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BOOK REVIEW

HINDU 1.7.10 BOOK REVIEW

The management guru in Gandhiji

R. DEVARAJAN

GANDHI, CEO - 14 Principles to Guide and Inspire Modern Leaders: Alan Axelrod; Sterling Publishers Pvt. Ltd., A-59, Okhla Industrial Area, Phase II, New Delhi-110020. Rs. 499.

Mahatma Gandhi was an apostle of peace nonpareil. Truth and non-violence were the two key components of his creed. Innovation and creativity, founded on moral authority flowing from his “inner voice” (his term for ‘conscience’), constituted the bedrock of whatever campaign he embarked upon. No wonder, Albert Einstein exclaimed: “Generations to come will scarce believe that such a one as this ever in flesh and blood walked upon the earth.”

Instinctive qualities

In this book, Alan Axelrod seeks to add a novel dimension to Gandhiji's personality. He draws a parallel between Gandhiji's qualities and the attributes of a Chief Executive Officer. “There is no doubt that Gandhi was a good man and an intensely spiritual man, but he was also a manager and executive, a supremely practical leader for change [management].”

The fact that the Mahatma hailed from a community of merchants perhaps explains the instinctive qualities of a typical business manager he had in him and which the author has relied upon to provide a brilliant analysis of his personality insofar as it reflected the image of a corporate czar. The book offers a compendium of leadership principles Gandhiji advocated and adopted in his political life and relates them to the corporate context.

Apart from the introductory chapter that gives a brief biographical account of Gandhiji, the book has 14 chapters, each expounding a principle of management — with specific reference to leadership — which, as seen by the author, was practised by the Mahatma during his long and legendary saga of struggle and sacrifice in South Africa as well as in India.

Lessons

Every chapter contains some “lessons” on leadership, the number varying between three and 12, and in all 100 lessons. Every lesson starts with an appropriate aphorism pronounced by Gandhiji and proceeds to expatiate on it, citing situations from Gandhiji's life and experience. Axelford then goes on to place them in the commercial setting, projecting a mirror view as it were, and draws a comparison between the two ‘images’. Towards the end, a chronology of the major milestones in his life, “reading material” made up of select writings by Gandhiji and by others about him, and an index of the 100 lessons are provided.

As for the “lessons” the author has dished out, the one given in the first chapter is truly a precursor to what follows. At the core of it is the point that every action must be humane and people-oriented, rather than based on any ideology.

Before launching a public campaign or action that will impinge on society, it is vital to bring to your mind “the face of the poorest and the weakest man whom you may have seen, and ask yourself, if the step you contemplate is going to be of any use to him” — this has always been the advice of Gandhiji.

Compare this with what often happens in the business world. The grievances of individuals — whether they are of employees or customers — are called into question and denied redress by citing the “company policy” or by contending that the company's “image” would be adversely affected in the long run.

The doctrine of non-cooperation was the genius of Mahatma Gandhi. He believed that even the most oppressive government derived its authority from the consent, implicit though, of the oppressed. If only the people showed resistance and turned their backs on the government, it would collapse and be pauperised, sooner or later.

For the chief executive of a company, non-cooperation is a stark reminder of the imperative to win the loyalty and goodwill of his employees. A business enterprise cannot be run by coercion and compulsion. Voluntary cooperation by the employees can be secured only by providing adequate opportunities for their self-development and self-management.

Transparency

Truth and transparency are the hallmark of Gandhian philosophy. This holds good eminently for the business world too. For a management to be effective and enduring, it has to be an open book, subjecting itself to public scrutiny. Ethics and honesty, by which Gandhiji set store, are among the critical elements of a successful business policy.

The book is a must read for people in the business of management and for those influenced by Gandhian thought.

HINDU 6.7.10 BOOK REVIEW

Policing for reconstruction

R. K. RAGHAVAN

It deals with international policing arising from the experience in areas such as Iraq, and Afghanistan

THE POLICE IN WAR - Fighting Insurgency, Terrorism, and Violent Crime: David H. Bayley and Robert M. Perito; Pub. by Lynne Rienner Publishers, 1800, 30th Street, Boulder, Colorado 80301. Price not stated.

Following the Dantewada and other Maoist attacks in India, there has been an animated debate whether the State police and the Central forces, such as the CRPF, have been adequately trained to handle insurgency of the Maoist variety. There is the inescapable impression that the training methods are outdated, suitable only for humdrum policing during normal times, and that there is a good case for their imaginative revamping. Inspiration from domestic experts is no doubt welcome. Drawing from the experience of police agencies in conflict-ridden areas elsewhere is also not a bad idea.

When the U.S. Army's Third Infantry Division made a triumphant entry into the centre of Baghdad on April 9, 2003, marking the final fall of Saddam Hussein, there was all-round expectation that the occupying army would merely stand by to help the local police maintain peace, and enable other Iraqi government agencies concentrate on day-to-day civic services. This optimism however proved misconceived. The ground reality was there was neither police nor any administration. Members of the army were equally scarce, many having fled with their arms. A direct consequence was widespread chaos and a high incidence of crime, including looting. (Ironically, under the oppressive Saddam regime, crime was low,

and that was because of the all-pervasive presence of security forces and the locking up of a large number of criminals.)

Task ahead

The situation was too much for the coalition forces to handle — they were totally unprepared to move into the vacuum and hardly equal to the task of reconstructing the administration and the security forces. Naturally, whatever remained of the previous police system was at the receiving end of violence from disparate groups that were unreconciled to the occupation by coalition forces.

Creating a credible, disciplined, and well-trained police force in Iraq was therefore the immediate task ahead. This of course was not easy, because skilled police instructors needed to be imported, a costly proposition. A large number were brought in only from the U.S. Raising the quality of policing is a painfully slow process, which is still on. Things have improved only marginally, that too at tremendous human costs. More importantly, a lesson had been learnt. Invasion, albeit for humanitarian reasons, carried with it an obligation to reconstruct the administration on a planned and professional basis. Neglected, the occupying forces could run into major problems involving, inter alia, their own security.

Meaningful issues in international policing arising from the experience in Iraq, especially in areas as disparate, strife-ridden and complex as Afghanistan, Somalia, Haiti, and Bosnia and Herzegovina, are imaginatively dealt with by David Bayley — an eminent police scholar and a great friend of India — and Robert Perito — a former U.S. Foreign Service officer, who is now with the U.S. Institute of Peace — in the book under review, their recent commendable addition to practical police studies. Their main argument is that counter-insurgency operations should go hand in hand with core policing, such as day-to-day maintenance of order in

society and crime control. The three key elements are: 'being available', 'being helpful', and 'being fair and respectful.' One cannot be more forthright in spelling out what the police should be trained for, especially in regions affected by insurgency. They resonate with the conclusions of many studies in Chhattisgarh, Jharkhand, and elsewhere. One common finding is that policing in India has been disastrously partisan and inhuman, something that had been taken advantage of by the Maoists and highlighted by activists close to them.

Remedy

The remedy, according to Bayley and Perito, is not the jettisoning of existing training curriculum, but its adaptation and incorporation in a new scheme that aims at reduction of violence and maintenance of basic police services. The ideal training capsule will have a time-span of 26 weeks, most of the training imparted in a police academy and a substantial part (seven weeks) by way of an on-the-job assignment. Subjects taught will include law, police operations and officer safety — this is most relevant in the Maoist context. Most significantly, the authors refer to the imperative need for institutional reform that will address areas related to justice administration and ministerial control of the police. This is an unexceptionable suggestion, given that all the criticism in India is directed against judicial delays and bureaucratic interference in routine police decisions. Bayley and Perito are incisive and lucid on a subject that is both complicated and contentious. They deserve to be read with seriousness by both police leaders and policy-makers.

ECONOMIC DEVELOPMENT

Pluses about pluses

Yoginder K. Alagh

The Planning Commission has correctly set its sights on food security. According to newspaper reports, its submission to the EGOM on food security is that the subsidy has to be targeted to need — which in this case will be malnutrition — and dual-pricing schemes may be necessary.

If your vision is clear, the technical work exists to push you ahead. Some adjustments will be needed — but those can be made as you go, based on experience. But if your sights are wrong there is no end to the morass you will get sucked into, and a great idea will also get sunk. To give an example from the mid-'80s, when industry was being decontrolled: the Bureau of Industrial Costs and Pricing was going to take a fully-controlled industry, give a quarter of the output in ration shops to the deserving needy, or the government's favourites, and leave the rest to the market. Given the ration need-based price we worked out the free-market price, which would give a sufficient incentive to produce more. The econometrics was new but the idea came from Samuelson's foundational economics textbook, and its discussion of rationing. I was asked then how I could be so sure of the econometrics, to the level of naya paise per kg. I said that, on the contrary, I was sure I was wrong at least within a range — but the market will tell me how wrong. I am and we will correct the quantities, in the next round. We went ahead and in 18 months, shortages in that "core" commodity were history.

The Tendulkar Committee which, thank God, has been accepted by the Planning Commission and provides the base for a nuanced approach, has one powerful plus point and one weak one. The powerful one builds on the weak one, so start with that: the argument that the national poverty line should “for the sake of continuity” be the old urban poverty line — which worked out the average calorie needs of the then-urban population — does not hold water at all and so gets knocked by all and sundry. But the plus point of the Tendulkar poverty report is that on the old “official” (or “Alagh”) urban poverty line they have mapped the distribution of nutrition.

The first thing to note is that we are not talking of a single number or a unique poverty line. If all malnourished persons are the target you get one number; if only women are, you get another. If you are bothered as you should be about severely malnourished women you get another. The Tendulkar Committee has given us a powerful tool to work with.

We will of course make mistakes. To begin with, about all such estimates, only charlatans and some politicians are always sure. But, corresponding to market signals, India’s vibrant democracy will tell us where we are wrong. Everybody will want free food; who doesn’t? But once it is known it’s not given, our people are realistic enough to accept that. Then those who are entitled under the nourishment — no, malnutrition — rules, will demand it, and NGOs will press the matter. Groups like Akshaya Patra and social leaders like Gopal in AP who have been working with a bag of grain employment scheme for rural development will lead the way. Areas and population cohorts of severe malnutrition or what is called chronic deprivation will need a special focus.

The really deserving must get food free. Here the Planning Commission seems to suggest some market elements and that is wrong. It will frighten away the really deserving and market logic can be carried too far. The commission talks of need. It must operationalise that.

Beyond that they are right. Though the idea that the above-poverty line population is entitled to grain from the PDS at minimum support price-plus is a googly, if there ever was one. The average Indian housewife is clever enough to stay away from the ration shop at an MSP-plus price. The local fellow is all right, thank you, why pay the FCI cost also?

But if the demands are unreasonable it is legitimate to give a non-operative solution as an answer to a non-problem. The upper-caste Indian philosophical mind strikes again: a double negative as a solution. One can conjure an adverse global situation where the APL population may have to buy from the ration shop at an “economic price” or MSP-plus-handling costs. But that will be seldom. An extra public policy rule using market principles which nobody ever uses never hurt anybody. It's not Occam's razor — but public policy is not an exercise in causal chain logic but in getting the best option practically possible.

The writer, a former Union minister, is chairman, Institute of Rural Management, Anand

Towards an inclusive global economy

Supachai Panitchpakdi

The economic crisis has made it imperative that we forge a more balanced and inclusive global economy.

This time last year, the global economy had reached the nadir of the financial and economic crisis. Since then, a succession of optimistic commentators, economists and others has been pointing to the strength of the recovery: the resurgence in stock markets, the restoration of bank balances, and the reversals in growth rates. At the same time, data have emerged describing the full impact and cost of the crisis, particularly for developing countries, including an increase in unemployment, an additional 53 million people falling below the poverty line and over 100 million more going hungry.

The debt crisis in Greece, which is threatening the entire euro zone, is indicative of the continuing malaise in parts of the world economy. In the Least Developed Countries (LDCs) and other developing nations, progress towards the Millennium Development Goals (MDGs) has been reversed, and it is now unlikely that all of the goals will be achieved by 2015.

Moreover, what momentum there was for the reform of international economic governance has stalled. Apart from macro-prudential regulation and some action on bankers' bonuses and taxation, there have been no fundamental changes to the institutional architecture of economic governance. Indeed, currently some of the most significant changes are taking place at the regional level, involving increased South-

South cooperation and integration.

Multilateral initiatives

In addition, changes in policy at the national level in both developing and developed countries for example, from tight macroeconomic policies to a loose countercyclical stance- need to be recognised by multilateral initiatives, such as the MDGs and World Trade Organisation trade talks.

The scale of the financial and economic crisis has made it imperative that we forge a more balanced and inclusive global economy through two channels: measured government intervention in markets and strategic policy action at the national level, and better coordinated and more inclusive economic decision-making at the international level. For African and other LDCs, which have limited financial resources to mount national stimulus packages or mobilise domestic resources, economic and trade growth needs to be supported by the global community. Such external support should include better market access and entry conditions at the multilateral and regional levels. India is one of the large emerging economies to have granted LDCs duty-free and quota-free market access.

The challenge for African LDCs is to utilise the trade preferences available to them. But market access is only one element in a successful development strategy for LDCs: building a strong productive base in agriculture, manufacturing, and services that can compete internationally is another essential ingredient.

Internationally competitive industries and markets do not establish themselves automatically: they require government investment to support strategic infant industries, and government intervention to correct market imperfections.

As we have seen during the current economic crisis, the market does not

always get the prices right, nor does it always provide a level playing field for firms to compete. Governments must create fair markets through the prudent use of macroeconomic policy as well as other regulatory mechanisms, laws, and policies that maintain a healthy environment in which enterprise and economic development can flourish. Competition law and policy is one such area that governments need to get right.

Inspired by our successful experiences in Latin America, UNCTAD decided to set up a Regional Programme on Competition Law and Policy for African Countries — called Africomp — to assist African countries in formulating and enforcing sound competition law and policy.

With generous financial and human resources from Norway, Sweden, Switzerland, and Germany, Unctad has been able to launch Africomp for five African countries. In addition, other cooperating partners, including France, UNDP, and the UN Development Account, are funding Unctad technical assistance projects for African countries. These projects will be brought together under Africomp.

However, trade is not sufficient in itself to create the levels of growth and economic development that LDCs are so in need of. Establishing a strong productive sector, which can operate in fair and competitive domestic, regional, and international markets, will also be essential for LDCs. Hope our partnerships with LDCs can be strengthened through Africomp and that African LDCs and India can build on their preferential trade scheme.

IPS

HINDU 6.7.10 ECONOMIC DEVELOPMENT

Food security — of APL, BPL & IPL

P. Sainath

The official line is simple. Since we cannot afford to feed all the hungry, there must only be as many hungry as we can afford to feed.

There was irony in the timing of the petrol price decontrol order. The decision, which also covered major hikes in diesel and kerosene prices, and affects hundreds of millions of people, came even as Manmohan Singh advised world leaders in Toronto on the need for “inclusive growth.” And while we are still debating “food security” and how best that should be achieved in law. It came while food price inflation edges towards 17 per cent and general inflation is in double digits. Who are we trying to “include” in that growth?

No less tragic was the media's reaction to the price decontrol. Even as Cabinet Ministers sought to distance themselves from it, the editorials mostly reeked of triumphalism: “Free at Last,” screamed one. “A bold, welcome move,” shrilled another headline. With rare exceptions, the edits — in contrast to the response of millions to Monday's bandh — showed yet again how far the mass media are from mass reality.

Most of the time, as the late Murray Kempton used to say, the job editorial writers do, is to “come down from the hills after the battle is over and shoot the wounded.” The media have done that definition proud. There's even been an editorial on Bhopal in the same month that didn't wait for that battle to be over. It finds the villains of Bhopal to be the “activist industry that continues to milk the tragedy.” And mourns the real tragedy: that “any corporation, across the world, would be forced to think twice before proudly announcing to its shareholders that

it has set up an ancillary unit in Bhopal.” It does not once mention the words “Union Carbide.” Roll over Kempton. The shooting's on.

The early protests against the price rise got short shrift in the media. In the largest English daily, it earned a couple of stories spanning a modest few inches across three or four columns. The same daily twice devoted a full page — without an ad — on successive days to the death by suicide of a fashion model in Mumbai. Also, passing off without much comment this week — the elevation of our Food and Agriculture Minister to the post of president of the International Cricket Council. At a time when the entire nation is focussed on the issue of food prices and food security.

Mr. Pawar is quoted as saying (AFP, New Delhi, July 2) that he would request the Prime Minister to lessen his ministerial workload. “I may suggest having more hands to help me. I had asked for three Ministers but they have given me only one,” he told journalists. “... If I request to reduce some of my work, we may find some solution.” However, he does promise us that “I won't allow my work in the government to suffer.” That's reassuring. Maybe it's time for the Prime Minister to extend inclusive growth to bring the Food and Agriculture Minister into food and agriculture. (Or we could include cricket in that sector.) Four Ministers in the same field would be truly inclusive.

Yet the fuel price decontrol will profoundly affect the prices of just about everything. At a time of already spiralling food costs. Punctuated by periodic claims that “it should come down within a couple of months,” from Ministers and UPA hacks.

Now comes the news that the food security bill may be set for a radical overhaul. I guess that is welcome — it can't be worse than the early attempts at drafting one. Take for instance the meeting of the Empowered Group of Ministers held in February. They were to “discuss the enactment of the proposed National Food Security Bill.” The first thing the EGoM came up with was this gem. 2.1 (a) “The definition of

Food Security should be limited to the specific issue of foodgrains (wheat and rice) and be delinked from the larger issue of nutritional security.”

Food security delinked from nutritional security? Note that the same line concedes nutritional security is “the larger issue.” Why then the need to delink the two?

Is 35 kg of rice at Rs. 3 a kilo (for a section of the population) food security? Are there no other determinants of food security? Like health, nutrition, livelihoods, jobs, food prices? Can we even delink the fuel price hike from discussions on food security? Or from the wilful gutting of the public distribution system? Or from the havoc wrought by the ever-growing futures trade in wheat, pulses, edible oils and more?

The truth is the government seeks ways to spend less and less on the very food security it talks about. Hunger is defined not by how many people suffer it, but by how many the government is willing to pay for. Hence the endless search for a lower BPL figure. To the government's great dismay, all three officially-constituted committees have turned up estimates of poverty higher than its own. Even the Tendulkar committee, closest to the ruling elite's worldview, raises the estimate of rural poverty to 42 per cent. (On a weak and fragile basis, it is true. But still higher than the government's count.)

The BPL Expert group headed by N.C. Saxena raises that to around 50 per cent. While the report of the National Commission for Enterprises in the Unorganised Sector states on its first page that 836 million Indians (77 per cent of our people) live on Rs. 20 a day or less. Accepting that, for instance, would mean a few thousand crores more in spending on the hungry. The official line is simple. Since we cannot afford to feed all the hungry, there must only be as many hungry as we can afford to feed.

Most dishonest of all is the “there-is-no-money” line. The country spends Rs. 10,000 crore on a new airport. There's Rs. 40,000 crore or

more for the Commonwealth Games. There's Rs. 60,000 crore happily lost in the spectrum scam. There's Rs. 500,000 crore in write-offs under just three heads for the super-rich and the corporate sector in the current Union budget. But funds for the hungry are hard to come by. What would it cost to universalise the PDS? Pravin Jha and Nilachal Acharya estimate that if rice/wheat were made available to all Indians at Rs. 3 a kilo, it would add Rs.84,399 crore to the food subsidy in coming budgets. That's about one-sixth of the tax write-offs for the wealthy in this year's budget. (Other estimates place the added expenditure each year at no more than Rs. 45,000 crore).

What will be the costs of not finding the money — in a country which ranks at 66 among 88 in the Global Hunger Index? In a nation whose child malnourishment record is worse than that of sub-Saharan Africa? A country now ranking 134 in the United Nations Human Development Index below Bhutan and Laos?

The same country that has 49 dollar billionaires in the Forbes list. (Many of whom receive government freebies in diverse forms. Some for their IPL involvements). If a government will not even try to ensure that no citizen goes hungry, should it remain in power? Or should it, at the very least, state honestly that the food security of every Indian is neither its aim nor its intent? Why tag 'food security' to a bill that will legitimise the opposite? How can we call something a 'right' if everyone does not have it?

A disclosure: I was a member of the BPL Expert Group. In a note annexed to that report, I argued that in four sectors — food, healthcare, education and decent work — access had to be universal. That flows from the Directive Principles of State Policy of the Constitution. The rights of our people are based on their being citizens. Not on their ability to pay. Not on their being BPL or APL (or even IPL). Rights, by definition, are universal and indivisible.

Will the features of the government's proposed food security bill take the Directive Principles forward? Or will it weaken them? Diluting constitutional rights and presenting the watered down mix as progressive legislation is fraud. The only PDS that will work is a universal one. It is only in those States that have the closest thing to a universal system — Kerala and Tamil Nadu — where the PDS has functioned best.

Now there's talk of an “experiment” making access to food (that is, mainly wheat and rice) “universal” in about 150 districts. While this might be a step forward in thinking, it could prove a misstep in practice. This is “targeting” in other clothes. It could collapse as foodgrain from districts that are “universal” migrate to districts that are not. Better to go that final mile. Universalise.

EDUCATION

Performance Counts

Even though India has emerged as a knowledge hub and a prime destination for research and development, it is baffling that the same colleges and universities that produce some of the best brains in the world hardly find any place in international academic rankings. It is in this backdrop that the University Grants Commission's new regulations to enhance the quality of teaching in our varsities need to be welcomed. From now on teachers will be subjected to a performance-based assessment system that will determine their career advancement and rise in academic circles.

It is unfortunate that teaching in universities has come to be assessed by the number of classes conducted or lectures given rather than what is being taught and how. It is here that the new grading mechanism is different. It not only takes into account a teacher's performance inside the classroom in terms of lectures, practicals and tutorials, but also emphasises research and academic contribution. This is particularly important in view of Indian universities' lacklustre research record. However, given that the teachers will assess themselves, care must be taken to ensure that the assessment system does not degenerate into one based on patronage. One of the main problems with education today is that teachers are often part of a fraternity where connections matter and performance and accountability mean little. It is only when we have an objective, qualitative assessment system for teachers that we can incentivise the teaching process in a manner that would lead to an overall increase in education standards. It is high time that our universities make the transition from student factories to quality learning institutions.

INTERNATIONAL RELATION

Beyond a two-notions theory

Mubarak Ali

When Jaswant Singh's book *Jinnah: India, Partition, Independence* was published last year, among other things, it brought the question of Partition and the role of Mohammad Ali Jinnah into focus again. But the image of Jinnah is changing in India and in Pakistan for different reasons.

Post-Partition, the history of the freedom movement in both countries was written from the Congress or the Muslim League perspective. In India, the image of Jinnah was that of a communalist leader responsible for the vivisection of the subcontinent. He was accused of being a stubborn leader who refused to re-adjust his demands and insisted on the acceptance of his terms. On the contrary, Mohandas Gandhi and Jawaharlal Nehru emerged as leaders who negotiated and made attempts to compromise with him.

This image of Jinnah persisted in traditional Indian historiography until the 1980s. However, some historians have raised their voices against it and presented Jinnah differently. One important study is that of Delhi University's Ajeet Jawed, whose book *Jinnah: Secular and Nationalist* made an attempt to rehabilitate him as a staunch Indian nationalist. The Australian historian Jan Byrant Wells, in his *Ambassador of Hindu Muslim Unity: Jinnah's Early Politics*, argues that throughout his political career, Jinnah remained a nationalist and anti-imperialist and there is no difference between his early or later periods of political life.

In Pakistan, too, the image of Jinnah is changing with political changes in the country. In the traditional portrayal, his secular and nationalist image isn't highlighted. He has been reduced to being only a Muslim leader who struggled for the rights of Indian Muslims and created a new country for them to follow their religious teachings freely in. As the character of Pakistan became Islamic, it needed not a secular founding father but a staunchly religious man. So, stories of his religious devotion are fabricated and circulated. Stray references to religion are taken out from his speeches to prove that he wanted a welfare state based on Islamic principles. His official portrait shows him in a sherwani and cap, not in western attire, smoking a cigar.

This picture was challenged by some scholars and politicians who argued that he was against theocracy and in favour of a modern secular state. There are some circles that reject Jinnah as a competent leader and accuse him of committing political mistakes — such as his authoritarian role as governor general to dissolve the North West Frontier Provincial assembly, his act of presiding over the cabinet meetings and keeping aside the prime minister, and his dismissal of the chief minister of Sindh. As the political situation in Pakistan deteriorates, Jinnah's image is also undergoing a distortion in which he's blamed for leaving the country in the hands of incompetent leaders.

The result is that in Pakistan, there are now two portraits of Jinnah: one, of the founder of the State based on the two-nation theory and an anti-India policy; two, of a secular Jinnah, not generally welcomed except in small circles of liberal Pakistanis.

As for Partition, while a majority of scholars have no doubt written about its legitimacy, there are only a few voices determined to question it. Rubina Saigol in *Knowledge and Identity* challenges the concept of two nations, the very basis of the creation of Pakistan. Jaswant Singh's book is important in this context. In India, with this change of image, Jinnah is no longer exclusively blamed for the Partition; Nehru and Patel

share the responsibility. A secular Jinnah suits Pakistan, now under the grip of religious extremism, trying to get out of it through a new system based on pluralism.

Mubarak Ali is the author of *Pakistan: In Search of Identity*, and former Professor of History, Sindh University.

The views expressed by the author are personal

JUDICIARY

End constitution for public interest litigation

Prabhakar Kulkarni

District courts should be empowered to initiate suo moto PILs in public interest.

A public interest litigation (PIL) can be filed in any high court or directly in the supreme court. It is not necessary that the petitioner has suffered some injury on his own or has had personal grievance to litigate. The PIL is a right given to the socially conscious member or a public spirited NGO to espouse a public cause by seeking judicial means for redressal of public injury. Such injury may arise from breach of public duty or due to a violation of some provision of the constitution. The PIL is the device by which public participation in judicial review of administrative action is assured. It has the effect of making the judicial process little more democratic.

The Bombay High Court created history by initiating a PIL case suo moto on the basis of a series of newsletters exposing corruption in the Maharashtra government's transport department. High courts in other states are also expected to take note of such issues of public interest and suo moto initiate PILs.

A constitutional amendment is necessary so that even district courts are allowed to conduct cases under PILs. This is because most of the national newspapers have spread over regions and districts with their

editions and more public grievances are reported by way of news and investigative newsletters. When the constitutional provision was made at the initial stage, most of the national newspapers were based in state capitals and it was quite reasonable that high courts were expected to consider cases for PIL only on the basis of news reports published in them.

Newspaper network

But during the subsequent period newspapers' network is so widespread that almost every district has its own newspaper and that too equipped with new modern machinery and expertise so much so that they are almost competing with regional and national newspapers. Most of the national newspapers are published in English or Hindi while regional newspapers are published in the respective regional languages. Even national and regional newspapers have been publishing their regional and district editions and are covering various issues with in-depth analysis and investigative penetration. These editions are almost equal to the state capital-based dailies and periodicals and are now gaining the same status which they have in state capitals. Even original district newspapers have geared up to compete with the new editions of the state-based dailies. District newspapers and editions are concentrating on major issues which are in public interest.

Delay and corruption in administration, injustice done to people in general and neglected families in particular, economic crimes which harass people and dupe them, irregularities in nationalised and co-operative banking sector, farmers plight and hoarding of essential commodities by middlemen, failure of decentralised panchayat raj system due to non-cooperative attitude of the bureaucracy and similar variety of issues are periodically covered in these newspapers. It is therefore necessary that district courts should be empowered to initiate suo moto PILs in public interest.

While district courts are competent enough to hear PIL cases, advocates

or members of the district bar associations are also well-equipped with legal acumen and knowledge so much so that they will conduct the argumentative aspect of such cases with expertise and ease which is seen in high courts. It is therefore high time that necessary amendments are made in the constitution for empowering the district courts to hear PIL either initiated by citizens or by courts by way of suo moto action.

For an amendment, both the Union and state governments should take the lead and MLAs and MPs of all political parties should take initiative in the matter. State assemblies may demand amendment by resolution while parliament will respond to the demand and pass the amendment unanimously. This is because this amendment is not based on any controversial issue or it may not trigger any controversy as this is purely in public interest.

Once district courts are empowered to hear PILs, it will create an atmosphere conducive to legal remedies for various issues which are brought on surface by news reports in district newspapers which are on par and in some respect even better as compared to regional and national newspapers whose editions are also brought out at district places. Even some exposures having nationwide significance go to the credit of such district editions and if district and sessions courts are given the power to proceed with suo moto cases against the erring and corrupt administration; justice under the PIL will be available to the aggrieved people in small cities and adjacent rural areas of a vast country like India.

WOMEN

HINDU 6.7.10 WOMEN

A blow for gender parity

The creation of United Nations Women, an agency that will work for gender equality across the world, has come not a moment too soon. Over the last few years, there has been a growing feeling among women's rights organisations that gender-related issues had all but fallen off the crowded UN table. The decade that followed the high point of the International Year of the Woman in 1976 saw the UN spearheading some path-breaking developments, such as the 1979 Convention on the Elimination of All Forms of Discrimination against Women. But the spirit and promise of those years had faltered. The UN appeared helpless to drive the required systemic changes for improvements in the lives of women and children, although this is one of its Millennium Development Goals. Earlier this year, the UN Commission on the Status of Women, reviewing the implementation of the landmark 1995 Beijing Declaration, noted that progress was uneven or erratic at best. There are huge gaps between rhetoric and reality in key areas such as equal opportunities and access to education, health, and employment; ending violence against, and abuse of, women; and ensuring that women get paid equally with men for the work they do and that they have reproductive rights. A 2008 publication by the UN Development Fund for Women, *Who Answers to Women?*, brought out

revealing statistics: women earn 17 per cent less than men; violence affects between 10 and 60 per cent of women and girls; worldwide, women are outnumbered two to one in political parties, and four to one in elected legislatures. Many member countries continue to have laws that openly discriminate against women. Across the world, when it comes to gender parity, governments are reluctant to put their money where their mouth is on issues. There is no system of accountability on commitments made.

The United Nations currently has four separate agencies, including UNIFEM, to work on women-related issues. This has resulted in fragmentation of its own work. Created through a unanimously adopted General Assembly resolution last week, UN Women will bring the four together, but is also expected to be stronger than the sum of its parts. This should enable the UN to track more effectively the resources being allocated worldwide for women's empowerment and determine the impact of these efforts. But it also has the hard job of persuading governments to commit more money to gender issues. Another challenge would be to enthuse the current generation of women to take up women's causes. It is with all this in mind that the UN must choose the Under Secretary General to head the new-born agency. As well as funding, the leadership of the new organisation will be the key to its success.

