a diploma that is recognised in overseas markets: the scope is immense. This is where the first foreign institutions will come. By the end of 2010, they should be changing India's skill-building landscape.

Ashok Malik can be contacted at [malikashok@gmail.com](mailto:malikashok@gmail.com)

## **Most govt schools without principal**

Divya Sethi

The apathy of education department continues to affect schools adversely as most institutes in the district are running without a principal. Owing to grave official indifference, the matter is on the backburner.

Most of the posts of heads of institutions are lying vacant. According to information, out of 138 senior secondary schools, 131 are run by officiating principals. In high schools in the district, 91 posts of headmasters are vacant.

Highly-placed sources in education department revealed that the fresh date for discussion of the promotion list is scheduled for the next week and things are set to be streamlined. But teachers are not very sure that things would improve as the meeting scheduled for Tuesday has already been cancelled due to a senior official being on leave.

Teachers waiting for their promotion for the past many years seem to be losing faith in the system, maintaining that in the face of such a meeting being cancelled because of some senior official being on leave, trusting the procedure is difficult.

DPI Sukhwinder Pal Singh said, “The matter is still under consideration of education secretary and senior officials. Things would definitely improve.”

President of Government School Lecturers Union Sukhdev Singh Rana said, “Many teachers have, over the past many years, never got a

promotion. If meetings are cancelled over petty issues, how could we be positive about the course of things? There are many lecturers who have been working as officiating heads since 1983 and are still waiting for promotion.”

He further said, “Generally, one senior lecturer in the school is appointed as the officiating principal. The other teachers generally consider him to be “one of them” and often do not follow the rules framed by him to maintain discipline in the school. And officiating principals do not feel comfortable about usage of funds, apprehending that if anything goes amiss, an inquiry might be ordered. They are thus hesitant about spending the money.”

**RTE bill will be in effect soon: Center**

TNN

A day after TOI carried a report on the delay in notification of the Right to Free and Compulsory Education Act, the Supreme Court's anguish on the issue made the Centre promise on Wednesday that it would bring the Act into effect "very soon". The Act would make it mandatory for every child between 6 and 14 years to go to school.

A Bench headed by Chief Justice K G Balakrishnan said: "If the Act was implemented in letter and spirit, the ugly face of child labour can be wiped out... There will be no child at work but in school...where he ought to be." Solicitor-general Gopal Subramaniam assured that the Act would be brought into effect "very soon".

The apex court's anguish was understandable as its own judgment in 1993 first brought into focus the right of children to free and compulsory education, which finally appeared to be on course with Parliament enacting the Right to Education Act in August last year. But the Act was still to be notified to enable its implementation, petitioners advocate M C Mehta and National Council for Protection of Child Rights chairperson Shanta Sinha pointed out.

Solicitor-general Gopal Subramaniam agreed with the apex court that school was the place for children and promised that "the Right to Education Act will be brought into effect very soon." He said things had improved considerably with the implementation of Sarv Shiksha Abhiyan.

"The dropout rate of girl children from schools has come down from

37.5% to 11.36%. This is a significant improvement. Once the (RTE) Act is put in place, it will provide a complete answer to the problem of child labour and their education," he said.

"Not only do we have to work towards implementing the Act, but also towards eliminating child labour," Subramaniam said.

# **ECONOMIC DEVELOPMENT**

## **Indians spend 25% of income on food, 1.5% on health, 1.4% on EMIs**

Saubhik Chakrabarti

**New Delhi :** Of Indian households' total annual income, 0.22 per cent is spent on buying newspapers — that is, if total national household annual income was Rs 100, 22 paise would be set aside for newspapers. Paying off bank loans (expenditure under equated monthly instalments) takes up 1.4 per cent of total household annual income. The share of health expenditure is 1.5 per cent, and that of education expenditure, 3.21 per cent.

Indian households devote roughly the same proportion of their annual income on recreation and alcohol (0.64 per cent and 0.6 per cent, respectively) and somewhat more on eating out (1.02 per cent of annual income). Expenditure on employing domestic help? 0.57 per cent of total annual household income.

Food expenditure (this category excludes money spent on eating out) commands just over 25 per cent of household annual income, while power and fuel account for 7.6 per cent, and transport expenses eat up 1.74 per cent.

These are among the many interesting findings on household income, expenditure, savings, asset-holding and debt status that are part of the Centre for Monitoring Indian Economy's (CMIE's) Consumer

Pyramids, a survey of Indian households. The data, the first-ever direct income estimate, has been reviewed by the Planning Commission.

CMIE's data for 2008-09 says household income the last financial year was Rs 28 billion. This is smaller than the official estimate (for 2007-08) of personal disposable income, which is put at Rs 36 billion. However, official estimates by the Central Statistical Organization measures income of what are called non-profit institutions serving households: basically, temples, churches, mosques, gurdwaras and various trusts. The god element probably explains the difference.

CMIE's data, which estimates household income directly and by including incomes of all household members and not just the head of household's, finds the average per household income in India in 2008-09 was Rs 1,40,000.

Income is distributed unequally for sure, but the inequality is not as sharp as many think. The richest 5 per cent of households account for 23.1 per cent of the total income, and 50 per cent of households from the bottom account for 18.7 per cent of the total income. But 58.2 per cent of the total income is earned by a significantly large bulge in the middle — 45 per cent of households.

CMIE's Consumer Pyramids also indirectly estimates households' savings rate. The national household savings rate is a very healthy 40.41%. There are interesting variations among states. Delhi and Maharashtra are high savings states (47.72 per cent and 49.72 per cent savings rates, respectively, higher than the national average), while Bengal and Andhra Pradesh (27.45 % and 22.03%) are significantly low savings states.

Nearly 59 per cent of households in India are investing households, according to CMIE data.

Households classified by ownership of consumer durables also reveal interesting data. Home theatres are a real luxury — only 0.02 per cent households own this entertainment-related asset. Kitchen appliances are somewhat more democratic — nearly 43 per cent of Indian households own one or more of appliances that range from refrigerators to toasters. Flat-screen television is a class differentiator: while 64.55 per cent of households own a TV, only 3.17 per cent own a LCD or plasma TV.

One bit of data shows how far India has to travel to become a modern economy: while over 26 per cent of households described themselves as borrower households, of these over 70 per cent borrowed from friends/relatives/moneylenders and just over 25 per cent from banks.

This is terrible news for the world's second fastest growing major economy.

# **INTERNATIONAL TRADE**

### **A new ecosystem of ties in East Asia**

P.S. Suryanarayana

*The regional scenario of inter-state relations is the result of clear trends: the continuing rise of China, the diplomatic activism of Japanese Prime Minister Yukio Hatoyama, and America's current economic decline.*

---

*China has not staked claim as the leader of the East Asian grouping but stands to benefit from it*

*A reversal of the U.S. economic decline will put it right back on the East Asian economic map*

---

The dawn of 2010 has brought with it expectations of a greater degree of economic cooperation among the politically diverse states of East Asia. In realpolitik terms, the dominant role of the United States — or as its critics say, its domineering presence in East Asia — may be just beginning to fade. Emerging already are political signs that a new ecosystem of inter-state ties is slowly evolving in the region.

A massive free trade area, covering China and the nations of the Association of South East Asian Nations (ASEAN), came into being on New Year's Day. China is widely tipped to occupy the central position, or more precisely, play a critical role in, interactions among the East Asian states. Such a scenario is the result of three clear trends, two of

them of Asian origin. The rapid and continuing rise of China is matched, as a parallel Asian trend, by the diplomatic activism of Japanese Prime Minister Yukio Hatoyama. Of direct relevance to this situation is the non-Asian trend of America's ongoing economic decline on the global stage. A full or substantial reversal of this decline may cast doubts on the fade-out of the U.S. in East Asia.

Political leaders and pundits of East Asia are, therefore, hedging their bets. Mr. Hatoyama is just beginning to set the ball rolling for a potential end-game for an American departure from East Asia. He wants the U.S. to wind down military activities at its bases in Japan. His compelling political wish is to re-link Japan with the rest of East Asia, as a normal country this time and not as an imperial power as in the past. But Washington is making clear its aversion to being pushed around, even if only on the turf of ideas. As a result, there is no political roadmap of East Asia without the U.S., as of now.

Despite such nuances, the signs of an East Asian ecosystem of inter-state relations cannot be missed. Any such system should not be mistaken for a new East Asian order in the conventional political sense. Often, a new global or regional order is the result of proactive efforts by a country or a group of powers for a dominant role in the relevant theatre. In contrast, an ecosystem of inter-state ties is the result of evolution of political and economic trends in a region or on the global stage, as the case might be.

Today, even as East Asia shows signs of evolving into a pan-regional ecosystem of inter-state relations, China has not staked claim to being the top leader. This is best understood in the changing context of East Asian regionalism which is currently driven by ASEAN. The East Asia Summit (EAS) consists of the 10-nation ASEAN as the "driving force," besides China, Japan, South Korea, India, Australia, and New Zealand.

Pan-regional economic cooperation in East Asia is at present more

vibrant in the ASEAN+3 grouping rather than in the larger EAS forum. China, Japan, and South Korea are ASEAN's +3 partners. The former ASEAN Secretary-General, Rodolfo Severino, says the ASEAN+3 grouping has attained, by now, a lot of "solidity" as an economic force.

Mr. Severino sees Mr. Hatoyama's idea of an East Asian Community as very much a parlour game still. Responding to questions, he said neither Japan nor China may be willing, as of now, to let the other be the leader of any such new community. The existing ASEAN+3 grouping may stay the course, with the 10-nation Association remaining in the driver's seat. Mr. Severino is of the view that the present dispensation suits China admirably. "China has influence across East Asia without actually appearing to be influential."

The former top mandarin of the intricate ASEAN network is not alone in believing that China is "having the best of both worlds" — influence without its odium. In a wider perspective, ASEAN's relevance to East Asia may be heightened by an anticipated economic development in 2010. The Chiang Mai Initiative of the ASEAN+3 grouping will be enlarged to provide greater liquidity-support to member-countries during financial crises.

On the economic turf of this initiative, China's influence cannot be eclipsed by ASEAN's usual role as a convener in East Asian affairs, say other experts. This is especially so given the general assessment that China's economy will surpass Japan's in 2010. At the moment, as the world's second largest economy Japan's contributions to the Chiang Mai Initiative are as important as China's.

The relative roles of Beijing and Tokyo will come under greater focus from now, especially because of Mr. Hatoyama's positive view of China's rise. Relevant to this equation is a studied comment by Martin Jacques in his 2009 treatise titled 'When China Rules the World.' Japan, in his view, "will ultimately be obliged to accept China's

leadership of East Asia.” According to him, this scenario is inevitable “on the assumption that China’s rapid [economic] growth continues” well into the future.

Beijing’s future profile is widely seen in political terms too. Mushahid Hussain, a Pakistani expert, sees China as a South Asian power as well. Already most South Asian countries welcome such a Chinese profile.

### India’s role

A logical converse question in this context is whether India can hope to enlarge its geopolitical footprint in East Asia. New Delhi’s free trade agreement with ASEAN went into effect on New Year’s Day — as also its free trade pact with South Korea. But there is no move by ASEAN to give India a status similar to that of the +3 countries. And, not known is Mr. Hatoyama’s thinking on a poser by this journalist and perhaps also others: Can China, India, and Japan form an Asian concert of powers?

China is not aggressively asserting its leadership in East Asia at this stage. This need not, however, prevent other countries from accepting the reality of its rise. Tim Huxley, a Singapore-based expert of the International Institute for Strategic Studies, points out how a rising U.S. was accepted by East Asia decades ago. Countries that were long used to British supremacy simply and quickly accommodated the U.S. as the new big leader. Unrelated to such views of experts, this can possibly happen to China more easily in an evolving ecosystem of accommodation among the East Asian states.

# **POLITICS AND GOVERNMENT**

## **Governors & Raj bhog**

Inder Malhotra

ANDHRA pradesh governor Narayan Dutt Tiwari's sudden exit from the Raj Bhavan in Hyderabad is a dismal and sleazy affair. He has, of course, stoutly denied all the allegations against him. But he is too seasoned a politician to be unaware of the kind of reputation he has had. That, however, is incidental. The main point is that the Tiwari episode only underscores the stark reality that no exalted office has been devalued and debased so thoroughly as that of governor who, as constitutional head of the state under his charge, is supposed to be the linchpin of the federal system. No wonder the constitutional architecture devised by the founding fathers has been distorted all too often, and sometimes perverted.

Jawaharlal Nehru had emphasised in the Constituent Assembly that only eminent and independent-minded people, "preferably people who have not taken too great a part in politics" should be appointed to this august office. He lived up to his words. In his time people like Rajaji (C. Rajagopalachari), Sarojini Naidu, Homi Mody and Girja Shankar Bajpai were appointed governors. Ironically, even in his time there were two distressing departures from the high norms he had laid down. After the first general election in 1952 in the state of Madras, the Congress lacked the majority in the Assembly. Yet, the governor, Sri Prakasa, brushed aside the larger United Front's claim to form a government and invited Rajaji to do so even though he was not a member of the Assembly. To make matters worse, to Nehru's annoyance, the governor did not ask the chief minister to seek early election to the legislature but nominated him to the legislative council.

What happened seven years later in Kerala was far more shocking. Technically relying on the governor's report, New Delhi unfairly dismissed the E.M.S Namboodiripad ministry, the first Communist government to come to power anywhere through free and fair elections two years earlier. Doubtless, Nehru had qualms about taking this unfair action. But his daughter, Indira Gandhi, then Congress president, and the party right-wing forced his hand. However, this could not absolve the iconic Prime Minister from his share of blame.

The malaise that the aberrations in the Nehru era represented assumed the proportions of an epidemic later, especially during the years Indira Gandhi reigned supreme. According to one estimate, during her 15-year reign in two innings, President's Rule was imposed in states close to 100 times, most of the times high-handedly. This became possible because of a sharp and steady decline in the quality of people sent to Raj Bhavans. There were some honourable exceptions, of course, but more and more ruling party rejects or hacks, pliable civil servants and unforgettable mediocrities were chosen as governors. Instead of acting as constitutional heads of their states, they were happy to act as the servitors of the Central government.

Just four months before her assassination and on the heels of traumatic Blue Star, Indira Gandhi decided summarily to sack Farooq Abdullah's newly-elected ministry in Kashmir. B.K. Nehru, a former civil servant and diplomat and, incidentally, the Prime Minister's uncle, refused to do so. He was transferred to Gujarat! Barely a month later a Congress loyalist in the Hyderabad Raj Bhavan took it upon himself to dismiss the N.T. Rama Rao ministry in Andhra Pradesh. This boomeranged. The Union government had to eat humble pie and reinstate NTR.

Evidently, even 20 years later this made no difference to the present Congress-led Union government. The infamous dissolution of the Bihar Assembly in 2005 when it hadn't been allowed to meet even once is the most glaring of many such shenanigans. The Supreme Court declared

this action unconstitutional. Because of its strictures, Buta Singh had to resign as Bihar governor only to be given another sinecure later.

It is equally remarkable that other political parties, when in power at the Centre for whatever duration, behaved as the Congress has been doing. For instance, the Bharatiya Janata Party-led (BJP) National Democratic Alliance, on coming to power in 1998, had removed some of the governors appointed by previous regimes. But the BJP screamed when six years later the Congress-led United Progressive Alliance sent packing several Rashtriya Swayamsevak Sangh pracharaks ensconced in luxurious gubernatorial mansions. Moreover, in the matter of unsuitable appointments of governors, honours are even between the rival sides. Both have been generous in "rewarding" former chiefs of the Intelligence Bureau and even the Research and Analysis Wing. And not content with filling some slots with former military chiefs, a lieutenant-general (who could never make it to the post of Army Commander) was also made governor.

Way back in 1983, the Sarkaria Commission had laid its finger on the heart of the matter when it recorded: "Discredited and disgruntled politicians from the party in power in (sic) the Union, who cannot be accommodated elsewhere, get appointed (as governors)... and tend to function as agents of the Union government rather than as impartial constitutional functionaries". The commission made the salutary recommendation that those in active politics should be ineligible for the governor's post and, in any case, a politician belonging to the ruling party at the Centre should not be appointed governor in a state where some other party, or combination of parties, rules. All successive governments have treated the report with contempt. Just look at the shuttling of S.K. Shinde and S.M. Krishna from ministerial office to Raj Bhavans and back.

Quite apart from the too many partisan acts, too many governors have indulged in another regrettable trend has set in of late.

The Central government always knows every governor's date of retirement. Yet, it fails to appoint a successor in time. Consequently, the incumbents happily stay on. Only Gopalkrishna Gandhi set the shining example of leaving the Raj Bhavan in Kolkata the day his five-year term ended, leaving it to the Centre to place West Bengal under the "temporary" charge of some other governor. The unwholesome current practice prevails in half-a-dozen states. It is in Punjab, however, that it creates an embarrassing problem. The governor there — a retired Army Chief — faces serious allegations by, among others, two Union Cabinet ministers. His term expired more than six weeks ago but he is sitting pretty, with full immunity.

## **Nationalism is so 2000**

Pratap Bhanu Mehta

History often has an extraordinary way of humbling our interpretive conceits. What seem like deep trends, turn out to be flashes in the pan. On the other hand, the surface drama of historical events often disguises the really deep undercurrents. The Owl of Minerva indeed spreads its wings at the falling of dusk. And knowledge more often than not gets us to fight battles already past. The two big political stories of the decade just past were this. At the start of the decade the rise of the BJP and the decline of the Congress seemed, almost irrevocable. Yet the momentum for the BJP turned out to be much more fragile and the turnaround of the Congress quite dramatic. In fact, the fortune of these two parties is an object lesson that political fortunes depend upon an intangible mix of circumstance, leadership, organisational inventiveness, credibility and good judgment. Any political party that falls prey to the hubris that its ideology, or own sense of virtue gives it an entitlement to rule, will duly suffer. Congress nearly paid this price in the nineties and the BJP has done so even more dramatically. But the fundamental truth that politics requires judgment, not a mechanical application of ideological templates will remain as true in the coming decade as it has ever been.

But at least four current trends suggest an advantage for Congress. First, after decades of neglect it is slowly but surely revamping the organisation from bottom up. Second, Rahul Gandhi has shown judgment in three respects: staying out of office as long as possible in a way that neutralises many critics of dynasty politics; recognising that

Congress needs to go it alone for it to be a vibrant national party; and focussing time on the party itself. Third, the BJP's serious structural problem is not just its links with the RSS and leadership issues. It is that it is competitive only in 200 seats at a generous estimate, and it has to peak in all those simultaneously for it to be a serious contender. The Congress is competitive in more than 400 and is likely to retain an advantage. This may change if there is an unforeseen national calamity, or if changes in the representative system such as women's reservations upset political alignments as electoral rejigging often tends to do. But the blunt truth is that India's political future is likely to be determined by how many own goals the Congress will score.

But this is at the surface of politics. The real underlying story will continue to remain how economics is subtly transforming Indian politics. India's integration into the world economy, contrary to most fears, has lessened not increased a politics of anxiety. Politics is often shaped by subtle changes of mood. India's self-image has changed considerably. It is now beginning to have a sense of being able to change its own destiny for the first time in modern history. Some of this sense of self-importance is exaggerated. But there is a palpable sense in which we are less anxious and more hopeful as a nation. And nations in such a frame of mind are less likely to be hostages to a politics of resentment, a fact the BJP failed to understand. At one level, India being a repeated target of terrorism is still a grim reminder of how incompetent its state can sometimes be. But the fact that despite all that, there was no significant internal backlash or politics of reprisal is a sign, not of apathy, but of quiet self-confidence which makes for more equanimity in politics. Again, this is an area where, politicians, out of desperation may try to score own goals; but the undercurrent is towards the creation of a more sophisticated Indian nationalism, not one swayed by momentary frenzies.

The second subtle way in which economics has transformed politics is this. The untold story of growth is what it has done to Indian democracy

and the state. The Indian state is still often corrupt, venial, incompetent and fragile. But under the surface a quiet transformation is taking place. First, we forget that Indian growth has been made possible by a high savings rate which is now touching East Asian and Chinese levels. But 40 per cent of the increase in our savings rate has come from enhanced government savings; the last decade was the first in which government went from being a net drain in narrow financial terms to a net contributor. The recent profligacy of spending, and irrational subsidies, and avoidance of the FRBM Act notwithstanding, the state is becoming more responsible in its fiscal approach: always a good sign. Indian reform has not followed a first principles template, and it never will; but in unexpected ways the general direction of keeping growth growing will prevail.

Identity politics will not disappear. But there is a beginning of a shift from identity as a default template to performance. Economics has brought about this shift. The scale of government spending is altering the incentives for politicians. Till the late nineties, even the best performing government could not make much of a difference in the lives of the poor. A scheme worth a thousand crores used to be considered a big scheme. So the default position of both voters and politicians was that the marginal impact of the state was actually low; it did not really make a difference who came and who went. Now schemes are of an order of magnitude bigger; in some cases over hundred thousand crores. This is leading some politicians to the conclusion that if they perform well they will be rewarded by the voters; they have enough resources to send credible signals to large sections of the population. There is an old argument in political science that, with the exception of India, you had to be a middle income country for serious democracy to take root. Political scientists often interpreted this to mean that you needed a middle class. An alternative interpretation would be that a politics of accountability kicks in only when the state is of a sufficient size.

And for voters as well, paradoxically the stakes of politics are becoming higher not lower. We bemoan political apathy. But we must also recognise the fact that voters, particularly at the state level, are for the most part becoming more discriminating, and the vicious cycles of knee-jerk anti-incumbency are over. This will set up a healthier politics of accountability. The scale of government spending is making possible a shift away from the politics of identity to the politics of development. We have a long way to go, but this change has been made possible by growth. Second, our infrastructure is woefully inadequate. But again, compared to a decade ago the quality of our roads, ports, airports is improving. There is a real revolution in rural roads, though the energy scenario remains bleak. It is not that corruption will come down. But politicians have found innovative ways of extracting rents, through innovative euphemisms like PPPs, at the same time ensuring that the quality of construction improves. Third, the main source of corruption in services to the poor was that the state simply did not have instruments to identify who the poor are. For the first time in India's history, if the universal ID scheme is successful, the states will have the means to identify the poor. This will enable better delivery of social services and subsidy. I don't want to minimise the challenge of corruption. But now all the elements are being put in place that can help mitigate its ill effects. So the coming decade is likely to see higher growth, higher government spending (particularly if GST is put in place and India's tax over GDP ratio increases), creation of more elements of a welfare state, and therefore a greater interest in accountability. There will be ups and downs, but there is good reason to think that in 2020 we will think of our current despair over accountability, the way we think of our despair over India's prospects: all relics of the past.

The last phase of the deepening of India's democracy centred on greater representation for marginalised groups in politics. India will now need a different kind of deepening as a result of its success. India remains amongst the most centralised societies in the world. The lines of our governance challenges pass through decentralisation. Decentralisation is

important for a number of reasons. First, it is a much more effective mechanism of accountability. Our experience with decentralisation has been mixed primarily because we have not properly decentralised. Proper decentralisation requires devolution of powers, finances and building capacity. Despite the 73rd Amendment we have not done any of these things properly. Second, decentralisation is a better way of accommodating identity aspirations. Third, the biggest challenge we will face is coping with rapid urbanisation. Global experience tell us that unless there is clarity over what functions of government should be performed at which level, it is very hard for societies to manage rapid urbanisation.

The elements of a virtuous cycle between politics and economics are now coming into place. They are often not the product of conscious design, but a consequence of the cunning of unreason, intelligently exploited. India's growing inequalities may lock us into a growth trap. This can happen through several mechanisms. Growing class inequality can produce new forms of social conflict; the legitimacy of growth may begin to be questioned. These are genuine and serious worries, though they represent opportunities as well. Some degree of enhanced class conflict is not only desirable but is necessary to produce a politics of accountability. You cannot have a healthy capitalism without an intelligent Left critique and this will, despite the governance perfidies of the Left parties, emerge in due course.

For the first time in modern Indian history, Indians, including the very marginalised, have a sense that change is possible: our destinies are ours to shape. But as the material and political circumstances of our existence improve, our biggest challenges may ultimately remain the oldest ones: what are our values? Right now, in order to break the shackles of the past, we are in the grip of a great wave of instrumentalism. But what the new moral order will be will come to be the more and not less pressing question.

What set our national movement apart was its hope that India would be the site of an alternative universality. Its conduct and politics would be marked, not just by nationalism, but a consciousness of the higher values to which nations ought to be subordinate. Almost every nationalist leader of note harboured that ambition. These values were not just to be a check on the dangers of collective narcissism; they would give the idea of India certain legitimacy. Many of these high ideals floundered for a variety of reasons: their sheer impracticality, the triumph of political necessity, and the occasional lack of courage to live up to them. But as India rises as a great power, the question will beckon it again. How is India going to be different from great powers of the past? Power is necessary in world affairs. But will India, like the great powers around us, escape the temptation to convert a means into an end? Anxious nationalism will diminish, but a debate over the content of the idea of India will not.

**The writer is president, Centre for Policy Research, Delhi**

# **SOCIAL JUSTICE**

### **Invention and reinvention of ethnicity**

M.S. Prabhakara

*Many tribal communities in the northeast have reinvented themselves by assuming new nomenclatures, though the reinvention has not meant any substantial change in their social status.*

The word “ethnic” (with its derivative, ethnicity), like “colonial,” has acquired a soft focus patina permeated with quaintness and romance, something beautiful to long for. The other side of this idealised image is its successful marketing. Thus, one finds that ethnic food, ethnic clothes and ethnic jewellery are among the most assiduously marketed, and hankered after by those with the wherewithal in metropolitan areas — for, these things do not come cheap. Similar is the love and nostalgia for things colonial, especially on the part of those who have no memories of colonial rule.

Just as colonialism in action was one of the cruellest and most rapacious commercial enterprises that profoundly damaged its victims, ethnicity in action, and the uses to which it has been put, have their ugly side. This is certainly so in Assam and its environs where ethnicity has gone beyond being merely an idea and a word used to describe things strange and exotic, once viewed as supposedly unique to the tribal people on the margins. One nowadays speaks routinely of “ethnic Assamese.” “Ethnic Assamese” restaurants are a thriving business. Traditional Assamese attire worn by women is sold at “ethnic Assamese boutiques” at very high prices which few “ethnic Assamese” can afford.

Questions about ethnicity and ethnic identity are now a constant in any discussion of the ferment as much among different sections of the tribal and non-tribal people in Assam and its neighbourhood as among the

people of the Brahmaputra Valley, the “ethnic Assamese.” The idea as much as the word has become part of a new political vocabulary of power, whose defining elements in their more extreme forms of expression are exclusion and hatred of the ‘Other.’

This is perhaps natural since underlying the present exclusionary ideologies whose other side is hatred of the ‘Other’ is the historic reality that those presently driving such exclusionist agendas were themselves despised, excluded and marginalised by communities that have always viewed themselves as part of society’s mainstream.

Ethnicity and ethnic consciousness are, however, a universal phenomenon. Every people possess specific identity markers, though in popular usage ethnicity is considered a unique feature of tribal societies. The family, the home, the kinship group, gender, caste, religion, language, race, even the physical space that a people occupy — any and each one of these could be and indeed is a coordinate of a people’s identity. These identity markers of their nature criss cross, with the result that every people have multiple identities.

And yet, identity politics and ethnic, now ethno-nationalistic, assertions articulated in singular and exclusive terms have taken some of the most violent forms not merely in Assam and its neighbourhood but worldwide. There is hardly any country, from the economically most advanced to the most backward, where such ethno-nationalistic mobilisations have not taken place with a political agenda of separatism whose objective is to carve out an exclusive territorial and political space, excluding the ‘Other’ who has historically been part of the same territorial and political space, and has shared the same or similar ethnic identity. Often, the ‘Other’ is indistinguishable from the self, as in civil wars whose key component is ethnic cleansing, the other side of violent ethnic assertion.

There may be an element of subjectivity in such ethnic identity

assertions. One is not merely what one is, one is also what one thinks and feels one is; and no one, certainly no know-all journalist or even better qualified scholars can dismiss even the most subjectively held perceptions of a people as merely reductionism. The problem arises when such assertions seek to deny, diminish and, if possible, destroy the 'Other,' who is very often of one's kind but in this process of exclusionary mobilisation is cast beyond the pale.

A most curious feature of such ethnic mobilisations is the plasticity of identities in whose name such mobilisations are done, with such identities constantly invented and reinvented. When an element of fabrication enters this process of construction and invention, one has to question the very authenticity of such rigid identity assertions. One recalls that a key element in the destruction of the Federal Republic of Yugoslavia was the invention, in addition to the Serb, the Croat and Bosnian nationalities (the Montenegrins and the Slovenes were still in the making, in political and territorial terms, during those fraught years) of the Muslim as a 'nationality,' virtually replacing the Bosnian, though historically there were (and are) Serbian Muslims, Croatian Muslims and Bosnian Muslims.

This phenomenon of invention and reinvention of identities is widespread in Assam and the northeast. In Assam, the process where a tribal person by going through some simple and nominal ritualistic processes would become part of the caste Hindu Assamese society, albeit at its lower levels, has been well documented. Many tribal communities have reinvented themselves by assuming new nomenclatures, though the reinvention has not meant any substantial change in their social status, but only the restoration of a nomenclature replacing the old that had pejorative connotations. There has also been a singular case of a tribal identity being 'fabricated,' a creation out of airy nothing both a name and a local habitation (see *Manufactured identities*, Frontline, 7 October 2005).

Manipur presents some of the most striking examples of such invention and reinvention of identities. Thirty-two tribal communities (till recently 29), broadly classified under two heads, the Kuki and the Naga, are recognised in the State. However, the exact number of those classified under the two heads has never been clear because of an element of fluidity in this categorisation. What is clear is that while there are few instances of a Naga tribe switching its identity to Kuki, traffic in the reverse direction is not uncommon. A well documented case is that of the Anal, a tribal people inhabiting Chandel district, who were once classified as Kuki and are now classified as Naga.

One of the most interesting cases of such plasticity is the Monsang, once considered a Kuki tribe and now identified as a Naga tribe. In a conversation with this correspondent in Imphal recently, Professor Gangmumei Kamei, historian of Manipur, referred to Ng Mono, former MLA and leading person from the Monsang community who was at one time the general secretary of the Kuki National Assembly, and who later became a leading member of the Naga Integration Council, which wants the integration of contiguous Naga-inhabited areas under one political and administrative set-up — in short, the break-up of Manipur. Professor Kamei himself presents a most interesting transition. Once known as Gangmumei Kabui, he is now the leading ideologue of the Zeliangrong movement that seeks a homeland for the Zeliangrong community, which is literally a construct made up from the names of three Naga communities of Manipur (and Nagaland) — ZEme, LIANGmei and RONGmei. There have been similar constructs in the region.

During the Kuki-Naga clashes in parts of the State in 1993-94, the Chiru and Kom tribes who did not see themselves as part of either of the two broad categories, nevertheless chose to identify themselves as Kuki or Naga depending on the vicinity they lived in. When the clashes abated, they reverted to their original status. However such strategies of survival have not always worked. The clashes that broke out on July 24,

1997 in Churachandpur (Lamka), headquarters of the district of the same name in southwest Manipur, and persisted for nearly a year involved, both as perpetrators and victims, two of the major communities of the town and the district, the Thadou Kuki and the Paite, both part of the great Kuki-Chin family, and virtually indistinguishable from each other. These clashes were one of the most extreme examples of the 'Other' and the self becoming indistinguishable.

One may well ask, in the words of Shakespeare: Hark in thine ear. Change places and, handy-dandy, which is the justice, which is the thief?

Who is the self, who is the Other?