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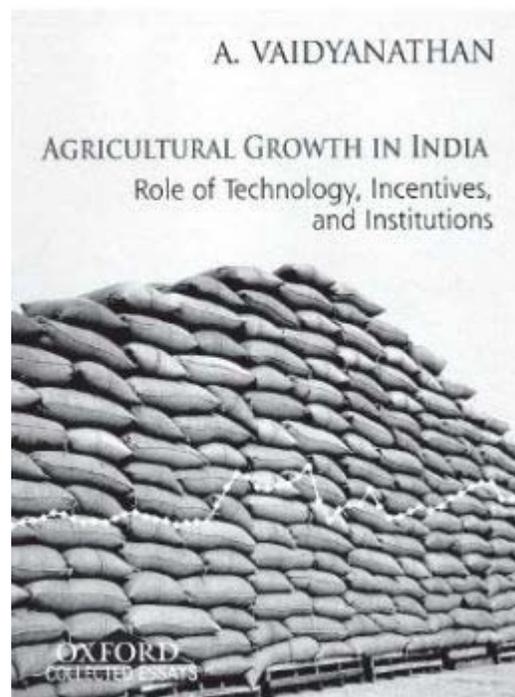
# **BOOK REVIEW**

HINDU 16.3.10 BOOK REVIEW

**Needed: farm sector reforms**

S. MAHENDRA DEV

Shift priorities & strategies to propel Indian agriculture to higher growth trajectory



**AGRICULTURAL GROWTH IN INDIA** - Role of Technology, Incentives and Institutions: A. Vaidyanathan; Oxford University Press, YMCA Library Building, Jai Singh Road, New Delhi-110001. Rs. 675.

There have been concerns about the growth, equity, and sustainability of Indian agriculture in the last few decades, particularly in the post-reform period. The annual growth of agriculture in the long term has been around 2.5 per cent. The business-as-usual approach will not help.

Significant reforms in the agricultural sector are needed to accelerate growth and achieve equity. In this context, this book, a collection of essays by A. Vaidyanathan, is timely. A leading agricultural economist of the country, he has written extensively on various aspects of Indian farming.

As Vaidyanathan says, there have been serious gaps in an analytical understanding of agricultural growth and its determinants. In an attempt to correct this lacuna, this book examines the trends of agricultural growth in India and provides an in-depth analysis of the role of technology, incentives, and institutions in facilitating this growth. The discussion on technology also covers irrigation and fertilizers, while the one on incentives includes price policy and input subsidies. The chapter on institutions deals with agrarian structure, land and water management, research, infrastructure, marketing, and credit.

Apart from highlighting the deficiencies in all these areas, the author discusses what lies in prospect for Indian agriculture.

Hardly affected

Vaidyanathan, who is critical of government policies, says: “There was hardly any change in the strategy for agriculture. It was hardly affected by the reforms. Policies continued as before to focus on large investments in irrigation and other infrastructure, and special programmes to increase rural employment.”

In the concluding chapter, easily the best of the lot, Vaidyanathan discusses the prospects of reversing the recent decline in agricultural growth and sounds a note of caution against assessing the growth prospects in the light of the slowing down in domestic demand and the risks of trade liberalisation. He argues that the “current perceptions about inadequacy of investments as the main reason for low growth and its apparent slowdown are quite misplaced.” But many agricultural economists in India may not agree with this line of argument. For

example, the Steering Group for the 11th Plan contends that public investment is one of the major sources of agricultural growth.

As the author says, non-price factors are more important for boosting agricultural growth. However, going by the interaction the Commission for Agricultural Costs and Prices had with representatives of the State governments and agriculturists — as part of mid-term evaluation of 11th Plan — it would appear that farmers have responded to higher minimum support prices with higher yields in rice and wheat. In fact, the high growth rate during the period 2003-04 to 2007-08 was associated with improvements in terms of trade for agriculture. That could be a coincidence, but it warrants a deeper study and analysis.

### Role of public sector

Vaidyanathan rightly lays stress on the important role public sector plays in agricultural research. It is known that private sector confines its research to developing varieties that will fetch profits. Therefore, it is necessary to revamp public sector research. He is critical of the 11th Plan targets for expansion of irrigation. On this, he says that “in the case of irrigation, the focus has been, and remains, almost exclusively on investment for expansion of area with little attention given to ensuring efficient, prudent, and sustainable water.”

One cannot but agree with Vaidyanathan's argument for improvement in the over-all efficiency of investments. He attributes the poor quality of public investments and services to several factors. They are: too much centralisation, although agriculture is a State subject, leaving little scope for adapting to local conditions; laxity in the preparation, scrutiny, and approval of projects, in monitoring the use of funds, and in adhering to the estimated cost and time-schedule by States; indiscriminate subsidies to inputs, much to the detriment of their efficient production, distribution and sustainable use; pervasive interference in the constitution and functioning of public sector organisations by those in

power leading to manipulation and outright corruption; and the absence of effective and transparent performance audit mechanism to ensure public accountability.

According to the author, unless there is a significant shift in strategies and priorities, and major reforms are undertaken to correct the above-mentioned institutional deficiencies, agriculture cannot be propelled to a higher growth trajectory that also ensures widely diffused growth of incomes and employment. The courage of his conviction comes across when he puts forth his case for these reformist measures. At one place, he says that “social scientists recognise the adverse effects of subsidies but do not raise a strong voice for a radical change on the ground that a change is politically unfeasible.”

This comprehensive, lucid, and masterly analysis is a must read for all those interested in Indian agriculture and inclusive growth. In the preface, there is a suggestion by Vaidyanathan that he was putting together his work on agriculture in this volume “before calling it a day.” I hope he would not call it a day and thereby deprive the benefit of his writings to all the stakeholders in agriculture.

## HINDU 16.3.10 BOOK REVIEW

### **Of death, dialogue and displacement**

J. SRI RAMAN



**EMERGENCE OF THE POLITICAL SUBJECT:** Ranabir Samaddar; Sage Publications India Pvt. Ltd., B1/I-1, Mohan Cooperative Industrial Area, Mathura Road, New Delhi-110044. Rs. 795.

“One of the forms in which the political subject emerges is the dialogic role. Yet, as the agency of politics, the political subject not only dialogues, but also courts death. Is there a connection between these two functions or roles?”

These are the dramatic opening lines of *Emergence of the Political Subject*, a book that is hard to define. Right from the first chapter, titled ‘Death and Dialogue’, down to the closing (pre-Epilogue) sentence that talks of migrant “population flows” as a “mass of invading bodies,” it maintains a tone that some readers may find illuminating, some others intriguing, and yet others — perhaps a large section — not fully intelligible.

Ranabir Samddar seems to have opted against an academically structured discussion of his theme. He prefers to proceed along a

non-linear route — of propositions that sound arbitrary (like the dialogue-death equation) and arguments that await elaboration and conclusion in vain till the end.

### Promises of insights

All this is punctuated by promises of insights that are not pursued. Among them is his illustration of the initial assertion with the way the Mahabharata — “studied, invoked, and sought to be emulated in the colonial time on many occasions,” as he recalls — “constitutes the relation between death and truth.” He cites two epic dialogues on death: one between Yudhishtira and Vyasa, after the fall of Abhimanyu in a battle, and the other between Bhishma “lying on his deathbed of arrows” and all the would-be survivors of the war. Vyasa uses the occasion to preach “appropriate practices” and Bhishma offers sage counsel about the sort of problems — practical and political — the post-war scenario has in store. Inexorably, the author moves on to the best-known of the Mahabharata's death-centred dialogues, the Bhagvad Gita.

Samaddar's interpretations of these dialogues are illustrative of his distinctive tone. The Gita, he says, “proceeds through dialogues that aim for a new ethic superseding the old. The new ethic, as the anti-colonial political subject realised, would mean causing deaths to even fellow-Indians in the event they sided with the colonial ruler, and war...” The obvious allusion here is to the early nationalists, the “terrorists” of pre-mass-destruction times. However, the Gita's part in the mass freedom movement led by Mahatma Gandhi does not figure in the analysis.

More notable is the conclusion the author draws from all the three dialogues. Says he: “The anti-colonial political subject learnt to wage war and kill if necessary, but this is not all, it learnt to see actions in connection. Thus, from the moment of its emergence, it

was to be free from any metaphysics of self, with which Western philosophy had always tried to misguide politics.” The point is repeatedly made. The book, says the blurb, demonstrates “why we need less of Western political theories and philosophies to understand colonial and post-colonial life.”

Not proven

After one has turned all the pages, the proposition (more familiar as a far-right argument) still remains unproven. Defining the “political subject” as “actors of politics ...in aggregate”, he moves on to a category of the subject who is captured neither by the term “citizen” nor by the phrase “political society.” In this category fall “migrants, illegal immigrant groups, refugees, informal labour, fleeing peasants...displaced population groups, and shop floor workers of industries with sunset technologies.”

Samaddar takes the narrative right into the first decade of the 21st century. As he is about to close his case, he recalls: “In November 2005, the suburbs of Paris erupted with immigrants' riots, the suburbs were in flames, and well-versed persons too ruminated if this was the return of the political subject.” Displacement, in particular, remains a recurring theme throughout the discourse.

Forty-six years after Herbert Marcuse's *One-Dimensional Man* that saw revolutionary potential only in the rejects of the system, can we talk of a quasi-citizen category as incompatible with Western thought? One wonders

# **CORRUPTION**

## **State sponsored Loot**

V Raghunathan

We all get swindled day in and day out. But it is one thing to be swindled by a road-side cheat and quite another to be swindled systematically by the Central or State Governments. No, I am not referring to our receiving the tax refund cheques a day before they are to expire, so that we will have to grease a dirty palm or two to in the IT office in order to have them revalidated. That has nothing to do with the Government—it is to do with corrupt individuals – we may say charitably. Even inordinate delays in receiving any refunds from the Government or the systematic practice in government quarters not to entertain or effect any refunds to the public in the fourth quarter of the fiscal may not be regarded as systematic swindling by the Government per se. These may be chalked up, charitably again, to the account of pathetic officials trying to meet their annual targets.

But yes, there are two counts that readily come to mind on both of which the governments, both Central and State, may be unambiguously regarded as swindlers. Any delayed dues to the government, for example, delayed tax payment by an individual, attracts a penal annual interest of 18%, while any delayed dues from the government, such as refund of tax, attracts a much lower penal interest rate, typically 12%. Why? Does it not violate the principles of natural justice, especially when it is the Government that gets to set the rules? Is this not institutionalized loot?

But this is small change compared to the systematic loot the State governments perpetrate on the second count – in the RTO offices. We all know the cesspool of corruption that these institutions are, irrespective of the states they belong to. Even this we may swallow again as

corruption of individuals. But what about the fact that even as you pay a "life-time" tax at the time of purchase of a vehicle, subsequently when you move from one state to another, you are called upon to cough out another "life-time" tax (after all how many lives can a vehicle have?), but never actually ever get the refund of the earlier tax paid in the former state? In any case, exactly how is an individual expected to follow up and recover his tax refund from a state that he has already quit and moved to a new state, applying in Form No 16, notwithstanding? What is his recourse if that refund is never actually effected, which is the default situation?

Knowing this situation, why doesn't the Central Government set up a clearing house for the states (RTOs) to effect off their debits and credits of life-time taxes paid by individuals, so that people can move across states freely as the citizens of any free country should? Such a system will naturally cancel out a lot of transactions, as the transactions will need to be settled only on the net movement of car owners across states. The failure to do develop such a system is a serious cost on the hapless individuals, particularly those who are transferrable frequently. Often transferable folks, a lot of them government employees, are forced to sell their cars in the old state and buy another one in the new state in order to escape the cost of life-time tax, but only in the process suffering heavy punishment on the resale of vehicles. Surely this is state sponsored swindling? Shouldn't the law-makers of the land take note?

# **EDUCATION**

## **Clear The Decks**

Indian students are a step closer to gaining access to foreign universities on home ground. The cabinet has approved a Bill allowing overseas players to open campuses in India. While the Left with its allergy to anything 'foreign' is likely to object, it'll be in everyone's interest that the Bill gets passed. For one thing, HRD minister Kapil Sibal rightly predicts the next big revolution after telecom can happen if investment-friendly policymaking transforms India into a hub of accessible, top quality higher education. For another, a quantum jump in FDI in academia is what India needs as a nation with the world's largest student population as well as biggest contingent of outbound scholars after China.

Many reputed foreign institutions, including heavyweights from the US, UK and Australia, see promise in India's growing youth bulge, sizeable English-speaking and knowledge-hungry population and booming middle class. It'll be foolish not to roll the red carpet. Entry of foreign entities will inevitably impact the performance of domestic education providers. With global standards of teaching and infrastructure on offer, every institution will need to compete to attract students with improved pedagogy, internationally accepted courses and upgraded facilities. This can only benefit the sector as a whole. But domestic institutions, including government-run ones, will be justified in demanding a level playing field. Which means less government interference and control.

Overall, "brain gain" will result. If students can access high-grade educational services and acquire the much-sought-after 'foreign degree' at home, they'd have less reason to ship out. The government rightly wagers that the policy could help stem the exodus abroad. But India won't just get to retain its best brains to a greater extent. It'll also see qualitative change in faculty, with competitive paychecks galvanising

Indian academia, currently earning among the world's lowest average salaries.

Plus we'll get to attract more foreign students as well as trim the flight of foreign exchange - which can run into billions of dollars - in the form of students' expenses. However, strict restrictions shouldn't be placed on repatriation of profits by foreign universities, as is envisaged. The okay to homeward routing of money from allied activities like consultancy may not be enough to lure top-ranking overseas players. They may change course towards more liberal destinations like China. We still need to incentivise the really big global names to move beyond evincing interest and market surveys. Let's avoid policies that have the effect of discouraging the best education providers from setting up shop.

### **A degree better**

After years of being stalled by political opposition and legal quagmire, the cabinet has approved the bill that will inaugurate a new path for international education providers to open up campuses in India. The clunky title — the Foreign Educational Institutions (Regulation of Entry and Operations, Maintenance

of Quality and Prevention of Commercialisation) Bill — is some indication of all the anxieties that surround it.

There are already hundreds of educational collaborations between Indian institutions and foreign ones, mostly in high-return areas like business and technical education. Concentrated in a few regions, these initiatives have an ambiguous track record. However, the hunger for respectable educational options is manifest in today's India. Currently, Indian students are the largest contingent in American universities, their numbers having steadily swelled in the last two decades. These students contribute significantly to the US economy, and many of them stay back and assimilate into the country with stunning success, depriving India of much homegrown talent. The Foreign Educational Providers Bill is partly an attempt to stem that migratory wave. Certainly, it

focuses on a thin and affluent slice of the schooling market — but that slice is also part of the entire continuum of higher education needs. It might persuade a section of migrating students to stay here, it might provide a new option for another segment of students who seek educational cachet and signalling benefits from a fancy foreign school. It might also improve academic staffing, which is critical — by allowing faculty to move more flexibly within India and from abroad. Either way, it is a valuable new

array of choices in a country that is reeling under a quality and quantity deficit. As the prime minister ruefully noted, only 7 per cent of India's 18-24-year-olds enter higher education (compared to 21 per cent in Germany and 34 per cent in the US, which in any case have an array of vocational options as well).

While the bill has been sold with visions of glittering Ivy League institutions, there have been concerns that its terms are too restrictive and will only facilitate degree mills rather than encouraging research. Those are valid fears — and as with the entire saga of higher education in India, these experiments will only be as good as the governance they get.

# **ENVIRONMENT**

## **Clean Up Or Perish**

The state of India's main rivers reflects the callousness and ineptitude with which we approach the issue of managing our natural resources. Thanks to a lack of long-term river conservation or water management policies, several rivers across the country have either run dry or resemble rivulets. And those which still flow fine are wracked by pollution, and often resemble giant drains. Two of India's most important rivers - Ganga and Yamuna are also the filthiest. Decades-long efforts by the government to breathe life into them through massive clean-up programmes have come to naught. Consider this: Over Rs 1,000 crore have been pumped into the Ganga Action Plan I and II between 1985 and 2000, but India's holiest river is still sullied.

Similarly, hundreds of crores have been spent on the Yamuna Action Plan, but there's little to show for the expenditure. It's literally money sent down the drain. A rough estimate recently tallied by the Planning Commission indicates that the National River Conservation Plan projects all over India would cost up to Rs 33,000 crore, with almost Rs 7,000 crore needed to fix the Ganga's problems alone. Meanwhile, the government is now seeking an additional Rs 833 crore from the Japan International Cooperation Agency in partnership with whom it implements the Yamuna Action Plan to fund the third phase of the project. But merely throwing more money is not going to solve the crisis.

A combination of factors has led to the extensive pollution of the Ganga and Yamuna. Industrial effluents and sewage contribute the most to their pollution as well as certain practices people follow in the name of

religion, like throwing holy offerings that are often packaged in non-degradable plastics. Therefore, any successful attempt to clean up these rivers mandates that citizens partner the government or even take the lead.

It goes without saying that the government should formulate strict pollution norms for industries that are situated on river banks and enforce them, as well as boost sewage treatment capacities along the course of these rivers. On our part, we would do well to stop treating our rivers and other water resources as garbage dumps. There are examples from around the world where active public-private partnerships have brought dying rivers back to life. The Thames project in England is a good example where the public was made a stakeholder in the river's sustenance. What's stopping us?

# **INTERNATIONAL RELATION**

## HINDU 17.3.10 INTERNATIONAL RELATION

### **U.S. export control regulations “anachronistic,” says Nirupama Rao**

Narayan Lakshman

Nirupama Rao, Indian Foreign Secretary, on Tuesday described the United States Bureau of Industry and Security's (BIS) Entities list “anachronistic” saying, “It is anomalous that a body like the Indian Space Research Organisation, which is developing several collaborations with National and Aeronautical and Space Administration, should continue to be on the list.”

Co-chairing the 7th meeting of the India-U.S. High Technology Cooperation Group (HTCG) along with Daniel Hill, Acting Under Secretary for Industry and Security, Ms Rao exhorted attending delegates from the U.S. Department of Commerce to reconsider control restrictions for U.S. exports to India. She also addressed the Entities List issue at another speaking engagement at the Woodrow Wilson Centre later in the day.

The BIS's Export Administration Regulations contain a list of names of foreign businesses, research institutions, government and private organisations and individuals that are subject to specific license requirements for the export, re-export and transfer of specified items.

At present the list includes ISRO, Bharat Dynamics Limited and Department of Atomic Energy entities such as the Bhabha Atomic Research Centre, Indira Gandhi Atomic Research Centre, Indian Rare Earths and most nuclear reactors (including power plants) not under IAEA safeguards.

Arguing that the earlier trend of restrictions being reduced had been halted, Ms. Rao said that among the early results of the HTCG were the

removal of a number of Indian organisations from the Entity List by 2005, de-licensing of certain categories of dual-use items and institution of a presumption of approval policy in other categories. “This process of easing of controls seems to have slowed down; we need to address this issue,” she emphasised.

### Indian record “exemplary”

There would appear to be significant support for this view from the private sector, notably Indian industrial lobbies with a presence in the U.S.. For example Ms Ranjana Khanna of the Federation of Indian Chambers of Commerce and Industry (FICCI) said, “We appreciate that further liberalisation of export controls needs to be accompanied by the responsible use of high technology items and preventing its diversion to unintended uses... India's record has been exemplary in this area.”

Yet Ms Rao did admit she was reassured by the U.S. government's announcement of its intention to overhaul their Export Control policy and hoped to see the enhancement of trade in such goods and technologies between our two countries and removal of remaining Indian organisations from the Entity List. “We hope that your response and the outcome of your review would be such that it would reflect — and reaffirm the strategic nature of our partnership,” she said.

She may have some cause for relief — overall, total exports of advanced technology products exported from the U.S. to India have increased from \$1.3 billion in 2003 to over \$4 billion in 2009, despite the backdrop of the global economic slowdown.

Progress would also appear imminent with the civil nuclear agreement between India and the U.S.. Regarding the deal Ms Rao said, “Once the 123 Agreement is implemented, a structured bilateral interaction with the Industry on both sides could take forward the process.” Even in the interim period there has been a steady and direct interaction between

U.S. nuclear industry and NPCIL, with two MoUs already signed with GE Hitachi and Westinghouse, she said.

View from the U.S.

Responding to some of the concerns regarding export controls voiced by the Indian side Deputy Secretary of State Dennis Hightower said (via a representative) that while it was critical that the U.S. increased trade, it would simultaneously maintain its strong commitment to national security.

While he pointed out that in 2009 the U.S. exported \$16 billion of goods and services to India and only three percent of these exports required a license from the Department of Commerce, he however acknowledged that “As trade in high technology grows our export control system will have to change to keep pace.”

Deputy Assistant to the President Michael Froman also commented on the Indian questions about excessive controls highlighting the fact that ten years ago 24 per cent of U.S. exports to India required individual licenses from the Department of Commerce while today only 0.3 percent of U.S. exports to India require individual licenses.

Further, he added, the licensing process and time for India now is down to 28 days, a decrease from 31 days in 2008 and less than the worldwide average of 35 days. Mr. Froman also said in 2009 BIS reviewed 985 export and re-export licenses for India, valued at approximately \$334m, for which the denial rate was about 2.1 per cent.

Arguing that “Many of the U.S. high-technology items are eligible for export to India under licenses that are not available to many other countries, including China,” he said that they had to however be mindful of the diverse threats from state actors, transnational groups and even individual actors.

Suggesting that the U.S. was seeking a balance between expanding trade and not compromising on national security Mr. Froman said, “To address these challenges the U.S. is conducting a fundamental review of its export controls system.” The U.S. needed a dynamic export control system that “focuses on a core set of technologies that are critical to our national security while further unleashing the innovative power of U.S. industry to compete for sales in less sensitive items around the globe,” he said.

### Creating jobs through trade

Ms. Rao bolstered the case for U.S. trade with India by stressing, in her presentation, the possibility of creating more jobs in the U.S. by deepening high-tech trade between the two countries. She cited several examples of job-creating trade agreements including the signing of the End Use Monitoring Arrangement and Technology Safeguards Agreement for Space application last year. Additionally regarding Air India's order for 68 Boeing aircraft, she said, “I am given to understand that each US aircraft means 10,000 jobs across 50 states of the country.”

Ms. Rao also mentioned that there was potential for growth in the defence industry, as India diversified its sources for defence systems for its military as well as counter terrorism requirements – even through the route of permitting private sector participation in defence production.

She further sought to dispel concerns “lingering” over India's intellectual property protection regime, saying “The Indian IP regime is completely TRIPS-compliant... A major programme of modernisation of the infrastructure of Intellectual Property Offices of India costing about 40 million dollars was implemented during the 10th Five Year Plan.”

## **Pak daydream, wake-up call**

Shekhar Gupta

There is a phenomenon peculiar to the Pakistani Establishment, that unique combination of its army, intelligence agencies and bureaucracy that constitutes its permanent government, and therefore spelt with a capital “E”. Every 10 or 12 years, it starts believing that it is winning. Winning what, how and to what effect, are not facts it wants to be confused with. It just believes, at that particular moment, that it is “winning” against India. This is when the foundation of an impending disaster is laid. Unfortunately, if you’ve been exasperated at the sudden turn in the Pakistani Establishment’s conduct, you have to understand that they are currently caught in the throes of another such irrational euphoria. They again think they are “winning”.

The first phase of madness was 1947-48, that led to the invasion of Kashmir and ruined our relationship at the very start. The next came along with our war with China which, they thought, was a wonderful time again to seize Kashmir, through negotiated, US/UK-backed blackmail (India was desperately seeking American military aid then) and, when that failed, through war against a recently “defeated” army. That led to the misadventure of 1965. That moment of madness came yet again in 1971, when they misread the significance of their emergence as the link between Nixon’s America and China to mean that they had a superpower shield and could crush the revolt in their eastern half as brutally as they wished. They lost half of Pakistan.

Then, almost exactly 12 years later they saw another “wonderful” opportunity in India’s Punjab, with rising Sikh militancy. This was just the moment to wage a war of a thousand cuts they were perfecting along

with the Americans in Afghanistan. That phase of belligerence was put down only after the reality check of the Operation Brasstacks standoff in 1987. But check the IMF/ World Bank figures of annual economic growth. It is around this time that Pakistan permanently lost the sizeable edge it had maintained against India in terms of economic growth. In 1993, again, came the next moment of the same “we are winning” illusion, because of troubles in our Kashmir and the victory of the Mujahideen in Afghanistan. A full-fledged

“jihad” was launched in Kashmir, the consequences of which we are all facing till today. I would treat Kargil and the Kandahar hijack as part of the same continuing madness and it was all cut short by 9/11. Almost a decade after Kargil now, you see the same Establishment believe that they are “winning”. Our challenge, therefore, is to assess what is causing this “winning” feeling in Islamabad/ Pindi and what disaster, for Pakistan, and collaterally for us, this could lead to.

If you want to put a date to the beginning of this new mood, it would perhaps be Obama’s West Point address when he nearly set a deadline for the US withdrawal. The Pakistani GHQ read it as American acceptance of the unwinnability of the Afghan war. This was the window of critical relevance they were looking for. This lifted for them the shadow of 26/11. If Obama wanted to leave any time next year, it could only be after striking some kind of a deal with a faction of the Taliban. Only Pakistan could bring about that deal, and also guarantee the future conduct of the new regime. In one stroke then, this will give Pakistan a diplomatic indispensability to the Americans while they are here, and strategic depth once they are gone. That new position could then be leveraged by demanding a settlement of basic, “root-causes” issues with India, sidelining the problem of the India-specific Lashkars. The new turn in the Pakistani Establishment, the Kayani speech, the water non-paper and the sudden and brazen re-surfacing of Hafiz Saeed are to be fully understood in this context.

To be fair, most civilian politicians in Pakistan do not share this illusion, but at this point they count for nothing. Similarly the civil society, the free, moderate and modern sections of the media would be seriously concerned by this. But Pakistan's political class and civil society have been greatly undermined in the past year, and some of the blame for that lies at the doors of its feuding president and prime minister. When policy is left to a tiny soldier-spook cabal, you get the kind of disaster that has followed each such moment in the subcontinent's history. Pakistan's larger tragedy, in fact, is that its strategy has often been crafted by purely tactical minds. That is not how great nations function: their strategy is devised by strategists and implemented by tacticians. But that is a problem the people of Pakistan and its civil society will solve, though in the course of time.

So how should we deal with this new situation? First of all, keep engaging with Pakistan. It is a process that would have been much more effective had it been resumed three months earlier, but still, build on that first meeting. Second, look for where your leverage lies in the region's new reality. This entire new daydream is predicated upon the Americans being able to fight with some degree of effectiveness for another year or so, so they could find a faction of the Taliban willing to settle. Obama cannot leave Afghanistan as Nixon had fled Vietnam. To fight effectively, he needs every platoon of the forces the Pakistanis had re-deployed to the west from their classical eastern, India-facing posture. This has also been made possible by some Indian cooperation. For example, if India had moved even one division towards the border after 26/11, this entire game would have been upset. India now has to let the Americans and the British know that if there is another major terror attack, it may just be constrained to return to its traditional counter-terror gambit, of threatening Pakistan with a conventional response. Just a division, a few squadrons of multi-role aircraft moved westwards would have the Pakistanis rolling back all the divisions from their west to the east. This is the last thing Obama wants, and this is our most important leverage. He cannot be allowed to take our vital interests for granted.

Of course, this has to be accompanied by one more correction: the end of the six-year complacency on modernising our conventional defence. While it is fashionable to credit nuclear weapons with ensuring peace in the region, the fact is, it was the deterrence of a swift and withering conventional response that kept the Pakistani adventurists in check since 1987. In the past six years that edge has been allowed to erode, and when Manmohan Singh looks back he will be honest enough to acknowledge that as his government's biggest failure on national security. What kind of country living in such a dangerous neighbourhood returns Rs 10,000 crore of its defence acquisition budget unspent? If Manmohan Singh can simply start fixing that and also let the Americans know that another 26/11 may, just may, see a different response from us, it would be a fine strategic response to this new challenge. It may even ensure peace in the region.

# **NUCLEAR ENERGY**

## **India going cheap**

Jug Suraiya

Why does India continue to sell itself so cheaply to the West, particularly to the US? A case in point is the Civil Liability for Nuclear Damage Bill which the Congress-led UPA government is seeking to enact, in the face of strong opposition not only from the BJP and the Left but also from within its own ranks. Briefly, the Bill caps the damages paid to victims of a nuclear plant mishap at a total of Rs 2,800 crore, of which the private or public sector entity operating the plant will be liable for Rs 500 crore and the central government would stand good for the balance. The foreign company supplying the nuclear machinery or material will be free of all liability.

India must pass this Bill before foreign suppliers, from the US and elsewhere, can sell the nuclear equipment this country urgently needs if it is to meet its goal of increasing its nuclear generation 10 times over the next 25 years. The nuclear liability Bill will activate the so-called Indo-US nuclear deal in defence of which the prime minister almost resigned during the UPA government's previous tenure.

But even ardent champions of the Indo-US nuclear pact - which goes beyond nuclear issues and could help to establish India as a key partner of the US in regional and global affairs - are baulking at the limitation of liability, which former Indian attorney general Soli Sorabjee has described as 'discriminatory', unconstitutional and opposed to the 'polluter pays' principle prescribed by the Supreme Court. In short, there should be no cap on the damages paid to those who suffer as the result of a nuclear leak or other malfunction, nor should foreign suppliers be let off the hook in terms of liability in case an accident occurs.

Remember the Bhopal gas tragedy - perhaps the worst industrial disaster in the world - which in the 26 years since its occurrence seems to have been consigned to national amnesia? Barring some NGOs and victims' associations, everyone else appears to have misplaced in memory a toxic gas leak that reportedly took a toll of some 20,000 lives and caused severe bodily damage to almost 6,00,000 others. The culpable party, the Indian subsidiary of US-based Union Carbide, eventually paid a pittance - according to one calculation a scandalous Rs 12,410 per victim, compared with Rs 15 lakh to Rs 18 lakh given to the families of those who died in Delhi's Uphaar Cinema fire - by way of compensation to the affected, many of whom continue to suffer disease and severe disabilities to this day.

Suppose an Indian company had done a Bhopal in the US? Would that company - which was responsible for the deaths of many thousands of American citizens - have been allowed by the US authorities to get off as lightly as Union Carbide has done? Would an Indian company's CEO manage to escape the law, as did Union Carbide's boss, Warren Anderson, allegedly with the connivance of a senior Indian politician? Why do we allow Indian lives to be made so cheap in comparison to American lives, or the lives of others who belong to what calls itself the 'developed world'? Isn't an integral part of its development the fact that it values the lives and security of its own citizens, unlike we in India who reveal our lack of development by criminally undervaluing the lives and safety of our people?

If we cannot learn to respect the right to life and health of our citizens we cannot expect others to respect this right, or to respect us. We need to remember this when the nuclear liability Bill is debated, not just in Parliament but also - and equally importantly - outside it.

And while we're at it, will the sarkar please send a belated supplementary Bill to the constituent of America Inc responsible for Bhopal? Better 26 years late than never.

# **POLITICS AND GOVERNMENT**

## **Lotus Sutra**

The new national executive of the BJP doesn't offer any surprises. It's gone with the tide and reserved one-third of its seats for women. An amendment to the party constitution, introduced during Rajnath Singh's presidency, made the step necessary. The BJP has been one of the champions of the women's reservation Bill and it is only apt that the party found space for women in leadership positions. One criticism that could be made of new party chief Nitin Gadkari's executive is that it may be high on the glamour quotient but low on leaders with political experience. Barring a few like Sushma Swaraj and Vasundhara Raje, many women leaders have come into politics from the entertainment industry. A reason for this could be that the BJP has historically been a club of men. The RSS, BJP's ideological fountainhead, is a male-centric outfit.

The BJP, of course, has to adapt to changed circumstances. Rather than wait for a new generation of leaders to emerge from the lower rungs, the party has preferred to pitchfork women who have already acquired a public profile in other areas to leadership positions. This can only be a short-term strategy. The appointment of Varun Gandhi as a secretary is interesting in the context of UP. His hate speech during the 2009 general election campaign polarised voters in the state. However, the polarisation worked against the BJP. With UP headed for elections in 2012, Varun's rise in the party sends out the signal that the BJP doesn't intend to moderate its political pitch in the state.

# **SOCIAL JUSTICE**

### **Some tasks before the Indian nation**

V.R. Krishna Iyer

*A universally accessible democratic system that can deliver justice in an inexpensive manner and can ensure early finality is one of the essential prerequisites today for India.*

The progress or otherwise of a people will depend on their level of respect for human rights, and the willingness to share and care for the weaker sections of society that each member of the community has, be he high or humble. Today, the Indian government is democratic: it is without doubt a government by the people, of the people, for the people. But, is it really a government for the people?

The framers of the Indian Constitution thought that socialism is the only system that can guarantee equality among the people. But when there is a plurality of religions in rivalry, each god competes with the other and a certain divine conflict ensues. This divisive tendency is unhealthy, because according to human understanding there is only one god and one humanity. And everyone's well-being has to be ensured without some being high and some being low, some being in luxury and others in lowly circumstances.

In this spirit the Constitution has made the Republic a socialist and secular one. Every member of humanity is equal and god is one and above all creations. This is the quintessence of Sanatana Dharma — the perennial dharma of a civilised society. Judged by this standard, there is inequality writ large in India between region and region, man and man, man and woman, the wealthy and the poor. This syndrome has to change if moral majesty, and equal divinity and

compassion for all living creatures, are to be realised.

Fortunately this is the Indian tradition and the culture of the Constitution to which Mahatma Gandhi was committed. Economic equality is social justice, if political power is not discriminatingly cornered by some and denied to some others. When India won its freedom and made its tryst with destiny, the responsibility devolved on the nation to ensure that every tear shall be wiped out, and that all suffering will be eliminated to the extent the human pharmacopoeia can. This was laid down in the Preamble as everyone's set of rights, critically as the right to justice, social, economic and political.

As a practical aspect of this materialistic principle, every person was given an equal right to vote through periodic elections. India has had elections at regular intervals. The little man or woman with a little seal making a little mark, or pressing a small button on a compact machine in a tiny enclosure in private — no amount of criticism or rhetoric can diminish the importance of this great democratic operation. The Father of the Nation, and the values of the Constitution, stand by this principle.

But what is the reality today? The Constitution is nearly dead. Its egalitarian values have been all but violated. The rich are rising to richer heights while the poor are going downhill to even more desperate depths. State power is in the hands of multinational corporations and there is much distortion of distributive wealth. The rich are very often able to control the electorate by bribery communalism and abuse of power by an executive that is apathetic to the tears of the many but is willing to purchase their ballots by means of money and extravagant publicity.

Even the courts of law where justice is dispensed are more amenable to the richer classes than to others. Being poor and under-privileged, the masses often give away their votes for cash. They have no hope

in the system and can only either surrender to it or overthrow it by means of violence or extremism.

It would sometimes appear that there is no hope in the future save terrorism, and turning democracy into a travesty. One might wonder why god is so unequal. Poor god has indeed become a commodity to be purchased by the rich. The bishop may live the high life while the parishioner begs before the church. This was the fate of even Jesus who pleaded for change like a revolutionary.

In Hinduism and Islam there is the same sort of division of the haves and the have-nots. Indeed, piety and devotion make people succumb to the existing unjust order and accept the ruling system.

Exploitation is concealed and becomes virtually the rule of law, since the law itself is formulated by the creamy layer of humanity. As for justice between the wealthy and “illthy,” it is a right too costly for the poor: the bureaucracy is often beyond the reach for them.

Aiding this sinister system we have mosques and churches and temples that are effectively instruments to silence the defenders. There is a certain hallowed reverence for judges, who like priests wear robes and costumes. Persons who are able to see through this mystic methodology of the Bench and the Bar have an authority exercised in mystic diction, going to the root of unhappiness among humanity. We have to change the system of the courts, and the superstition that their verdicts are final and infallible. In reality they are as much like ordinary mortals with their own flaws, prejudices, biases, self-interest and influences. They are not superhuman. But a cult of divinity, and the commanding dress and address, make them appear as mini-divinities. This goes with their social philosophy that is pachydermic to the poor.

The judiciary is regulated by a complicated system which only the

Bar and the Bench can decipher. They are governed by Victorian values and jurisprudence, of which the spokesmen are Denning and Macaulay through the great codes of civil and criminal procedure, prison law and the system of the police force borrowed from Britain.

If you want to change the system in favour of the majority which is below the lachrymal line, we have to have a few things as a priority from Macaulay to Mahatma. The Code of Civil Procedure and the Criminal Procedure Code must be repealed without any mercy or tears. Fresh codes that are dialectic and dynamic, accountable and accessible to the people must be enacted. This cannot be done by legislators who are amenable to the power of wealth but radicals who are eligible to vote in a new equalitarian methodology.

India needs a National Commission with its dominant element composed of the Scheduled Castes and the Scheduled Tribes and the weaker sections, versus the rich and the mighty. Will this ever happen? Even V.I. Lenin's Soviet Union has undergone mighty change. The new world order is the despair of the masses. The challenge before India is how non-violently the transformation that is contemplated in the Preamble to the Constitution can be worked out.

Today the robed brethren of the judiciary or the religions are untouchable and unapproachable. Justice, justices and justicing need to be radicalised. The justice system should be such that the common man, the worker, the peasants and the social activist will be able to argue before them. Justices should uphold a socialist secular democratic order and strike down every law that strikes a different note. The language of the law should be made simple, lucid and understandable enough for the common man.

A universally accessible democratic system that can deliver justice in an inexpensive manner and can ensure early finality is the

desideratum. The Bench and the Bar shall be the representatives of the Indian people. The Scheduled Castes and the Scheduled Tribes, the have-nots and the humble, belong to humanity too. The principle of injustice crucified an innocent Christ and shot the Mahatma whose principle was truth, non-violence and settlement of disputes on fair terms. That half-naked fakir representing half-starved Indian humans gave us golden principles of jurisprudence that demand a re-orientation and transformation of the foundations of the social philosophy of every human sector and every mercenary profession which today thrive on money-making and jettison morals and humanism.

So, even our religions must be subject to a revolutionary change in faith and radical fraternity and comradeship. This combination of materialism and spirituality must be the new message and Preamble of 21st century India. The task of the new statesman emerging from the new generation must be to implement peace and friendship among all nations, making Article 51 of the Constitution a national essential of international relationship.

This was indeed the first principle and the last plea of the Mahatma, who spoke with burning faith that god is truth, nay more. Truths that are scientifically established and spiritually realised constitute god. We must have the courage to write the obituary of Victorian-vintage jurisprudence and recreate and catalyse a new dynamic jurisprudence which will reverse the present law of India.

# **WOMEN**

## **Politics of Women's Reservation Bill**

Vidya Subrahmaniam

*Not a quota within quota but a commitment to social justice and a proactive offer to field women from the subaltern strata. That is the way to silence the opponents of the Bill.*

Fourteen years and one small victory later, the Women's Reservation Bill has again begun to look iffy. In all this time, a lot many things could have been done independent of the fate of the Bill.

Those in the forefront of demanding greater political representation for women, such as women leaders of mainstream parties, could have made a beginning by amending their own party constitutions to allow a fairer share of party ticket to women. Those opposing the Bill on the ground that it overlooks the interests of women from the Other Backward Classes and minorities could have shown their commitment by fielding a significant number of women from these categories in successive elections.

Look at the shameful statistics. The Bill aims at placing one-third of the seats in the Lok Sabha and the State legislatures at the disposal of women. That is 181 in the Lok Sabha alone. Yet in the May 2009 Lok Sabha election, the Congress and the BJP, the two biggest champions of the Bill, fielded 43 and 44 women respectively. That is less than 10 per cent of the Lower House's strength of 544. And that is not even one-

fourth of the one-third mark. The Congress is led by Sonia Gandhi, unarguably India's single most powerful politician. Party persons hold her in worshipful reverence, granting her exclusive right over all party affairs. The BJP's Sushma Swaraj packs a punch, has always been in a decision-making role, and is currently leader of the Opposition in the Lower House. Was it beyond the means of these two leaders to ensure that women got their fair share during ticket distribution?

The naysayers, comprising largely the Samajwadi Party, the Rashtriya Janata Dal, the Bahujan Samaj Party and sections of the Janata Dal (U), stand equally exposed. In 2009, the following was the share of their women contestants. BSP:28; SP:15; JD(U): 3; and RJD: 2. Since these parties claim to represent the interests of the OBCs, Dalits and the minorities, it should be safe to assume that they would have chosen at least some among the women contestants from these categories. But in such pitifully woeful numbers?

Male MPs from these parties have brought Parliament to a halt demanding justice for OBC-Dalit-minority women. They have resorted to violence, and have been bundled out by marshals, all to make the point that the Bill is weighted against socially disadvantaged women. Yet given a chance to exercise their own free will, their parties showed contempt for these women by being unacceptably miserly in awarding them ticket.

If the Bill is to be saved, both sides need to show flexibility and accommodation. The SP, the BSP and the RJD ought to know that post-Mandal, parliamentary representation has shifted dramatically in favour of the subaltern classes. Women MPs and MLAs can defy this trend in the short run but the same forces that brought the OBC men in large numbers into Parliament and the Assemblies will, over time, inevitably tilt the balance of woman power towards the more socially disadvantaged.

Nonetheless, assume for a moment that the OBC, Dalit and Muslim-centred SP, BSP and RJD genuinely fear a wholesale takeover of the reserved seats by city-bred, 'upper' caste-'upper' class women. The way to deal with this doubt is to quash it. The Congress and the BJP could announce that they intend to allocate a large share of the reserved seats to women from the subaltern strata. They could go a step further and say women chiefs from the panchayats, representing underprivileged women from all castes and communities, will be given a share of the reserved seats in the Assemblies while Parliament, in turn, will source a section of its women candidates for the reserved seats from the Assemblies.

The logic of competitive populism will ensure that all parties follow suit. The last thing the social justice parties will want is the mainstream parties running away with their agenda. However, for some inexplicable reason, none of the proponents of the Bill has held out this assurance. A recent television interview saw Ms Gandhi adroitly skip this question. The Congress chief's attention was drawn to the growing battle cry for a "quota within quota." She posed a counter question: "Who is stopping them from giving the ticket to OBC and Muslim women?" She could have instead said: "We will field OBC and Muslim women in large numbers. We will show that their claims are hollow." Had she done that she would have effectively silenced the Bill's opponents.

For the opponents, a "quota within quota" is a fig leaf whose real purpose is to halt the Bill and prevent women from getting their due. Their case flounders at a very basic level. It stretches credulity that political parties will willingly throw away a critical number of seats — 181 of 544 in the Lok Sabha and 1,370 of 4,109 in 28 State Assemblies — by assigning them all to one kind of women, ignoring the social (caste, class, religion) composition of the electorate.

This is absurd. Even a rookie reporter will take care to be armed with caste statistics when visiting constituencies during an election. In

teastalls and other mandatory stops for journalists, conversations compulsorily revolve round the local jatiya samikaran (caste composition). Parties, candidates and voters all know that caste and religion trump all other criteria in candidate selection. To suggest that an urban-bred, upper crust woman with no experience in grass-roots politics can be parachuted into a predominately rural, intensely caste-conscious constituency is to betray ignorance of the social dynamics of Indian politics.

To understand the changes in the Indian political landscape, one has only to look at the caste composition of State legislators over the years. A recent book, *Rise of the Plebeians* edited by Christophe Jaffrelot and Sanjay Kumar brings this out. In the first Uttar Pradesh Assembly, formed in 1952, 'upper' caste MLAs formed 58 per cent of the House strength. OBC MLAs accounted for only 9 per cent.

With the rise of social justice parties, the stranglehold of the 'upper' castes began to loosen. This was reflected in the composition of the U.P. Assembly. In 1969, 'upper' caste MLAs formed 44 per cent — a decline of 14 percentage points since 1952. OBC representation increased to 27 per cent — an increase of 18 percentage points compared to 1952.

The trend of 'upper' caste decline continued, reaching a spectacular peak post-Mandal, which unleashed a subaltern revolution as it were. In the 1993 Assembly election, the SP and the BSP came together in a gesture so powerful, its impact altered the course of politics forever. The BSP fielded no 'upper' caste candidate at all and only 10 per cent of the SP's nominees were drawn from the 'upper' castes. Needless to say, the results were stunning. The OBCs formed 54 per cent of the SP's MLAs and 40.6 per cent of the BSP's MLAs. 'Upper' caste representation in the House as a whole came down to 27 per cent.

It is a different matter that the two parties changed their tactic when

they went their separate ways. The realisation that power can be attained only by fusing together forward and backward castes forced both of them to induct candidates from the other castes. From fielding no 'upper' castes, the BSP progressed to sarvajan politics. Today caste building is the formula in vogue in U.P., with parties raiding one another's bases in an attempt to stitch together a rainbow coalition of castes.

What this tells us is that political parties are razor-sharp in their understanding of politics. They know that to succeed they need to harness divergent social and caste interests. None of them, not the Congress and the BJP, nor the OBC-Dalit parties, will mindlessly pick candidates for one-third of the Lok Sabha and Assembly seats. Certainly not in a competitive arena where every seat counts.

Caste dynamics will work itself out, if and when the Women's Bill goes through. The real danger today is from another quarter: The influence of big money and dynasty in electoral politics. A child of a wealthy politician-parent is undeniably better placed to win elections than a man or a woman burdened by poverty and obviously without the wherewithal to contest. But there is no major male-female differential in this. Nor do dynasts come only from the forward castes. In the current Lok Sabha, Rahul Gandhi, Sachin Pilot, Deepinder Hooda, Jayant Chowdhary, Y.S. Jagan Mohan Reddy and Akhilesh Yadav represent among them a diversity of castes. As do Supriya Sule, Agatha Sangma, D. Purandeswari, Jyoti Mirdha and Shruti Chowdhary.

The ranks of the elected rich are swelling.

According to a National Election Study, 68 per cent of today's women MPs are crorepatris compared to 57 per cent of male MPs. This ought to worry Ms Gandhi and Ms Swaraj. This ought to also worry all male politicians, Mulayam Singh and Lalu Prasad included.

