

**STATE AND VIOLENCE IN CONTEMPORARY INDIA :
A SOCIOLOGICAL REVIEW OF SELECT CIVIL
LIBERTIES REPORTS**

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BHAWANA SHARMA

**CENTRE FOR THE STUDY OF SOCIAL SYSTEMS
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI-110 067
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जवाहरलाल नेहरु विश्वविद्यालय
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI - 110067

SCHOOL OF SOCIAL SCIENCES
CENTRE FOR THE STUDY OF SOCIAL SYSTEMS

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CERTIFICATE

Certified that the dissertation entitled, "**STATE AND VIOLENCE IN CONTEMPORARY INDIA : A SOCIOLOGICAL REVIEW OF SELECT CIVIL LIBERTIES REPORTS**", submitted by **BHAWANA SHARMA** has not been submitted previously for an award of any degree in this or any other University. We recommend that this dissertation may be placed before the examiners for the consideration of the award of the degree of **Master of Philosophy**.

Avijit Pathak

DR. AVIJIT PATHAK
Supervisor

H.N. Panini

PROF. M.N. PANINI
Chairperson

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Bhawana Sharma
(BHAWANA SHARMA)

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INTRODUCTION

RAISING THE PROBLEM: NARRATING POLITICAL VIOLENCE IN CONTEMPORARY INDIA

The fact of violence is most vital today. It is impossible to escape the realization that we are living through one of the gravest crisis of civilization in this era, characterized by increasing incidence of violence and terror. In our fragmented¹ and variegated social structure, violence has emerged as a dominant mode of social interaction greatly influenced by the decline in political ethics and social morality.

The concept of 'Violence' as made use of in this project is based on an understanding of the social reality as it exists, specially in India today. Therefore, it would mean, any act, whether overt or covert, that coerces or causes physical hurt, material loss or mental anguish or discrimination with regard to groups or communities or which

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1. Here, by 'fragmented', I mean the structure of society in which an individual placed in a particular class or category is unable to identify himself with the said category or class, and feels alienated from it. At the same time, he is unable to go beyond his existential reality, nor can he integrate himself into it. Thus, bringing forth a 'fragmented' image of a social structure as engendered by such an individual or individuals.

degrades human beings or which militates against human rights, dignity and decency, should be viewed as an act of violence.² In this project, I have accepted this wider concept of violence, alongwith its obvious overt physical manifestations.

The nature of violence in contemporary Indian society has its roots in the politics and the course that it followed over a period of more than four and a half decades of independence. Whatever be the shade of political party at various levels, violence was, and has been on the increase. There has been violence of many kinds and intensities --- ethnic, linguistic, religious, caste, class, urban and rural, revolutionary, counter-revolutionary, obscurantist and fundamentalist. The `North' against the `South' ,

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2. `Violence' is defined by Claude Alvares as, "physical and mental harm to living organisms", in (Science, Development and Violence - The Revolt Against Modernity, Oxford University Press, Delhi, 1992, p-64). Robert Audi, proposes that "Violence is a vigorous attack or abuse of persons in physical or psychological way", in (On meaning and Justification of Violence, J.A. Shaffer, (ed.), Violence, New York: David Mckay, 1971, pp 45-99). Whereas, for Garver and Holmes, violence means `the idea of violating persons in addition to the use of physical force', (J.Betz, `Violence: Garver's Definition and a Deweyan Correction', Ethics, vol. 87, No.4, July 1977). The United States National Commission on the causes and prevention of violence, defined violence, "the threat or use of force the results, or is intended to result, in the injury or forceable restraint or intimidation of persons or the destruction or forcible seizure of property." in (Politics of Violence - Dawn of a Dangerous Era, Ashish Publishing House, New Delhi, 1992, p. 11).

`tribals' against `non-tribals', `caste Hindus' against `Scheduled-castes', one caste against the other, `Hindus' against `Muslims', `Hindus' against `Christians', `Sikhs' against `Hindus', `Hindus' against `Sikhs', `Sunnis' against `Shias', `Hindi' against `non-Hindi',³ one political party against the other, and so on, make these exhibitions of discontentment particularly dangerous to our society's `Democratic', `Secular' and `Socialist' fabric.

After a few years of independence, the inherent contradictions present in the multi-layered and multi-variate social fabric of Indian polity began to come to fore and were manifested in various forms. In place of growing sense of national unity, caste, tribal, religious and linguistic organizations emerged, diversified and multiplied; instead of being dedicated to increase production in agricultural and industrial sector in accordance with the presence of abundant natural resources, a spectre of manifold multiplication of peasant mobilizations and uprisings, and trade union strikes, quite often violent in nature marked the early years of the latter half of the twentieth century in India; instead of uniting to work as a single force to rally the country, the political parties became increasingly split

3. S.K. Ghosh, Social Order in India (1948-1988), Ashish Publishing House, New Delhi, 1990, p. 7.

by factionalism, proliferated and fomented caste, class and religious struggles. Ambitious rather than committed politicians catered to and nurtured parochial loyalties and selfish economic demands to satisfy their urges for political power, and were gladly willing to resort to civil disobedience and even violence to achieve their objectives, such that, their actions threatened national unity, economic development, and political order. Communal passion spread throughout the country and multiplied like cancer over the years, so much so, that, it has now become an integral part of the socio-political atmosphere. The unethical and unholy alliance between communalism and politics has led to the worsening of situation. Parliament, the party system, the cabinet, the judiciary, the notion of an impartial law-enforcement machinery -- all have been devalued and their credibility eroded.

To compound the already troubled scenario further, the supposedly democratically constituted Indian society with its multiple crises is daily becoming more undemocratic and oppressive for the very people on whose support it rests. The Indian state and the ruling class politics have been rapidly degenerating into a lawful as well as lawless authoritarianism in recent years, specially repressive when people protest or seek to organise and struggle. We have

laws like TADA, MISA, NSA etc. which in their attack on democratic rights undermines almost every safeguard provided by the Indian Constitution and violates all principles of liberal jurisprudence and natural justice. To execute these laws, alongwith the old, we have more of modernised and better equipped police and security forces, the army's increasingly active role in 'civilian conflict', and the State's everyday resort to extra legal means. This state apparatus, ideologically refurbished and materially augmented and rationalised is available for use against the people struggling in defence of their interests and for a more just and equitable social existence ---- "... every form of democratic movements, popular struggle or social activism against (the just demands of) trade union and striking workers and those seeking to defend the environment; against women and dalits protesting the atrocities committed on them; against the landless and adivasis engaged in a battle of survival, against journalists and academics, poets and cultural workers; in fact anyone deemed inconvenient or undersirable by the state, including of course the civil rights activists. Such has been the experience not only in Punjab, Kashmir and Assam, Andhra Pradesh and Bihar, or the North-East, but everywhere else in the country. Not surprisingly, even those who opposed the new legislation(s) and

repressive practices when in Opposition have found selective recourse to them useful when in power themselves.... It is thus, that State Terrorism (and ruthless repression), spreading within democratic forms and without them, is contributing to the rise of an authoritarian, even more repressive and anti-people state in India".⁴ It is here, then an increasing need is felt for the emergence and continuance of civil or democratic rights organizations to protest and seek intervention on behalf of the common people against the growing lawlessness, autocratic and authoritarian tendencies of the State; even though they are dubbed as 'a nuisance', dismissed as 'do gooders', denounced as 'front organizations of anti-state (for example, terrorist) organizations'.

Also, the fact that even though there exists an elaborate system of law, rules regulations, institutions and enforcing agencies to deal with various incidences of lawlessness or infringement of these laws by the citizens of a state; but there exists no such comparable mechanism or institution or a system of codes to which a state can be held accountable, for its potential or rather more often

4. Randhir Singh, 'Terrorism, State Terrorism and Democratic Rights' in Mainstream, vol. XXX, No. 14, January 25, 1992, p. 35.

actual practice its role as a violator of democratic rights of the people over which it governs. So much so, quite often in contemporary India, state as a protector turns violator of the peoples right to their life and property. Therefore, it is in this absence of credible institutional safeguards against the violence perpetuated by the state, the makes the presence of independent civil liberties and democratic rights organisations necessary.⁵ In the context of this project. I would be undertaking a detailed examination of the following civil liberties reports to understand the violent, anti-people nature of the Indian State. They are:-

1. India's Kashmir War, Committee for Initiative on Kashmir, March, 1990.
2. Report on Kashmir, A team sponsored by four (4) Civil liberties organisation -- i) People's Union for Civil Liberties, ii) Citizens for Democracy, iii) Indian Radical Humanist Association and iv) Manav Ekta Abhiyan. April 1990.
3. Kashmir - A Land Ruled by the Gun, Committee for Initiative on Kashmir, December, 1991.
4. Who are the Guilty?, Report of the Joint Inquiry by People's Union for Democratic Rights (PUDR) and People's Union for Civil Liberties (PUCL) November, 1984.

5. ibid., p. 41.

5. Justice Denied, A Critique of Mishra Commission Report on the Riots in November 1984, by PUDR and PUCL, April 1987.
6. 1984 Carnage In Delhi, A Report on the Aftermath, by, PUDR, November, 1992.

Therefore, it is not easy to dismiss violence as irrational in a society based on exploitation and dominance, in which injustice becomes more and more institutionalised, so much so, that, political, economic and social injustices have become so intractable over the decades that resentment and protest against it have found spontaneous expression in violent outbursts. Where the 'system' is so oppressive there often seems to be no alternative but to hit back against it, which in turn gives an insight into a peculiar admixture of powerlessness and assertion of dignity and righteousness.⁶

Whence, in its essence, violence is a direct result of the violation of the dignity of people and of the collectivities with which they identify. Overcoming this violation and the consequent violence, involves forms of counteraction that are difficult to classify along the dichotomy of vio-

6. Rajni Kothari, the 'Foreward', in "Politics of Violence" by Sajal Basu, Minerva Associates Pvt. Ltd., Calcutta, 1982.

lence and non-violence.⁷ Rather, we have to once again think of alternatives -- a vision of Utopia -- like the one's put forward by Gandhi and Marx in the turbulent times of their societies and world at large, and work towards an ideal.

In the first chapter, would conceptualise the nature of the modern state as engendered by the human nature in society and the requirements of the emergence of the state as an answer to the 'problem of order'. While, the second chapter, would delineate the understanding of the nature of the Indian state which has become an apparatus of violent repression on the unsuspecting masses. The third chapter would make clear with the help of select civil liberties reports, as mentioned earlier, the nature of violence perpetrated and perpetuated by the Indian state. Finally, the fourth chapter, deals with the possibility of a saner relationship between state and society, and explores the vision of utopia and a civilizational alternative to the violent modern State.

7. ibid.

CHAPTER I

STATE, POLITICS AND ETHICS

In this chapter I shall trace the relationship between an all encompassing and overarching institution of modern Society, the State, and the phenomenon of Violence Towards this endeavour, it is prerequisite to conceptualise the 'human nature' of beings constituting the state in today's world; and then, whether the characteristics of human beings thus elicited would require the authority of the State. In other words, would the human nature pose a 'problem of order', such that the state, conceived as an organized body of power would be required to contain it? If this is the nature of circumstances as it pertains of today, then the question of legitimization of violence perpetuated by the state in order to protect the 'order' of the society comes up, or, so to say, the success of the State in projecting itself as a representative of the entire society in spite of the sublime oppression and the implicit violence which obtains in its very functioning. ¹ And then it becomes essential to enquire into the very 'nature' of the kind of 'order' that the state protects and see where does the violence perpetrated by the state points towards now -- the

1. This exercise has been dealt in detail in chapter-2 of this dissertation, in the context of the Indian State.

dominant class or the already oppressed and marginalized sections of the society.

The Human Nature and The Problem of Order

Any investigation into a man-made institution and its relatedness to an ongoing process requires that it must begin with some coherent view of the psychology of man at least in so far as it affects his moral aims and conduct in the society. This does not necessarily mean that human nature must be seen as static and an invariant substratum underlying all human activities. Rather, it has to be seen as a historically changing socio-culturally specific entity.

In this regard, I shall locate the individuals, whose constitutive human nature go into the formation of the social order (as envisaged in the scope of this project) at the helm of affairs in the modern civilization that is characterized by a capitalist state with overtones of democracy and welfarism. Towards this end, I shall take into account the human nature of modern man as elaborated by Gandhi in his critique of modern civilization through his 'Hind Swaraj', a systematic exposition of his ideas on state and the civil society.² To this will be juxtaposed Marx's concept of social order as obtains in the modern capitalist

2. Specially in the context of Indian state and society, with its juxtaposition to the European nations at many levels and in variety of aspects.

society with an inherent underlying conceptualization of the nature of man in society.

According to Gandhi, the inner compulsions of modern civilization of which the capitalist ethos was the guiding principle augured a 'materialist view of man' -- man as a creature of infinite desires and wants.³ The logic of the capitalist system inherited by the individuals, denied the view of men of themselves as 'self-determining moral subjects' but became consumers or vehicles for satisfying their wants, which in most cases was externally induced. Thus, unmindful of exploitation of others was built into the very structure of the society which was a manifestation of the dominating and aggressive impulse, forming the core of the modern civilization and activated in all areas, even of human relationships.

The inherent restlessness and constant striving to move ahead and faster than even before to achieve one's ambitions; the 'mindless activism' incorrectly equated with dynamism and energy, modern civilization undermined and eroded at man's unity with his environment and even his fellow men which in turn were instrumental in destroying the stability of long-established traditions and customs which had cohered and held the civilization together, and left it open to disintegration. In the absence of long-established

3. This was true not only of the West, but was being increasingly imported and even internalized by the East, especially in India.

almost natural and social roots and the stable and enduring features which had given an individual a sense of identify and continuity -- the modern man became abstract, indeterminate, fragmented and vacant. He was no longer internally or organically related to others, nor were his relations to them grounded in sentiments of good will and fellow feeling. Everyone was a stranger to everyone else and none cared for or knew how to behave towards others.⁴

This resulted in profound distortion of an individual's moral life. A society of unrelated, fragmented beings came to be characterized by a climate of suspicion, fear, hostility and tension, as each did not have faith in the other and perceived the rest as actual or potential enemies, and thus were reduced to follow a set of externally legislated and enforced impersonal rules to be able to live in a coherent social order.

Further, according to Gandhi, modern civilization denuded morality of its vital internal dimension or what he called the quality of the soul -- jealousy, hatred, meanness, ill-will, perverse pleasure at another's misfortunes and sordid thoughts were moral impunities reflecting an ill-developed soul. Not an introspective, reflective, self-critical, sensitive, and tender-hearted, but a tough, aggressive, ambitious and suspicious man was the ideal and neces-

4. M.K.Gandhi, Hind Swaraj, Navjivan, Ahemdabad, 1932, p. 49.

sary basis of modern civilization.⁵ And he spent most of his energy in the futile exercise of steadying himself, in an overtly hostile and an inherently destabilised environment.

This, it logically follows that the present society in its relationship to not only the individuals forming it but also the state rests on and is sustained by unmitigated violence. It involved violence not only towards others but also against oneself. This was so because, in a society of aggressively ambitious and mutually fearful men, a considerably high degree of dehumanization had set in with a profound anti-human bias, such that it perverted the human psyche and suffused it with the spirit of violence. Towards others was involved an egregious amount of violence at the verbal, emotional, moral and even at the physical level, since the very presence of each was perceived as a threat to the existential reality of the other. "In Gandhi's view violence 'oozed from every pore' of modern society and had so much become a way of life that modern man could not cope with his relations with himself or other men without translating them into the military language of conflict, struggle, mastery, subjugation, domination, victory and defeat. Deeply rooted in violence man felt suffocated in its absence."⁶

5. Bhikhu Parekh, Gandhi's Political Philosophy - A Critical Examination, MacMillian Press, 1989, p. 23.

6. ibid, p. 25.

Therefore, due to internal dynamics of a social system as explicated above, Gandhi correctly recognized the highly centralized and bureaucratic nature of modern State, with an unlimited political power over its subjects, was a construct of the modern civilization. Its capitalist ethos -- competitive and aggressive men ruthlessly pursuing their interests had well-grounded roots in violence towards one and all, such that, all the organic internal bonds of a shared humanity and good will were destroyed beyond repair, and their relations could be regulated only by the imposition of and self-conscious following of, a set of impersonal rules, enforced by a powerful external agency well-versed in the language of violence -- the State. Hence, the modern civilization contained in it the problem of order, such that the state as an organized body of power gained ascendancy.

Even though Marx did not develop a systematic theory of human nature, but he made it implicitly evident through his early philosophical writings that human nature can be construed as a dynamic historical concept, including both universal invariants and constituents that vary from epoch to epoch, "If one wants to judge all human acts, movements, relations etc. in accordance with the principle of utility one must first deal with human nature in general and then with human nature as modified in each historical epoch."⁷

7. Karl Marx, Capital I Chapter - 22, in Tom Bottomore (ed.), A Dictionary of Marxist Thought, Oxford University Press, Delhi, 1983, p. 215.

"The essence of man" wrote Marx, "is no abstraction inherent in each single individual. In its reality it is the ensemble of the social relations."⁸ An individual is a product of the social environment, of the society in which he lives and develops. The society in which the individual lives and develops does not exist in isolation from societies of different socio-economic and spiritual character. Even though the decisive role in the formation of the human nature or the character of a particular individual in a particular society, is played by the relations which are predominant in society, man may also come under the influence of characteristics of other socio-economic formations which may or may not be compatible with the demands of the given society. Being a product of the social environment, the individual forms society to the same extent as social conditions form him. Therefore, in a society subsumed in the capitalist ethos, negates that what man potentially is -- a conscious being; and is characterized by certain inter-related elements, "private property; greed; the separation of labour, capital and landed property (or any other means of production); exchange and (unrestrained) competition; value and devaluation of man, monopoly..."⁹ -- brings into existence a social order entangled in irreconcilable antag-

8. Karl Marx, 'Theses on Feurbach', in K. Marx and F.Engles, Collected Works, vol.5, Progress Publishers, Moscow, 1976, p. 4.

9. Lucio Collectti (ed.), - Early Writings of Karl Marx, London, 1975, p. 323.

onisms with itself' such that, society, though rooted in man's essential socialness, becomes under conditions of capitalism a denial of this socialism. Thus, the basis of this social order rests on the exploitative and alienating relationships between men, between men and society (and later on even between society and the capitalist state). As a result, man is no longer able to identify himself, or relate to another person or the society itself, of which he is a constitutive element, because, "all are estranged from man's essence".¹⁰ Such a social order then brings to fore the existence of two antagonistic classes based on relations of production in the society, and perpetuates a social order highly exploitative in nature and ruthlessly violent against the interests of the majority, the exploited class.

Although in his early writings, Marx does not work out clearly the role of the state in the capitalist social order. But one may logically assume that he views the state as an essential structural component of this order, as a protector of the rights and properties of the bourgeoisie (or capitalist) class, against the legitimate demands and desperate efforts of the exploited class to achieve a modicum of what they did not possess. Poverty and the social and economic inequalities created by the capitalist economy led to acute and legitimate discontent and required a well-armed state to deter its desperate citizens from resorting to

10. *ibid*, p. 330.

violence. Therefore, here too arises a civilizational problem of order, that has to be tackled by the State as an organized body of power.

State as a Representative of the Entire Society -- Legitimation of its Violent Apparatus.

The civilizational problem of order as identified in the earlier section, gives way to the logical necessity of the creation of state as an organized body of power to indulge in violence for the protection of individual, property and order in the society.

The dehumanizing role of the state towards its people is implicitly apparent in the increasing domain of the state in administrative and welfare activities under the garb of democracy, which in turn lead to a steady over centralizing and bureaucratizing tendencies, such that the state, "had a vested institutional interest in monopolising all initiative and fostering a state-centered political cultural. The more its citizens became 'addicted' to it and the more they felt helpless without it, the safer it felt."¹¹ Accordingly, the state systematically created and nurtured the illusion amongst the people that the problems of the modern society were too complex to be wholly comprehended or solved by the people themselves and were best dumped at the door of the agencies of the state, while leaving them free to pursue their own interests; very conveniently overlooking the fact

11. ibid, no. 5, p.28.

that the constituents of the very state were its people, on whom it sought to establish an unchallenged rule. In pursuit of such a goal, the state ruthlessly discouraged and denied access to opportunities for political participation to independent local communities capable of challenging its decision.¹²

According to Gandhi, the state not only monopolizes the whole gamut of political power, but even tends to monopolize common morality in the hope of appealing to the masses at the moral level too. And since, the already morally depleted and atomic citizens (under the onslaught of state's reason for exercise), who now lacked the internal organic bonds (having been replaced by the external bonds of the state) to enter into a relationship and sustain it. They increasingly turned to the state as a sole source of moral order, which alone guaranteed the so-called civilized existence and rescued society from total disintegration through its timely intervention. Thus, the state alone came to be recognized as the sole determinant of collective morality. 'The human being was thus reduced to the citizen, and the latter in turn to a passive and uncritical subject' ready to be trampled under the crushing uniformity of the state.

12. At this juncture Gandhi, very much involved in the nationalist struggle faces frustration at the hands of British designs to keep the Indian political leaders from participating in the political process.

Thus, the state appropriates all initiative of the people and reduces them to atomized, fragmented individuals incapable of deciding their future and even looking after themselves, hopelessly addicted to and enslaved by the reason of the state, which now triumphantly projects itself as a representative of the entire society.

Marx though locates the problem as 'false consciousness' sustained through an ideology of the dominant class in a purely capitalist society, does not go into the dynamics of such a situation deeply enough, such that it is left to Gramsci (a Marxist) to explicate in detail the process of legitimization of an inherently exploitative state structure in the eyes of the masses. Gramsci does so through his concept of 'hegemony'-- a mode of class domination.

As delineated earlier, Marx, recognizes the inherent contradictions present in the society due to the existence of the two antagonistic classes, and the state is not a neutral arbitrator, rather a protector of the vested interests of the exploitative, dominant class. But, this class -- bias of the state is hidden in the modern society under the guise of parliamentary democracy, socialism and welfarism such that it is impossible for the state to appear partial in public. Therefore, Gramsci defined the state as, "the entire complex of practical and theoretical activities with which the ruling class not only justifies and maintains its dominance but manages to win the active consent of those

over whom it rules".¹³ Accordingly, Gramsci examines the roots of the state power not only within economy and civil society, as well as within the state apparatus itself.


Therefore, hegemony involves the successful mobilization and reproduction of the 'active consent' of the dominated groups by the ruling class [i.e., the state] through their exercise of intellectual, moral and political leadership.¹⁴ This process is quite distinct from Marx's idea of 'false consciousness'. Since the maintenance of hegemony involves taking systematic account of popular interests and demands, shifting positions and making compromises on secondary issues to maintain support and alliances in the existing system which is characterized by fragility and instability; without however, sacrificing the essential primary interests. For the constitution and reproduction of 'mass consent' or 'collective will', a common world-view is to be propagated through the prevailing system of beliefs, values, common-sense assumptions etc. through a complex system of ideological apparatuses spread throughout the society, such as the educational institution, religious associations, mass media, trade unions, political parties etc. Thus, reducing the civil society to a magnified state apparatus, which enables it to mask its violent character,

13. A. Gramsci, Selections From The Prison Notebooks, Lawrence and Wishart, London, 1971, p. 244.

14. ibid. pp. 52-53.

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and even succeeds in projecting the state as a representative of the entire society.

The Nature of the 'Order' The State Protects

It becomes essential to demystify this 'legitimacy' - the state representing the entire society. Gandhi argued that, even though the state claimed to be and even appeared (falsely) to be a moral institution transcending narrow group interests and pursuing its policies with regard to the entire society indiscriminately and impartially, it, was in reality a highly partial entity, and 'little more than an arena of conflict between organized interests manipulated and controlled by the more powerful among them', who served their respective group interests. Therefore, a democratic state hid the undemocratic elements behind a mask, such that democratic governments were no better than the undemocratic and belonged to the 'same species'. They were just as vulnerable to the pressures of the dominant class and just as 'ruthless' and ready to use violence in the pursuit of its interests. In its actual practice a democracy was basically a form of government in which a 'few man capture power in the name of the people and abuse it', a 'game of chess' between rival parties with the people as 'pawns'.¹⁵ Although the fact that democratic government was periodically elected by and accountable to ordinary people

15. ibid, no. 5, p. 67.

served as a 'camouflage' hiding the basic fact that masses were continuously exploited and their rights ruthlessly violated under the name of democracy. Therefore, democracy veiled and conferred moral legitimacy on the reality of exploitation.¹⁶

As explained in the earlier section, the state is looked upon by the Marxists as designed to protect the interests of the exploitative dominant section of the society and used as a political instrument for maintaining the rule of one class over another. Therefore, the violence perpetuated by the state is primarily against the oppressed and the marginalized section of the society who form the majority.

Whence, Gandhi and Marxists successfully unmask the myth of the 'state' as a representative of the entire society though his (Gandhi's) exposition of 'morality of politics' followed by the state to perpetuate its dominance in the lives of the people it governs and through it is even able to legitimize its violence in the eyes of the very people on whom it is perpetrated.

This character of the class bias of the state, particularly in the Indian context during its formation and subsequent functioning even after the country gained independence from the British imperialists such that the oppressed sections of the society are still marginalized even though concerted efforts in the direction to alleviate their condi-

16. ibid, no. 5, p. 29.

tion have been undertaken. But, there is lot to be said at the level of commitment of the political leadership, who once again belong to the dominant section of the Indian society.

CHAPTER - II

UNDERSTANDING THE NATURE OF THE INDIAN STATE: A SOCIOLOGICAL ANALYSIS

In order to explain the nature of violence perpetuated by the Indian State with the help of civil liberties reports, we have to first of all comprehend in all its clarity, the very nature of the Indian State. Towards this end, we have to understand the nature of the growing cleavages between the state and society. The reasons for which, would then have to be looked at since the time India gained freedom, the optimism of Nehru era and the subsequent disillusionment in the post - Nehruvian period due to the emergence of an overcentralised, technocratic, ruthlessly violent, anti - people and authoritarian state fostered by the nature of politics pursued by the leaders at the helm of its affairs. This growing disillusionment is not nearly contemplative, rather it is further substantiated by the objective reality which highlights the class - character of the Indian State and the interests of the dominant section of society that it represents.

The Nationalist Agenda

Even before the actual moment of independence in 1947, the great leaders of Indian nation, most of whom had been trained and educated in the western political thought and values had charted out their construction of an Ideal state under the prevailing circumstances in the form of the Constituent Assembly for the construction of the Constitution (which according to many is still the basis of running the affairs of the Indian nation - state) - Jawaharlal Nehru who is supposed to be and really is the guiding spirit of the Constitution, was highly influenced by Fabian Socialism as it had emerged in Britain, which he felt was the best way to bring about the desired changes in social and economic spheres of national life, while political change (or freedom) had to be won, and was won by or rather under the overwhelming influence of Gandhiji.

Jawaharlal Nehru even though gives credit due to various 'isms' of the world, practicing or non - practicing but thought democratic socialism best suited for Indian circumstances. Communism, which was followed most dogmatically by its pursuers and has many an achievements to show for itself in the field of education and health etc in the instance of Soviet Union , falls short in many ways to fulfill all the demands that an individual makes on a society for his sur-

vival as well as development as a human race. According to Jawaharlal Nehru, "Communism comes in the wake of this (religious) disillusionment and offers some kind of faith and some kind of discipline. To some extent it fills a vacuum. It succeeds in some measure by giving a content to man's life. But inspite of its apparent success, it fails partly because of its rigidly but, even more so, because it ignores certain essential needs of human nature... Its suppression of individual freedom brings about powerful reactions. Its contempt for what might be called the moral and spiritual side of life not only ignores something basic in man but also deprives human behaviour of standards and values. Its unfortunate association with violence encourages a certain evil tendency in human beings...means distorted ends. We see the powerful influence of wrong means and methods."¹ Therefore communism in its entirely specially because of its methods does not suit the Indian masses.

Whereas in the case of capitalist development of Indian society seemed well nigh impossible. This is because a capitalist ethos presupposes the presence of industries and free flow of capital which was never the case with the

1. 'The Basis Approach', by Jawaharlal Nehru who published it in AICC Economic Review (15th August 1958) in Remembering Jawaharlal Nehru Today, Mainstream publication, November 1989, pp. 104-5

Indian economy since the British had come and even before that India had not undergone any industrial revolution. Though because of the Britishers or we can even say that due to their own efforts few Indian entrepreneurs had been able to set up quite successfully some industries, but it was not enough to develop India on capitalist lines. It is only in industrially advanced countries that development on the capitalist line aligned with democracy has seen a continuous upward trend of economic development which has spread through in varying degrees to all the classes. But this does not apply to countries which are not industrially developed, even when aligned with democracy. In these countries the struggle for development is very difficult and sometimes in spite of efforts not only do the economic inequalities remain but tend to become worse. In other words, it may be said that the forces of capitalist development in a society, if left unchecked tend to make the rich richer and poor poorer and thus increase the gap between them. Therefore capitalist path of development in its entirety too does not respond creatively and positively to the circumstances which obtained in the Indian social reality at the time of independence.

It was the conception of the kind of society to be realised after the independence and consequences which

followed in its wake i.e. communal disturbances and an air of suspicion of the minority community, which pained not only the leaders at the helm of affairs at the time of independence but hurt irreversibly the psyche of the Indian people. India with its great cultural diversity could never again allow such a situation to arise. So first of all, after the territoriality of the Indian nation-state which was decided by the partition, further decided to put forward a model of integration of society and not of subsumption of the plurality of diverse cultures, the very diversity from which the social fabric would be deriving its strength. Secondly, keeping in view the attitudes and values of the Britishers towards the colonized people of India, as a third rate human being, barbarians, not good enough for their white counter parts, had brought about a feeling of indignity had undermined a common man's confidence in himself so much so that he himself (before the nationalist movement and the awakening of the spirit of the people by Gandhiji) thought no better than an animal of himself. Thus demeaning oneself in one's own eyes. This had to be decidedly put a stop to and a moral regeneration and spiritual enhancement of a shared humanity to be realised by all the individuals comprising the society. Thirdly, was desired the basic transformation in the social structure of the traditional

hierarchical caste - bound Indian society to move beyond its narrow moorings which disallowed individual equality and liberty not only in the eyes of common man but also in the eyes of law prevailing at that time. Fourthly, on the agenda was the lessening of the gap between the rich and the poor and develop an economic system which arrived at equitable distribution of the goods of production or the benefits which accrued in lieu of it.

Even though the kind of society was as envisaged in the above given exposition by the nationalist leaders but to frame a constitution keeping in view the desired goals, the constituent Assembly had to face many a turbulent discussions and heated debates for more than three years to finally emerge with a constitution which in its spirit and functioning was highly influenced by the Democratic Socialism as espoused by the liberals and thinkers on socialist lines. They believed that the Indian state will be able to do full justice to the aims it had kept for herself, only if it followed the 'socialist pattern of development' in the wake of democracy, which would be the 'instrument of social and economic justice'. Added to this would be the concept of the Welfare State which assures to the individuals liberty simultaneous to increasing amount of social benefits. Every

country whether capitalist, socialist or communist accepts the deal of the welfare state nowadays.

The constitution which was formed thus, had Fundamental Rights and Directive Principles of the state policy as its salient features. Fundamental rights are the basis and the foundation of modern democratic states and governments. These are the 'natural rights' of every human being irrespective of caste, creed, sex, religion and even nationality which are a necessity for the development of human personality. These rights are -- rights to equality, freedom, against exploitation, freedom of religion, cultural and educational rights, for property and constitutional remedies. These are the inalienable rights of an individual except in the case of right to property which is subject to the law of public purpose' (Art 31 clause (3)). This was one of the most debated articles of the constitution. Members like Prof K. T. Shah who were confirmed socialists and desired that the right to property not be included in the Fundamental Rights and while people like Sardar Patel and K. M. Munshi desired full compensation to the persons deprived of their private property in a manner of expeditious payment with a power to the courts to look into the question of its being fair and reasonable. Finally this fundamental right was worded in a form that could be consistent

with principles of democratic socialism as much as possible. Its interpretation left to the future legislatures to reshape the right to property in the light of changing urges and aspirations of the people.²

Not only this Jawaharlal Nehru had to debate for the inclusion of fundamental rights in the constitution as long back as in 1931 against the cynicism of C. Rajagopalachari who was opposed to sweeping fundamental rights. He (Jawaharlal Nehru) supported the provision of adequate safeguards for minorities, tribals and backward classes. Intervening during the debate on the Interim Report of the Committee on fundamental rights, Nehru asked for the protection in every possible way of the tribal areas and tribal people. ".... every brethren of ours who are backward through no fault of theirs, through the fault of social customs...., it is our intention and it is our fixed desire to help them as much as possible, in as efficient way as possible, to protect them from possibly their rapacious neighbours occasionally and make them advance...."³

The purpose of the guaranteed fundamental rights, is to withdraw certain subjects from the changing pattern of

2. Constituent Assembly Debates (CAD) vol XI, p. 167.

3. CAD, vol III, P. 455.

political controversy, to place them beyond the reach of legislators and executives and to establish them as legal principles to be applied by the courts. This had to be done as a sort of imposition since the country was to become a free democracy for the first time in its history consciously, and freedom or the very natural rights of an individual which had not been practiced in our caste - bound, rigid, hierarchical society which needed constitutional force to fight against the inevitable onslaughts from the social as well as the political sphere. Moreover, the entire country was being welded together into one state as it never was before through persuasion and gradually keeping in congruence with the methods of democratic socialism against the violent or coercive integration through revolution, as envisaged by the Marxian doctrine. In the words of Jawaharlal Nehru, "Socialism is after all not only a way of life but a certain scientific approach to social and economic problems"⁴

Besides the Fundamental Rights, another salient feature of the Indian constitution is Directive Principles of the state policy. They enumerate the fundamental policy of the state -- the social and economic ideals on the basis of which the government could formulate its policies. According

4. ibid, no. 1, p. 109.

to Article 37 of the constitution, the Directive Principles, "shall not be enforceable by any court but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the state to apply these principles in making laws" thus being positive obligations of the state. These incorporate principles, based on socialistic pattern, on Gandhian philosophy (like Panchayati Raj - Village Panchayats as units of self govt, cottage industries, regarding scheduled castes and tribes, health, sanitation, etc.), for efficient and responsive administration (separation of judicial service from executive control, uniform civil code) and regarding International policy and behaviour.

With the help of this nature of constitution, the founding fathers aimed at the creation of a new society of political freedom and socio-economic equality, a society which upholds the dignity of human personality', the rights, liberties and freedoms of the individuals and to widen the base of democracy. To construct such a society , the State form which was envisaged was a state based on the principles of 'Democratic Socialism' wedded to the idea of 'Welfare State' in which the state developed and the society progressed further phase wise in a planned manner. So Planned approach on Socialistic lines was envisaged for the

fulfillment of which Five - Year Plans were launched, each with a different emphasis to develop a particular sector concentratedly at a time while not neglecting the other spheres as well Land Reforms were sought to be implemented immediately for not only to bring about changes in agriculture but more importantly to break up the old class- structure of the society which was stagnating. Therefore, also, in the industrial sector, even though some private industries were allowed to continue in the non - key sectors, but in the key sectors like coal mining, electricity, power etc, state control was established through nationalization and setting up public sector undertakings, such that they could be used for public welfare programmes and revenue thus accrued could be used for welfare measures by the state for the people. Alongwith this Nehru wanted the people of India to inculcate a scientific spirit and habit of mind such that scientific principles in combination with spiritual ones inherited, would be our guiding principles to the path of progress and development.

Thus, the construction of an ideal state of India incorporated the high ideals of Democracy, Socialism, Secularism and Welfare State, all combined together to lead the Indian people out of the clutches of the colonial past into a becoming of their own.

The Post - Nehruvian State In India

Just as nature is an ongoing process, so is the state formation a continuous process. Nehru's capacity to shape India's traditions in the first two decades of Indian independence greatly strengthened a liberal and constitutional state, but did not foreclose other options, which unfolded during the succeeding decades.

The contemporary Indian socio-political scenario, with the immediate backdrop of more than four and a half decades of independence is marked by two continuous trends, viz, Political Awakening and Political Decay; because built into the social, economic and political philosophy of the progressive and developmental state with the help of which the Indian masses now wanted to improve their lot, was the contradiction which in time would challenge the hegemony of the very dominant classes which had benevolently laid the foundations of a transformative state. The self - awareness and assertiveness of all sorts of interest groups, classes, demand groups have been moving ahead despite socio-economic barriers, making India a more genuine democracy. But the problem lies in the fact that this has happened at a time when India's political institutions (formal as well as informal institutions of the state) have undergone decay, that is, they have become less able to respond crea-

tively, or even adequately, to pressures from various social groups.

Though much of the responsibility for the change in the perception of ethics of politics which led to the decline in political culture and moral fabric of the political leaders and the ensuing consequences, is laid at the conduct of affairs of the Indian state after Nehru, at the door of Indira Gandhi. Yet the juxtapositioning of a stable and institutionalised Nehruvian golden age in sharp contrast with the decay of the Indira Gandhi era and the post Indira Gandhi era is partially incorrect, because the initiatives which were taken, led to the weakening of the state by eroding constitutional democracy and parliamentary government, were not to intentionally produce the results that they did but to pursue their partisan and personal power, neglecting the wider consequences of such short-sighted measures. Also, the Congress, which represented the aspirations of the colonised Indian masses unopposedly before independence carried on with the same mantle even after independence, so much so that the delicate balance between the Congress as a party and the Congress as a movement became blurred, and the Congress became synonymous with Indian State, even though Jawaharlal Nehru during his Prime Ministership tried his best through parliamentary and institutional means to keep

the two separate, yet the bandwagon of Congress with Nehru at the helm of affairs was enough in the eyes of the Indian masses as well as world politics, to gain legitimacy for the Indian state. Whence, the necessity of the continuation of the dynastic rule after Nehru even though Indira Gandhi was neither well - versed in the ethics of parliamentary democracy, nor was of the same stature of politician, the generation which preceded her.

The processual development of the Indian state is very much linked not only to the objective historical forces but also to the subjective perception of the few, for whom politics is no longer a vocation but because a career, with the overriding concern only for acquiring, maintaining and perpetuating power and its games. And Indira Gandhi is the product of such an era, which is very well portrayed in her own words, she said, "her father was 'saint strayed into politics'. Because he never had to struggle, he lacked the necessary ruthlessness"⁵. These words give an indepth insight into the nature of politics as she percieved and through her conduct made others conscious of her perception,

5. Statesman, May 28, 1984.

thus provoking them into responding in kind, and setting a trend of internal warfare in politics.

The Indian state which was adorned with the role of an arbiter, ensuring justice and equality, a liberator from the traditional structured inequality, an area of growth and development with an 'unequivocal autonomy' from the vested interests of the dominant sections of the society , "as an independent actor with preponderant powers to influence, discipline, and where need be, coerce established interests and estates to accept the state policies arrived at transforming the status quo"⁶-- incrementally through institutional means. In other words, the state as an instrument of transformation of tradition bound, post - colonial society into a liberal polity with strong socialist bearings and conducting its transformation in an incremental fashion through decentralized system of governance and performance.

6. Ranji Kothari, State Against Democracy - In Search Of Humane Governance, Ajanta Publications, Delhi 1988. p. 59

But the utopia failed to take into account the ignorant, liberally unsensitized masses who in the beginning were content to be looked after by their leaders, but later on gained dangerously insufficient knowledge to become powers in the hands of corrupt agents (dalals); and the second generation of leadership which forgot to look over their shoulders before following the path towards self - aggrandisement. Thus, the Indian social structure is being challenged from both below and above. The challenge from below comes from social classes that are no longer willing to bear their poverty and oppression compliantly and who resist economic and social injustice. The challenge from above comes from legislation -- agrarian reforms, provisions favouring untouchables and backward classes -- that enables the demands of the underprivileged. The increase in riots between 1965 and 1977 from 33,000 to 80,000 per annum, the increase in incidents of students indiscipline from 271 in 1965 to 10,000 in 1980; and the increase in workdays lost by strikes from 6.5 million in 1965 to 29.2 million in 1981⁷ are all indicative of the social turmoil which has beset the Indian society due to sheer mishandling of state society

7. L. I. Rudolph and S.H. Rudolph, In Pursuit of Lakshmi - The political Economy of the Indian State, Orient - longman, Hyderabad, 1987, p. 94.

relationship and populist politics of the opportunistic leadership.

The nature of the growing cleavages in the relationship between the Indian state and Indian society can be gleaned from the following developments

1. Deinstitutionalization of the Congress party (to which was very much linked the nature of state politics).
2. Erosion of institutional machinery of the state structure.
3. Increasing levels of political mobilization and its consequences.

The congress party which has been at the helm of affairs of the Indian state, the nature of its growth and development or rather decline and very well document the barometer like reading of the decline decay of the nature of the Indian state, since the leaders holding key positions in the party also hold the vital decision - making key positions in the state structure. The saga of deinstitutionalization first of the party level and then in the nationalist politics started from the time she held the position of Party President even before Nehru breathed his last. In its role, perception and design the congress shifted from being a dominant party to being an almost hegemonic party. In due course of time, changes in the role and organizational

culture of the congress were reflected in inter-party relations and in the operations of few federal institutions. Generally, the first generation leaders had manifested a commitment to India's democratic federal institutions and had displayed a liberal view of the place of opposition parties in the political systems. The only glaring exception was New Delhi's controversial intervention into Kerala in 1959, which too was mainly carried out at the behest of Indira Gandhi who then the President of the Congress Party⁸.

The Congress developed into an extremely centralised and regimented party. Both the culture and institutions of informal federalism within the congress virtually collapsed, and state units became increasingly dependent upon the party's political centre to guide, rather to lead it by the hand even to the minutest directive of day to day decision-making process at the federal levels. Other lower local levels at the grassroots were almost completely neglected not only by the central party organization, even at the lower levels in pursuit of power and the gains accompanying in such a race, thus completely ignoring the very base from which the Congress Party had derived its strength (since M K

8. Uma Vasudev, Indira Gandhi : Revolution in Restraint, Delhi, 1974, p. 278.

Gandhi's mobilizations of the masses at the grassroots level at the time of independence movement) and which was now being thoroughly undermined unchecked. Concurrently in the newcongress fashioned by Indira Gandhi there was occurring a vast erosion of liberal values, democratic ethos and old institutional restraints, which grew an intolerant view of not only opposition parties but even of dissent within the party itself. Thus perpetuating an autocratic dynastic rule with a premium put by her on personal loyalty rather than on personal neutrality and party commitment.

This can be concretely substantiated further by the deinstitutionalization which accompanied Prime Minister Indira Gandhi's successful attempts between 1969 and 1984, to centralize power in her own person. Beginning from 1969 when she split the party by routing the syndicate⁹, and

9. The Syndicate comprised of Atulya Ghosh, S.K. Patil, N. Sanjeeva Reddy, Nijanlingappa and Bharamanand Reddy -- the state party bosses who controlled the organizational ring of party at the time of Lal Bahadur Shastri. In 1966, after the sudden death of Lal Bahadur Shastri, Indira Gandhi seemed to the syndicate more likely to attract votes and to be compliant to their "dictates than Morarji Desai, her arch rival for party leadership. By 1969, having gained some experience and through keen study and observance of the party politics and its crucial role in national politics, she was ready to challenge the syndicate, who in their view had been her patrons and benefactors and who continued to think of themselves as her mentors. In June, in an extraordinary risky move designed to free herself from the syndicate tutelage and constraints, she engineered the defeat of Sanjeeva Reddy, a syndicate member whom the party had nominated for " President of India, by unofficially backing V.V. Giri, an 'Independent' candi-

continuing in 1972, when she used her personal triumph in state assembly elections to take the selection of chief ministers out of the hands of the congress state legislative parties, she systematically eliminated actual and potential party rivals, thus undoing the remarkable institutionalization of the party at the state and district levels. By shearing off the national and state parties links to local organizations¹⁰ Indira Gandhi jeopardized the support and legiti-

...Continued...

date who, conveniently had entered the race. In November, after a series of defeats within the organizational wing of the party, Indira Gandhi successfully defied the syndicate by first endorsing leftist - political positions the party had tabled but ignored, and then by testing her strength in the parliamentary party. Congress M.Ps however, were asked to choose not between the 'Indicate' and the 'Syndicate' but once again between Indira Gandhi and Morarji Desai. Mrs Gandhi emerged victorious by a margin of two to one. After the split she led a minority government that had to rely on opposition party support (primarily from the CPI and the DMK) but she had freed herself from the constraints and tutelage of the Congress's organizational party. (Rudolph & Rudolph, *ibid*, p. 133-134) This shows the party ethics which had recorded a decline with the ascendancy of the oligarchy were dipped even lower when in the days to come it traversed many ups and downs in the backdrop of intrigues and treachery to bring to fore an autocrat in the person of Indira Gandhi who was lauded by the then party president D.K. Barooah as, "Indira is India. India is Indira". Sycophancy had made its entrance in Congress politics, which was later to be imitated in national politics in the guise of plebescitary politics and populist rhetorics.

10. During the emergency regime (1975-77) whose imposition Sanjay is said to have advised, Mrs Gandhi collaborated in her son's efforts to establish a leadership position in the party and the nation, either by hook or crook. It was mostly by crooks, by the induction of whom, he had sought to rejuvenate the party in the guise of

macy that a state level party or an organization generates when it engages in mutual substantive exchanges with the local elites, party workers and activists, other associations and the government. Instead she tended to rely on plabiscitary method - direct, immediate mass appeals enabled by ample funds and governments monopoly over not only electronic media but also partially print media too,

...Continued...

youth congress, that untold excesses were committed on the people of India, subversion of the governmental machinery was carried out, and the media sought to be choked of what little freedom of expression it had enjoyed in a democracy which had become a farce during the two years of emergency. With the advent of Janata Government, the Shah Commission was instituted to look into the excesses committed during the emergency. More than a few paragraphs deal with Sanjay Gandhi's role one of which is enumerated below:

In view of the Commission the manner in which Shri Sanjay Gandhi functioned in the public affairs of Delhi in particular in the single greatest act of excess committed during the period of emergency for which there is no parallel nor any justification for such assumption of authority of power in the history of independent India. While the other acts of the excesses may have been in the nature of acts committed by functionaries having some shadow of authority acting in excess of their powers, here was a case of an individual wielding unlimited powers in a dictatorial manner without even the slightest right to it. If this country is to be rendered safe for future generations, the people owe it to themselves to ensure that an irresponsible and unconstitutional centre of power like the one which revolved round Shri Sanjay Gandhi during the Emergency is not allowed to come up ever again in any form or shape or under any guise."--- This para has been quoted from ;-

Janardan Thakur, Indira Gandhi And Her Power Game, Vikas Publishing House Pvt Ltd, New Delhi 1979, pp. 163-164.

the national name, recognition and magic that the Nehru dynasty uniquely possessed, and the continuing but declining identification of Congress with both independence and Indian state (or sarkar) --- a trend away from politics mediated by party organization and other social groups of the Indian society came to constitute the dynamics of party politics engendered by Indira Gandhi. During this period, the Indian state gained formal authority but lost power, as the government in keeping with the emerging scenario loosened the state's connections with society by making them tenuous and arbitrary.

Indira Gandhi recalcitrant and manipulative political style of functioning, and the proclivity of her son Sanjay Gandhi (her heir - designate to her political mantle) to assume authoritarian postures by taking advantage of his mother's nepotic leanings towards him, allowed him the leverage to incorporate into the political process, men of doubtful and shady links with dubious track records which could not bear public scrutiny, whose loyalty was to Sanjay and the Nehru dynastic idea rather than to congress as the party of secularism, socialism and democracy. The meteoric rise of Sanjay Gandhi, and Indira Gandhi's efforts to supply a power

base for her son's political career¹¹ to take off, accelerated the pace and deepened the rot of congress deinstitutionalization. The prospect of Sanjay's ascendancy in the party triggered a second congress split on the eve of the 1977 election and contributed to its defeat.

Even the second split in the congress could not stem the tide of authoritarianism which had taken hold of the party's leadership and irretrievably veered towards overcentralization, which in its turn sounded the death knell to intra-party democracy. So, the congress party of the 1980's was the precipitate of Indira Gandhi's struggle as a leader of the parliamentary party to free herself from the organizational wing and state party bosses who had controlled the party since the mid - 1960's and emerge as the sole alternatives. And the party's federal character was finally reduced to nothing and useless when in 1972 organizational elections were suspended at the behest of the party's principal political resource whose plebiscitary endorsement by the people, was used by her to legitimize her authority in the

11. To free herself from demands, on the one hand and to take personal charge of resource allocations and patronage on the other, such that the ground was prepared for plebiscitary politics that opened direct relations between Indira Gandhi's personalized leadership and individual voters, rather than of an issue - oriented politics.

party. So much so that, in a democratic country with a party which spearheaded the government in a democratic manner (so -to speak of) the communication and authority flowed from top to bottom, rather than bottom-to-up as it is ideally conceived. Such that, prior to Mrs Gandhi's assassination in October 1984, the balance of power between the centre and the states and between the parliamentary and organizational wings of the party had been reversed -- member's of the party's apex bodies as well as chief ministers and state congress committee presidents were nominated from Delhi, not chosen by state party bosses, state legislative parties, or state committees. Hence, the reflection of overcentralization through skilled authoritarian techniques even in national politics.

This scenario confronted the newly elected Prime Minister in 1985. Rajiv Gandhi came across to people as the youthful, forthright and confident leader, who would lead India to new heights of progress and development through high degree of professionalism combined with technology and a more equitable redistributive system. One really wonders if he had not learnt from the experience of his predecessors, that the kind of system the espoused was inherently contradictory and would need new alignments and adjustments

to prevent it from slipping into the old mould from which he wanted to take it out.

At the level of the congress party he was perceived to be more democratic than his immediate predecessors, tolerant of opposition and autonomy, more appreciative of the need of decentralization. In an interview that he gave to 'Sunday' (newspaper) in March 1983, he observed that, "over the last ---10 may be 15 years... the party has stopped functioning as a party... we have to restore the responsibilities of the lower office bearers, the block presidents and district presidents and really restore a democratic functioning within the party". Decentralization was the " only way " the party could be made to work as a viable organization. The first step for party revitalization, he held was party elections.¹² Such elections could have marked the beginning of a reversal of a decline in one of Indian's important political institutions. In other words, strengthening the congress party, in turn could have further helped limit the deinstitutionalizing consequences of personal power. However, this did not take place due to first of all entrenched inter-

12. ibid, no. 7, p. 150 -- This has been reproduced from Sunday (Calcutta), March 13-19, 1983, p. 27.

est¹³ of the party officials placed higher in the hierarchy; and secondly, because these elections signified a threat to Rajiv Gandhi's own power¹⁴, thus signifying the failure of the very institutional mind-set which he had sought to usher in with his high technology and scientific outlook (which even Nehru had propounded though with move of practical

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13. Rajiv Gandhi inherited a top - heavy Congress party with a top-down structure of communications and appointments; who were in power in states and districts because they enjoyed the support of those above rather than those below them. When party elections were announced, the power brokers of the party broke out in cold sweat, since, it was evident that most party positions would go to those who could muster support of grass-root party members, thus threatening their power base. In a desperate bid to retain their power, they let loose a pandemonium in the party in the form of the case of 'bogus membership' in 1986 which threatened the very viability of a fair and just elections. Instead of testing a party candidate's true popularity among party members elections offered the incumbents a chance to translate their appointed positions into electoral victories, however misleading they might be. Instead of reinvigorating the party, party elections became a major source of intra-party struggle and thus of party weakness.
 14. Rajiv Gandhi's initial mass popularity depended on his family name and on the circumstances of his mother's assassination which generated a national wave of sympathy and fear of political chaos. As long as his mass popularity continued, he thought he could use it to bring about significant political changer, like restructuring the Congress party. But this necessarily entailed the risk of his own position because those elected at the lower and middle levels of the organization may eventually choose a new leader. By 1987, however, his stated goals of past two years were unceremoniously abandoned in the face of lost election at the state level in 1986 and 1987. Thus the rhetoric of elections became more a liability to be ushered under the carpet.

caution and prudent actions). Therefore, he too was unable to overcome the threat to personal power and look beyond his mere survival like a great mind, instead his initial flirting with democratic norms opened old and new wounds which further destabilized the party and again called for a centralized authoritarian set-up to minimize the confusion he had let loose through his technique of stepping forward and then scuttling back in the face of obstruction.

The ruthless overcentralization of the congress party in the past, and its consequent dynamics has now become a liability for the party. This is due to the erosion over the years of grass-roots congress party which if had been nurtured thoughtfully would have filled the vacuum, or in other words the leadership crisis in the face of fading away of a national family. It would also have stemmed the tide of crisis of legitimacy of the party at the national level too.

2. The deinstitutionalization of the party was accompanied by the erosion of the autonomy and professionalism of state institutions. During the Indira Gandhi era, India's political capital was depleted as the independence, professional standards, and procedural norms of the Parliament, courts, police, civil service and federal system gave way to centralization based on personal loyalty. Erosion was also the consequence of increased political mobilization which

invited authoritarian measures by threatening governability. Nationalist politicians succeeded by professional politicians untutored in the connections of parliamentary democracy and its functioning further diminished the legitimacy and effectiveness of state institutions, which were further unevenly affected by the corrosive process that set with the advent of Indira Gandhi on the political scene.

It has been a period of rapid erosion of institutions because with the process of change in due course of time, and the democratic ethos working with a secular tradition which permits considerable ideological fluidity engenders a lot of change at the social and political level due to change in ideological and economic perception of the people of that country, such that a particular institutional apparatus if not overhauled to respond with the changing circumstances and needs of the people, proves to be a drag and an obstacle to social change in due course of time.

This coupled with the process of deinstitutionalization, politics of populism, plebiscitary method to gain legitimacy and authority, emphasis on personality cult has led to the erosion of credibility of the state institutions to perform their functions effectively, which in turn has led to a sharp decline in the morale and morals in crucial segments of the state apparatus. Charges of corruption no

longer induces horror in public reaction to it, but brings forward a passive element of apathy and even collusion with such agents which further erodes the credibility of institutional functioning. Thus, in retrospect the change which took place was not the desired one to strengthen the state machinery, to make it more responsive to gradually changing needs of the people, rather it brought forth an ugly facet of an authoritarian, ruthlessly unmindful of humane governance, giving vent to its impotency through uncalled for repression and violent measures in the face of mass awakening.

With the rise of alternating party or coalition governments, the need for a politically 'neutral' but professionally committed policy bureaucracy that can shift its political masters and perform its best, has become more pressing than earlier. But characteristically alongwith other levels of depletion in moral fabric, India's interventionist, managerial state too can no longer pretend that its policy bureaucracy is neutral in the sense of being anonymous and voiceless. It is now characterized by lack of trust, confidence and spontaneity. Alongwith the changing circumstances it should have responded with an institutional framework that could have protected the country from both the cult of personality and the politics of survival, as enunciated

earlier in this chapter. But, it was unable to live up to its high ideals, has become glaringly evident in its conduct, even more so today.

The image of police today as the prime instrument of a lawless state and of state violence as against its ideal role of a protector of citizens of state, to maintain law and order, as principal agents of states internal sovereignty is in clear contradiction. They are charged with the torture and illegal detention of accused persons, the rape of poor women who are suspects or witnesses, the widespread use of 'encounter' killings to remove opponents to local political notabilities or inconvenient elements, the incapacity to control lawless gangs and to deal with the increasing train and bus robberies, and finally, failure to deal with terrorism in Kashmir and Punjab for which paramilitary and military ha to be called out to deal with the situation, has eroded the legitimacy and effectiveness of these agents of security and internal sovereignty of the state.

As for the around forces, even though not immune from politicization and threats to their professional standing due to charges of corruption and cooptation has eroded its moral fabric as against its highly acclaimed autonomy and professionalism which too has been unable to weather the

changed environment by the existence of declining morale of its personnel at all levels and ranks. The reason for such an happening can partially be alluded to the steadily increasing interventions by the army in civic matters of day-to-day law and order situation in the country, which the police has been unable to control. The increasing deployments of the army to the aid of civilian government in communal unrest arising out of religions, cultural, linguistic and caste confrontations have shown an upward trend since 1970's. The use of the military in civilian disturbances between 1973 and 1975 in 14 cases, and again between 1980 and 1984 in 14 cases excluding the continuing cases such as Assam and Punjab. Over the last eight (8) years, the army has often been called in to pacify or disarm the forces of law and order too, as in police stricks in Gujrat, Tamilnadu, Bombay¹⁴ and what is happening in the Jammu and Kashmir recently since April 1993, is there for everybody to read and gauge the situation for themselves. The army's seizure of Golden Temple in 1984 and its continuous role in Assam from 1990 and in J&K from 1989 onward has placed if not a majority but a large part of it under army rule. These interventions bear witness to the increased levels of mobi-

14. ibid, no. 7, p. 88.

lization and irregular and extra-institutional protest of the last decade, and the declining legitimacy of the state.

With the failure of the established institutions of the system to deliver the requirements of the Parliamentary democracy, a mixed economy, modernized technology which invariably seems to be catching up with the developed nations of the world (as this line of thinking can be gleaned from the policy decisions), a Judiciary and Press which too are being increasingly compromised --- these are simply unable to rise to the occasion of a considerably changed scenario of deepening conflict and increasing violence. Contributing further to these drawbacks of the system are the established critics of the ruling elite -- opposition parties, trade unions, peasant organization and radical intellectuals, who also do not seem to be able to cope with the radically deteriorating functions of the institutions. Due to the culture of vested interest and submissiveness to the voice in power, they do not fulfill the very needs of the systems for which they stand. They should be opposing the government legitimately, criticising positively the policy measures and their implementation, give suggestions creatively. Rather, there has been an increasing tendency of these groups in opposition to subordinate all other functions and goals to the one and only aim of displacing the

party in power; thus not only losing its credibility in the eyes of the people but also the very dynamics of this process undermines the state institutions and paves the way for their erosion.

3. The Indian state -- a democratic, socialist and a welfare state, after independence threw itself in the tasks for the fulfillment of its goals, not realizing that the state would become a promethean figure to try and fulfill all the demands of the social and economic groups. Therefore, an overload on the state arises from the increased responsibilities of the welfare state on the one hand and the heightened expectations of mobilized constituencies on the other. Because it is the state that stands surety for India's economic progress, demand groups have targeted the state as the defaulting party in the process of social and economic transformation. Therefore increasing levels of political mobilization and the problems of ungovernability arises as the state becomes the target of protest against unfulfilled agendas since the mid - 1960s. They have acted at least as much through extra - parliamentary and extra - constitutional channels as through regular political institutions.

Secondly, sporadic and unorganized and nowadays organized as well, if not entirely spontaneous local strife and other expressions of violence and subjugation have often

taken the form of group atrocities perpetrated by higher castes and classes against downtrodden i.e., local Harijans and other socially and economically backward castes and classes who are generally landless and work as agricultural labourers. This is basically because, at the grass-root level, the state is too weakly articulated and is dependent on powerful local elites (as brokers of state power and influence) to ensure the security of persons and property or intervene effectively on behalf of citizens civil rights and economic transformation. Thus exposing state's limited penetration of the countryside and hence today the backlash of these people against the state, which has failed to fulfill or give adequate direction to their aspirations and now demands which are rightfully theirs.

Also there is a sharp decline in the rule of law and authority of the state due to the compromise struck at by its ruling elite, has further eroded the secular credentials of the institutions of the state, leading to the weakening of state in the face of resurgence of old religious fanaticisms in a distorted fashion ie.coming to fore in the social and political sphere of communalism as espoused by the likes of BJP, VHP, RSS etc. to oppose and undermine the very secular fabric of society as conceived by the farmers of the

constitution. And the people, in the absence of mechanism for redressal of their grievances, faced with an indifferent government and at many times a brutalized polity are virtually thrown in the laps of these anti-democratic, anti - secular forces, who give an immediate but short term relief to a feeling of growing uneasiness and an increasing sense of insecurity amongst the masses. Even though for a short while, but this affiliation of the masses to the totalitarian religious tendencies further bring the wrath of the centralizing brutality of repressive state machinery against the people, which further alienates the people and fuels the fire of confrontation and retaliation. Thus gravely affecting both the institutional framework and the political process.

Objective Reality

Large proportions of India's population, work force, and national income are accounted for by the agricultural sector, yet its voice in national politics and policy during the first two and a half decades ie. Nehru era (1950-64) was little heard or attended to. In 1951 72% of the labour force was employed in agriculture which produced almost half of the net domestic product, and even by 1981 this labour force had reduced only by 3.4% ie. 68.7% as against secondary and

tertiary sectors that account for 31.3% together as in 1981, which in 1951 were 27.9% combined. The occupational structure as explained above clearly reflects the back-ward nature of Indian economy which has not changed drastically over a period of more than three decades.

after independence, the process of industrialization was accelerated and the number of persons getting employment in secondary sector substantially increased. But since the population growth was rapid and the rate of industrial growth fell short of expectations, transfer of populations from agriculture to industries and the service sector did not take place. Also the government policies and plans during the past four (4) decades have failed to create adequate jobs outside the agricultural sector, and thus pressure of population on agricultural land has gradually increased creating conditions of widespread disguised unemployment. The planning commission in Approach to the Fifth Plan 1974-79" (Delhi 1973, ps. 5) admitted, "At the present pace of industrialization any mass-scale transfer of the labour force from agriculture to non-agricultural sector is ruled out. The growing labour force in agriculture has to

provided with fuller employment within agriculture."¹⁵ And the statistics as given above confirms the observation nearly two decades after too, which goes ahead to lend credence to the fact that, even after being forewarned, little attention was given to man power planning subsequently, which is the reason for the dismal picture of employment in our country even today, at the end of the 20th century.

The unemployment, underemployment and disguised unemployment (incalculably in agriculture) has been on the increase, and the rate of which does not show any decline, at the pace of economic development taking place today. Some estimate of increasing unemployment has been available from the early plan documents as per the table given below :

Year -----	Backlog of Unemployment ----- (In Millions)
1951	3.30
1956	5.50
1961	9.00
1966	11.50

Source : Govt of India Planning Commission documents¹⁶

15. S.K. Mishra and V. K. Puri, Indian Economy, Himalaya Publishing House, Delhi, 1991, p. 190.

16. Pradhan H. Prasad, 'Economic Roots of Political struggle in Independent India', in Economic and Political Weekly, vol. XXVI, No. 5, February 2, 19 p. 227.

Whereas another estimate of backlog unemployment from the Bhagwati Committee report would be of the order of 18-7 million in 1971. And according to the latest estimates of the Planning Commission 20 million people in the age group of 15-59 were unemployed in March 1990. This dimension of unemployment in the country looks alarming and proves the hollowness of the so-called economic development of the country not with standing slogans like 'socialistic pattern of society' or 'growth with social justice' etc., thus bearing the miserable performance of the government. And, the phase of import liberalised growth strategy (since 1984-88) ie. Rajiv Gandhi era) happens to be worst in this context. In the organized private sector there was retrenchment of labour at the rate of 0.4% per year during these years. During all these years since 1966, the rate of increase of labour force happens to be about - 2.5% per year¹⁷.

Not only the blame for poor performance on the employment front but also our performance on the economic development front can be witnessed from the 'dependence paradigm' followed by our government in the sphere of foreign collabo-

17. ibid, pp. 225-28

ration, which not only seriously undermines our self-reliant growth strategy but can also be blamed for this increasing rate of unemployment. Foreign collaborations have been permitted at an increasing scale, so much so that till about 1960 only 506 companies were permitted to have foreign collaboration, but the statistics lately show a tremendous boost such that by 1987 there were about 6245 such companies, which are neither engaged in manufacturing investment goods nor in essential consumption goods, but rather articles of luxury which the majority of the population can ill afford. The result was that while proportion of exports to gross domestic product declined, the proportion of import to gross domestic product increased. Therefore, the increasing balance of trade deficit not only accentuated inflationary process in the country but also led to increasing foreign indebtedness and our now getting trapped firmly into the dependence paradigms; the overflow of such economic development into politics generates its our definition of the situation such that common mans's belief that the leaders have sold not only their conscience but also the country to the forces of neo-imperialism; is but credence to and cannot be denied in the face of concrete facts.

The scenario in the agricultural sector is even more dismaying, which still remains deep in the quagmire of non -

development even after - 40 yrs. of developmental planning. The land reforms supposedly still pursued in India are those envisaged and emphasized in the First - five year plan and reaffirmed in the subsequent five - year plans. Treating the question of land reforms in terms of what is called the social aspect of land policy, as to "reduce disparities in wealth and income, eliminate exploitation, provide security for tenants and workers and finally promise equality of status and opportunity to different sections of the rural population" (First Five- Year plan 1953:88)¹⁸. By the various measures, in particular the abolition of intermediary tenures, scrapping of landlord-tenant nexus, bringing tenants into direct contact with the state through conferment of ownership rights, or what has also been termed, by giving the 'tiller of the soil' his rightful place in the agrarian system, the five-year plans envisaged an agrarian economy based on peasant proprietorship. However, in the absence of any serious and systematic attempts to implement these measures, the lofty ideals of the plans have remained at the level of mere rhetoric rather than becoming realities of well thought out programmatic.

18. Economic and Political Weekly (EPW), Nov. 24, 1990, p. 2617

With about 70% of India's population living in rural areas, agriculture being their major source of livelihood, land distribution has continued to be skewed. As many as 55% of the cultivators are small, marginal farmers owning five (5) acres of land or generally even less. Together they own only 11% of the total cultivated land. Whereas in contrast, 57% of the cultivated land is owned by 13% of big land-owners. Most of the small marginal farmers lack necessary agricultural implements, have no capital with which to buy improved varieties of seeds, fertilizers and insecticides, and therefore if there is any surplus produced, goes into the day to day running of the household or is reinvested in the land without much returns. Market forces too are not favourable to them. They rely mainly on family labour, even though most of these have to work as agricultural laborers on others lands to tide over the lean periods. But these people were not landless, they had land but a very small piece of it. While in addition to land owning small farmers, 27% of rural workers are landless peasants, who had to become agricultural labourers, to avoid death due to starvation. Despite the growth in agricultural production, after the Green revolution, the economic condition of agricultural labourers and small marginal farmers has been deteriorating. A large number of them live below the poverty line.

According to the Seventh Plan document, 40.2% of the rural population was below the poverty line in 1983-84. The corresponding percentage for urban population was 28.1% (National Sample Survey). In the Sixth Five - Year Plan poverty line for the rural poor population was drawn at Rs 77/- (at 1979-80 prices) per capita month. And for the urban population the bare minimum requirement was fixed at Rs 88/-¹⁹, and on this criteria the Planning Commission found 38.19% of the urban population poor and 50.82% of rural population poor in 1977-78 . Then how come that within a matter of less than a decade it has been able to show such good results as reducing the population below poverty line by 10% at least.

Actually the datas provided above and all the estimates of the incidence of poverty are based on the head - count which is peculiarly non - discriminatory. The poverty line once determined on whatever criterion (whether taking the age of 7 years or 10 years can really distort the percentages in the corresponding estimates if it is not confirmed further in the proceeding years, thus giving an unreliable data which changes with the change in the definition of the poverty line), remains quite insensitive to the plight of

19. Sixth Five Year Plan document - (1980-85), p. 51 as given in *ibid*, no. 16, p. 51.

people suffering from various degrees of poverty. For instance, the poverty line drawn for the rural population at Rs 77 per month at 1979-80 prices, is completely insensitive to whether a person is getting Rs 76 or Rs 25, but in terms of suffering, the two situations are not the same. Obviously the person receiving Rs 25 per month suffers far more acutely than the person receiving Rs. 76 per month. Therefore, it is not sufficient to know how many poor people there are, but exactly how poor they are.

Only with the Fifth Plan, poverty alleviation came to be accepted as one of the principal objectives of the economic planning in this country, and then a strategy of direct assault on poverty through rural development and rural employment programmes were launched like IRDP (Integrated Rural Development Programmes), NREP (National Rural Employment Programme), RLEGP (Rural landless employment Guarantee Programme), but to no avail. The failure of these programmes can be attributed to the lack of integration among the three components (i) resource provision (ii) infrastructure development and (iii) organisation of rural poor and also the political will at the centre as well as at the state level.

The various governments have recorded failure at the fronts of population control and the increase in the litera-

cy level also. According to the National Population Policy in 1976 - by the end of the Sixth Five - Year Plan, population had to be controlled, and the rate of growth had to be decreased below 2%. But the data as provided by the census of India 1991 speaks another language as given below:-

India's Population

Census Yr.	Pop ⁿ (in crores)	Average Arrival Growth Rate (%)	Density of Pop ⁿ (per Sq. Km)
1951	36.10	1.20	117
1961	43.91	1.98	142
1971	54.82	2.20	178
1981	68.52	2.25	216
1991	84.39	2.11	267

Source : Census of India 1951-1991

Though the average rate of growth annually per decade has shown a slight decrease from 2.25% (small time high) to 2.11% yet it is not appreciable enough, keeping in view the promises and policies as given above.

Whereas on the literacy front, the picture it even more dismal than the population control front. By 2000 A.D. according to the promises and rhetoric of populism during the Rajiv Gandhi's era, India would have achieved total literacy. But as of 1991, it had reached or rather achieved only 52.11%, due to lack of follow up measures after implementation of the various policies and many other related

reasons. And so, the present government has given itself a further lease of time to achieve this target in the next one and half decades. Looking at their back record, even this does not sound very promising neither is it impressive.

Thus, the growing disillusionment with the stat is not merely contemplative, rather the concrete facts and objective realities which exposes the basic inadequacies of the policies of the government with regard to their implementation and skepticism as far as the intentionality is concerned) shows a steady decline in the performance of the system. The ninth Lok Sabha elections (1989) bear a testimony to such a thinking. The ruling parties almost everywhere (with the lone exception of West Bengal) suffered defeat. The assembly elections too held during 1987-90 also confirm this trend. It is a common belief that the ruling parties are mainly responsible for the widespread retarded growth of production, which has resulted in scarcity and rising prices. In other words, it implies that the large bulk of Indian masses have rejected (in spite of cases of large scale of booth capturing, violence and adoption of other malpractices) government policies and programmes which have not only perpetuated the very process of uneven regional growth but also have allowed the persistence of retarded growth.

Marxist Debate On The Nature Of The Indian State

The philosophy or methodological orientation which Randhir Singh, A.R. Desai, Ernest Mandel and the likes of them make use of for coming to terms with the reality around them is called the Marxist approach to understanding the reality of a class-divided, exploitative and diversely oppressive society. The ongoing debate regarding the nature of the Indian state, grounds its argument in the historical context of the Indian capitalist class taking over the reins from its British counterpart after independence. Therefore, the social structure which emerged after independence reflected the essentially undemocratically constituted society with a complex state apparatus as formulated in the Constitution basically to serve the fundamental interest of the minority at the expense of those of the majority.

A.R. Desai criticizes vehemently the nature of dominant trends in social sciences which according to him have failed to confront the crucial issues central to the understanding of the nature and role of the state that has emerged and the functions that it performs which in turn gives shape to the type of society emerged in a certain manner. According to him, these social scientists have been unable to transcend the bourgeoisie matrix of liberal pluralist philosophical

postulates, such that they eschew the most fundamental aspects of social reality, i.e., class - structure of the Indian society and the inherent exploitative essence of the social order. They overlook the class character of the Indian state which in essence is a coercive ruthlessly repressive machinery to support and strengthen a particular type of material as well as non-material relations, consequently engendering a particular type of system, and acts as an instrument of the economically dominant class to regulate the class - struggle in favour of that particular class .

Socialism is supposed to be the proclaimed ideal of development and capitalist development is ruthlessly pursued in practice" ²⁰, says A.R.Desai, ".... To confuse all nationalizations as socialist measures, to consider some social or cultural measures adopted by Bourgeois state as welfare measure, and to identify active economic intervention by the bourgeoisie state as a step towards building socialist society, is to miss the class essence of the state and the functions of its policies to buttress the property system."²¹. Therefore, it becomes necessary to comprehend

20. A.R. Desai, State And Society In India, Popular Prakashan, Bombay, 1975, p. VIII.

21. Ibid, p. 78.

the class character of the various economic, political, social, educational and cultural measures undertaken more positively by the state with its implicit capitalist values, norms and ideas.

Even the constitution of India, which has laid down the basic framework for political order has clearly espoused the cause of this class character of the Indian state. Its two salient features - (i) Fundamental Rights and

(ii) Directive Principles,

are essentially discriminatory in character; the distinction between the two being that Fundamental rights are protected by judicial remedies while the Directive principles are merely statements of goals of an equitable and just society and the related issues, without any protection of law. As per the Constitution, 'the Right to Property'-- 'the most cherished right of the propertied class' is considered a Fundamental right; while the Right to Work , to Employment, to Education, Medical - aid and others which are vitally required for a society to develop with full force and healthy vigour are considered as Directive Principles ie. there is no judicial protection against their violation. Thus, lending credence to A.R. Desai's views and words, "These vital discriminatory clauses enshrined in the Constitution most eloquently establish how the Indian state is

essentially a coercive apparatus elaborated to subserve, protect and enhance the interest of capitalist and allied propertied classes who are the rulers of the country and who extract surplus value from the toiling masses and distribute it in the form of profit, rent and interest"²².

Ernest Mandel goes even a step further in analysing the changing nature of the chameleon - like bourgeoisie state especially in the newly emergent 'free' Third world nations championing the cause of Democracy and Parliamentary form of government, which according to him are themselves 'becoming instruments to inaugurate authoritarian regimes' led by deeper socio - economic forces. He describes some peculiar features developed in the bourgeoisie state which have not been adequately realized, even by the Marxists themselves, that, "certain institutions of the state have become more subtle and more complex" as a consequence universal suffrage such that in modern times, the class character of the state has become a little less transparent and so the analysis of the state should be more complex. The crucial change, according to him, is that the permanent power of the state ' "is exercised by a certain number of institutions that are isolated from and independent of so unstable an influence as

22. ibid., p. 141

universal suffrage". These are the institutions that must be analysed if we are to learn where the real power lies. These permanent institutions are - the army, the police, secret police, top administrators of the government departments, the judges etc., everything and everybody that are "free" of the influences of universal suffrage and hence of the Parliament, the popular 'democratic front' of capitalist state, the implication of which points to the new golden chains which bind the state with Bourgeoise' ²³. Whereas the significance of such a travel even in the Indian state has to be glanced from the erosion of the institutional and state machinery especially during the Indira Gandhi era, as elaborated earlier in this chapter, has to be taken into account.

Randhir Singh's analysis of the nature of the Indian state is a very comprehensive understanding of the 'partisan truth', since according to him 'neutrality is an illusion' and 'false consciousness' is the 'objective reality' to be perceived 'subjectively', even espoused, knowingly or may be unknowingly by the loyal critics of the dominant classes, and their reflections in the government postures and measures. He does not spare even the 'established Left' in

23. ibid, p. 80.

their politics of cooptation and accommodation, thus providing a depoliticized image of themselves. He is critical not only of the Nehruvian vision of the post-colonial state in India, but even of activists of the civil liberties movements, who view the present state, "only as a system of power, overgrown and much too centralised and standing over and above the civil society, and therefore insensitive to the interests of citizens and intolerant of diversity, even prone to abuse its power, to dominate and repress, to bourgeoisie."²⁴

He too insists on drawing our attention to this class character of the Indian state, and look for its logic in the economic basis of the society. The state is to be studied as, "the organiser of society in the interests of the class (exploitative) structure as a whole, a function which decisively conditions its own structure and organization."²⁵ Consequently, it follows from such a reasoning that the Indian state is inherently violent and repressive by virtue of the nature of society (exploitative) it presides over and maintains conditions for its and its varied oppressive or

24. Randhir Singh, 'Terrorism, State Terrorism and Democratic Rights', in Mainstream, Vol. XXX, No. 14, January 25, 1992, p.39.

25. ibid, p. 39.

repressive mechanism, to perpetuate. Therefore, when the Indian state is increasingly identified as a violent, ruthlessly repressive machinery today, then there is a need to take cognisance of the historicity of such violence which is very much structural and consequently requires a much deeper structural understanding of the nature of the Indian state, to comprehend the totality of reality about it.

The Response of the State

The Indian state as it has emerged today, lean in greater measure towards a politics of 'opportunism' and 'short-term' gains, rather than strengthen the social, political economic and cultural fabric of the society and state. It has not been able to handle a challenge that a crisis presents, head on with strong principled decisions keeping the national objective and mass well-being in view to nurture a strong polity and a healthy society. Rather its actions and policy measures seem to be desperate efforts to tide over a situation, to gain as much political mileage from it as possible under the prevailing circumstances and then appear as apologetics if condemned, or heroes if lauded.

The launching of the Mandel Commission Report and its recommendations on August 7, 1990 was one such measure of desperate politics indulged in by the leaders of the Nation-

al Front Government -- their last bid to stay in power. The political scenario which was increasingly confronting the then National Front Government was a number of challenges from within and outside. During its tenure, it had failed to check the price rise and inflation, increasing violence in Punjab and Kashmir and the rising tide of emotions on the 'Ram Janambhoomi' issue. To top it all, the then deputy Prime Minister Devi Lal decided to throw one of his many political tantrums and walked out of his position as a martyred soldier (public opinion notwithstanding), the Janta Dal -- major component of the National Front Government was facing internal crisis, such that the then Prime Minister, Shri V.P. Singh feared losing his majority in the face of the fast crumbling of his rural bastion. As if this political scenario was not grim enough, politician from backward castes who had become powerful in the Janta Government put pressure on the government for the implementation of the report, so as to strengthen their base. V.P. Singh, who was a critic of the Mandal Commission Report earlier, announced on August 7 1990, that his government had decided to implement the 'first phase' of the Commission's recommendations and that 27% jobs were to be reserved for the 'Socially and Educationally Backward Classes' in all Central government departments and offices and public sector undertakings, including

nationalised banks and financial institutions run by the government. But, the movement the spate of anti reservation began in educational institutions and spread, the government immediately did a partial turn-around and declared that it had no intention to implement the recommendations of the report in the educational sphere. With this declaration the very intentionality of the government to implement this report a suspect, and exposes it to be an action stinking of political exigency, since until and unless the so called 'Socially and Educationally' backward classes are not provided with a privileged' position to enter the educational institutions and are not qualified enough to avail the opportunities of reservations in jobs, then the reservation for jobs was a redundant exercise. It was all an eyewash as it has proved to be. But, it gave the much needed breathing space for the ruling party at that and divert the attention of the masses from the pressing problems which had no easy solution as enumerated earlier. Even though the National Front Government finally collapsed, as this particular life-saving measure of their's backfired. Yet, it exposed very clearly the hollowness of the quality of politics pursued by the people at the helm of affairs of the state. The ruling elite thus bend on either side depending upon pressure and political exigency. Political ideology seems to

have the last priority in determining their political decision. Instead, they function on an adhoc basis without a thought about a long-term perspective for the country's development.

Another in the long list misadventures indulged in by the ruling elite of the Indian state is the setting up of the Sarkaria Commission in 1983 to , "examine and review the working of the existing arrangements between the Union and the States in regard to powers, functions and responsibilities in all spheres"²⁶. The political culture prevailing at that time in India was crucial enough for Indira Gandhi to bow to the opposition and regional parties' demand for an enquiry into the Centre - state relations, in the face of an ever growing overcentralizing and authoritarian tendencies betrayed in the functioning of the then government. The Congress Party with Indira Gandhi as its undisputed leader specially after the Janta debacle, had succeeded in a matter of three years to erode its own credibility due to the actions followed by the government, at its behest through the corrosive effect of their politics of populism and not to mention the opportunistic element too (just as in the

26. Government of India, Commission on Centre-State relation Report, Part I, p. III, govt of India Press, 1988 & 1987.

case of other political parties too).

Therefore, the nature of the recommendations or rather due to the absence of meaningful recommendations made by the report, highlights the political will which furthered its inception and the consequent delays in completing it bares the intentions of the ruling elite to even implement its recommendations. The paucity of thought and intentions are further highlighted by the fact that structural reforms (which one of necessity required to overhaul the system with the demands of changing developments in the country) recommended by it were not many, and gives a rather short shift to the emergent political realities in the state of India. In other words, there has been no systematic and organized attempt by the commission to explain the origin and nature of the strains in Federalism in India in the post - Nehruvian period. In general, three major areas of political change appear to have been involved in producing strains in the federal systems ; (a) changes within the dominant political party ie. the congress party: (b) changes within the overall institutional structure and political culture of Indian federalism, and (c) demands by new rural elites arising from economic development;²⁷ and the overtones of each flowing

27. Amal Ray, 'The Sarkaria Commission's Perspective - An Appraisal', EPW, May 28, 1989, p. 1132.

into the corridors of intrigues where the power resides. Therefore, the recommendations of the Sarkaria Commission to facilitate consultations between the union and state governments which calls for the formation of four bodies, namely, the Planning Commission, the Finance Commission, the National economic and development Council and the Inter - Governmental Council; have been, but, conceived only in an advisory role, though it seems that the Commission hopes that, their advice would be given due regard by the government. Also, the Commission's ruling out of all proposals for the sharing of the union executives power of appointing governors in states with any other agency or for limiting the discretionary powers of the governors in making and unmaking of state governments -- has gone a long way to strengthen the forces of centralization in the garb of ensuring the principle of parliamentary sovereignty and the accountability of the union executive to the sovereign parliament. Therefore, political and constitutional developments such as the recent Fiftyninth constitutional Amendment endows the centre with power to impose a state of emergency to control internal disturbances in Punjab, is the consequence of the limited perspective of the Sarkaria Commission whose recommendations at best may be treated or rather is treated as some sort of a temporary compromise intended to ease the strains between New

Delhi and the opposition ruled states.

The above cited instances are not the only aberrations on the face of the Indian state, rather it has become the norm, and majority have come to accept it as it is. Yet, there are sections of people still in the state of India who wish to expose the hollowness of the populist postures of the state and dare to lay bare its true ruthless character of a weak state which makes use of violence and the legitimate authority that it enjoys to strengthen its already weakened position, which in turn further undermines its illusion of strength and exposes the weak character and vulnerable fabric of the Indian state. One such instance is the game of politics played by the Bihar Chief Minister's role in the formulation of the anti - Naxal strategy alongwith other chief minister of different political lies (who otherwise cannot see eye to eye on any problem, but have collusioned together - for what reasons?), to tackle the 'Naxal menace'. The oddity is that, one of the participants, chief Minister Biju Patnaik, had only a few days ago eulogised, "the socio - economic policies of the naxalities" and had proclaimed himself to be the "first naxalite with pride"; and another participant happened to be Laloo Prasad Yadav, the so-called crusader for social justice to the economically underpriveleged and socially downtrodden classes. Yet, it was

Laloo Prasad Yadav who spoke most vociferously against the deteriorating law and order situation and made an attack to the Union government to militarize the whole naxal zone and to upgrade and modernise the police and paramilitary forces at the cost of Rs 6.67 crores. All this while he and others very well knew that the so called 'Naxal movement' is the agricultural labourers and poor peasants' movement to improve their plight. Even then the open chameleon-like attitude of the political leadership in convince with the state machinery exposes the bankruptcy of political ethics in the relationships between. Indian state and society.

The fact that the ban on VHP, RSS and Bajrang Dal came after the sacrilegious incident for which the government had been forewarned long ago, questions the intentionality of the political leadership. Further, the 'Press Council report on Army in Kashmir' which had been initiated at the behest of the government to stop the activists of the civil liberties organizations, academicians and many others like them from rising in indignation against the army's openly ruthlessly repressive vindictive role in controlling the situation in the valley -- vindicate them, which has now become a convenient tool in the hand of the Indian state to brandish at the Amnesty International and other home-grown and international civil rights movements. But, the

situation in the valley and the dynamics thereof today seems a common knowledge even after press censorship, disallowing independent civil rights organizations to enter the valley etc. Nobody is unaware of the nature of 'encounter killings in Punjab, Andhra Pradesh and Assam. Yet the government persists in its politics of illusion without any respite to evaluate its own credibility in the eyes of the very people it is supposed to govern, the image of the Indian state it perpetuates in the international forums etc. 'which is in sheer contrivance to reality as it exists.

Therefore, the image of the Indian state as it emerges is neither a 'soft' or 'hard' state rather, it is a very 'weak state' which seems to have undermined its own confidence in itself and its people, and so has let loose a reign of terror amongst its masses through ever increasing militarisation in various states, by enacting such reprehensible laws as TADA, NSA, MISA etc, and has achieved the unique distinction of being, "the only democratic country in the world whose fundamental law sanctions detention without trial in time of peace and in a situation which is not in the nature of an emergency "²⁸. Added to this is the ever expanding body of paramilitary forces to be deployed in

28. Quoted in The Indian Civil Liberties Bulletin, August 1957, p. 130. by All India Civil Liberties Council.

civil circumstances to help the state in maintaining law and order in the country, not to mention the omnipresent permanent structure of the state machinery like the Armed forces and the police. Therefore, the much needed expenditure of the national exchequer which is desperately required to improve the lot of approximately 40% of India's population existing beneath the poverty line, is being indiscriminately spent on strengthening its coercive machinery to engender the rule of law in a democratic country of hungry millions, starving aspirations and strangulated dreams.

CHAPTER-III

VIOLENCE IN CONTEMPORARY INDIA AS REFLECTED IN

CIVIL LIBERTIES REPORTS

One of the paradoxes of the Indian ethos even today is the need for and relevance of the continuing debate regarding 'national integration' after forty-six years of independence, denying the very ideals of freedom struggle which had welded the divergent elements of our country into a compound formidable in its intrinsic strength and unity which have been and are progressively but undoubtedly getting eroded. The emergence of several divisive forces and the increasing use of violence to wrest demands --- ranging from fissiparous postures locally to the explosive ones like in Punjab and Kashmir --- and to counter them by the retaliatory violence of the armed forces and paramilitary forces, create an extremely precarious and tense situations. The loss of innocent lives during these fearsome bloody violence, or the incontrovertibly alarming scale and hardship to which the general public is subjected, eventually snowballing into cumulative crippling of the economy, polity and the administrative machinery are the familiar features of the aftermath of violence and counter violence. In fact, violence is so familiar today that we seem to respond to its

existence in real life as merely a counterpart to that on the celluloid, accepted by and large, giving credence to the fact of deadened sensitivity, moral apathy and senility of values, making an average Indian impervious to the impact of violence.

It is difficult to see what has gone wrong. Nehru had thought that scientific education and rapid economic and industrial growth geared to the raising of the abysmally low standard of living would eventually make India modern. In effect, integration was assumed as an inevitable offshoot of the process of modernization, humanism, secularism and the ideals of welfare state underlying the sense of modernity were supposed to end all economic and social disparities, as well as neutralize chauvinistic tendencies stemming from regional and linguistic factors. That the Indian situation does not respond to such streamlined intellectual models was borne out by several incidents shortly after independence --- protests against imposition of Hindi, the demand for linguistic reorganization, disputes regarding sharing of river water, location of major industries, or territorial and border disputes --- all seemed to be the indicators of unmistakable signs of imminent divisive forces. So long as the political leadership of India was committed to the national goals, the diversity could be kept in check from

erupting into a divisive factor. But, once the corridors of power began to be pounded by leaders for whom politics was a career, with the overriding concern only for acquiring and perpetuating power, the very diversity became a powerful weapon to rouse populist emotions based on regional, ethnic, religious, linguistic etc. factors.

Also, the authoritarian overcentralizing tendencies of the Indian State and the consequent dynamics thereof as discussed in detail in the previous chapter, has transformed the relations between the centre and the states over a short span of four and a half decades. The interventionist policies followed by the government in power at the centre, in the states specially in the case of Kashmir and Punjab, have had the effect of evolution and crystallization of ethnic identity formation which seems to be operating negatively due to state's response to it has led to the emergence of separatist movements in these regions. The situation in these regions was (and still is in the case of Kashmir at least) further exacerbated by the presence of, and ruthlessly repressive measures adopted by the Indian armed forces and paramilitary forces to counter the menace of terrorist violence for secession which had steadily gained ascendancy (in Kashmir) due to mass support to it and alienation from the Indian state and its representatives. More importantly,

each time a demand for separation is made it reflects on the character of the polity from which separation is sought. Hence, the nature of the Indian state as delineated earlier.

In the present chapter, I shall be discussing the role of 'Violence in Contemporary India' with special reference to the 'Kashmir Issue' and the 'Delhi Riots, 1984', with the help of select civil liberties reports.

For Kashmir:-

1. India's Kashmir War, (March, 1990), Committee for Initiative On Kashmir.
2. Report On Kashmir, (April, 1990), A team sponsored by four Civil Liberties Organisations -- i) People's Union for Civil Liberties (PUCL); ii) Citizens for Democracy (CFD); iii) Indian Radical Humanist Association (IRHA); and iv) Manav Ekta Abhiyan.
3. Kashmir : A Land Ruled by the Gun, (December, 1991), Committee for Initiative on Kashmir.

For Delhi Riots, 1984:-

1. Who Are The Guilty? (November, 1984), Report of a Joint Inquiry, by PUDR and PUCL.
2. Justice Denied, (April, 1987), A Critique of Mishra Commission Report on the Riots in 1984, by PUDR and PUCL.
3. 1984 Carnage In Delhi (November, 1992), A Report On the Aftermath, by PUDR.

First of all, I shall be dealing with the genesis of the problem in both the cases, the politics pursued at the Centre and the state levels, the socio-economic factors and the other related reasons which gave rise

to the present situation as it exists today (in the case of Kashmir), and the conflagration of 1984 (as a direct consequence of the tragedy of Punjab) and consequences which followed in its wake.

THE KASHMIR ISSUE

Genesis of the Problems

To understand the causes and the nature of the continuing violence in the Kashmir Valley due to the secessionist movement, we will have to first take cognizance of the reasons which have led to the extreme form of disillusionment amongst the people of the Valley to demand for a separate nation for themselves. It has become imperative to understand the shifting relationships between large aggregates of these people, who even though in their historical past had not always been completely integrated, but there were times occurring frequently when semblance of complete unity have been represented in the face of grave crisis, for instance, communal riots leading to the partition of the Indian sub-continent into West and East-Pakistan and India. Even then the religious, ethnic composition of the Valley of Kashmir was in a position to get assimilated with the Islamic state next door. But, they decided, under the leadership of dynamic Sheikh Mohd. Abdullah, that their interests lay with

joining hands with India (as against the wishes of Maharaja Hari Singh, the then ruler of J&K), since they too identified the future fabric of their society and polity as recorded in the Indian Constitution on Secular and Democratic lines. How far have the two sides been able to maintain their mutual trust or mistrust as the case has been or seems to be since a long time is a tragic saga with extreme shades of variations such that it becomes difficult to gauge the motives behind the actual happenings and so the reasons too for subsequent developments in the politics and history of the problem as it exists today.

To begin with, we have to recognize the strategic importance of the state of Jammu and Kashmir, surrounded from all the sides by the hostile forces -- in the West by Pakistan, in the North and East by China, and in the South by India (as perceived to be hostile today due to the presence of Indian army, who are seen by them as 'forces of occupation').

It is difficult to separate analytically the cultural factors which are consistently present in the socio-economic and political aspects of the problem, yet it is necessary to be aware of it at least to see whether the nature of the problem is fundamentalist due to the presence of the communal forces, and since when have they operated in the Valley

at large amongst its population and not remained isolated as it was during the early years since 1947.

Though M.J. Akbar testifies to Shiekh Abdullah's secular outlook which has been taken as a major factor in the complete accession of Kashmir (Muslim majority) to the Indian Union, since he was considered as the representative of the Kashmiri people by Nehru and others (as being a leader 'of the masses', 'from the masses' etc.). The sincerity of the motive behind the accession has been corroborated by the speech made by the shiekh in October 1948, during a special convention of the National Conference, he said, "So far as I am concerned, I feel certain that the political, economic, social and cultural interest of Kashmir demand an immediate and final accession to India, and India alone."¹ Yet, there are many authorities on the subject like P.N. Bazaz and D.N. Raina, who have reservations in accepting Shiekh's loyalty not only towards the Indian Union, but also supposedly towards the people of Kashmir as well.

Whatever, may be the currents of thought about Shiekh Abdullah, it is a fact that he alongwith the overwhelming support of the people was instrumental in rebuffing Jinnah's offer, and the determined persuasion that followed, in the

1. B.N. Mullick, My Years With Nehru, Allied Publishers, Bombay, 1971, p. 7.

wake of which, though Maharaja Hari Singh could think of going alongwith Jinnah, but not the Shiekh; even though later on, after 1952-53 there have been doubts and substantial proofs according to B.N. Mullick regarding his drastically changed views towards India.²

A matter of great importance which needs to be discussed, since it has relevance even today, is the question of Plebiscite, which was promised to the people of Kashmir by the Indian Government,³ under UN auspices, due to the haste with which Hari Singh had to sign the Instrument of Accession on 27th Oct' 1974.⁴ But the pre-condition to which India had agreed on 13th August 1948 in the UN had been

- i) the complete withdrawal of Pakistani troops from Pakistan Occupied Kashmir (POK);
- ii) subsequently, gradual withdrawal of the Indian troops from Jammu and Kashmir; and

2. After 1956-57 even Nehru's politics, which Mullick in his reports of Intelligence Bureau shows Abdullah to have turned communal and favouring an independent state of Kashmir, after a brief sojourn with the Pakistanis.

3. As demanded covertly by Pakistan.

4. Instrument of Accession was signed by Maharaja Hari Singh under the pressure of the popular demand of the people of the Valley, under the leadership of Shiekh Abdullah, in the face of invasion by the Mujahideens and disguised Pakistani forces.

iii) finally, appointing an UN official from a small neutral nation.⁵

Neither were the Pakistani troops withdrawn, nor did India agree to hold the plebiscite until and unless the first part of the plan was implemented.

Not only in the realm of technicality of the UN resolution of 1948, but later on other motives too came into play so that the Indian government of its own volition did not want to hold the plebiscite. This can be witnessed from the mutual suspicion which existed even then such that the leaders of Jammu and Kashmir demanded a separate Constitution and a flag, which was granted to them in 1954, while the much debated article of the Indian Constitution, the Article 370 was first allowed to be implemented temporarily from 17th Oct 1949 and then permanently later on.

The two questions, that of the Plebiscite and Article 370 had become and still are a tool which many politicians have used to play the game of politics. It was even reported by the UN observer, Jarring as early in 1957, that the situations on both the sides had changed a lot and crystallized so much, that it would no longer be possible to have a

5. So that the nature of power play which was going on at that time at the international level could not be reflected in the observations recorded and decisions reached by the UN Officers.

plebiscite of the complete region, but will have to be done partially, to take into account the further changing situations. But, still there are many apprehensions alleged regarding Centre's motive for not holding the Plebiscite, which appears to be true, since the suspicion of the Centre earlier and a fact today, of the loyalty of the people of Kashmir writ large is definitely not with India.

Also the debate regarding article 370⁶ which was insisted upon both by Maharaja Hari Singh and the National Conference to retain distinct identity of their people, has been made out by the BJP, RSS and VHP as the 'biggest psychological justification and provocation for separatist action.' While on the other hand, the National Conference M.P. Prof. Saifuddin Soz and others feel that, it is the dilution of article 370 which has led to trouble in Kashmir, he says," The government should examine the question of the erosion of the article 370 of the Constitution. This is the most crucial factor in the alienation of the Kashmiris... The autonomy that was envisaged under this article for the people of Kashmir was over the years eroded by the government through the application of Acts of Parliament and Central laws to Jammu and Kashmir. The dilution of article

6. Article 370 -- The grant of Special Status and complete Internal Autonomy to the people of J&K.

370 has also diluted the provision for the protection of the 'state subject' and there have been complaints that in numerous cases 'state subject' certificates were granted to non-state subjects. This led in part (complaints about manipulation of census figures being the other part) to the suspicion that there was a plan to cover up Muslim majority in the state."⁷ It hardly needs mentioning that this article too has been bandied about without thought of further consequences in the game of power-politics not only at the state level (even Shiekh had used this article in 1977 to win the elections against the overriding tide of the Janata Party) in Jammu and Kashmir, but also at the national level (by the BJP in the last elections), proofs of which at the concrete ground level gives a lot of credence to the complaints of the people of Jammu and Kashmir.

Politics Pursued

Once merged with a Hindu dominated country, the presence of Muslim - majority Kashmir in India ought to have been used as an opportunity to prove the secular and democratic credentials of India. But unfortunately, the suspicions of the Central government towards this Muslim majority

7. Asgher Ali Engineer, Secular Crown on Fire, Ajanta Publications, Delhi, 1991, pp. 8-9.

state was never allied even after their spectacular show of peace during the communal riots of 1947, and in 1953 Shiekh Abdullah was overthrown and arrested under false pretensions. And the stooge of Delhi in connivance with Dr. Karan Singh, the then Sardar-i-Riyasat, Bakshi Ghulam Mohammed was sworn in. After this the story of Kashmir is a long one of political intrigues at various levels, rather than of nurturing a special state to make it feel wanted enough to get assimilated like the rest of the Indian states into the Indian Union. The strong centre had gained control over the political machinery of the state, even though till 1975 it could not openly make its appearance in the electoral process, when in 1975, National Conference which was supposed to be the representative of the people aligned with the Congress.

The Kashmir Constituent Assembly had confirmed the accession to India and agreed on a Constitution which had come into effect on 26th Jan., 1957. This had been done without the promised plebiscite, and hence in the eyes of the people or the representative of the people, Shiekh Abdullah, was unconstitutional - political manoeuverings of the centre in connivance with its dummies at the state level. Plebiscite had become necessary by the events of the 1953, but Bakshi and Nehru went ahead giving practical shape

to the integration. The customs barrier between Kashmir and the rest of India was lifted on 13th April, 1954.

The Centre's high-handedness is very clearly evident in the Simla Summit of 1972, where one of the major aggrieved parties of the 1971 war i.e. Kashmir, was not thought of consequence enough to be called to participate in its future's proceedings being decided by the Indian State, the victor, and the Islamic State of Pakistan, the vanquished. Whereas, Mrs. Indira Gandhi and her advisors at the Centre arbitrarily without so much as asking the consent of the people of Jammu and Kashmir decided the 'Line of Actual Control', which now legally separates the parts of Kashmir which had been lost in 1947.

The sham in the name of elections is yet another factor for the alienation of the people of Kashmir. In March 1957, elections were held and as stated earlier Bakshi became the so-called elected Chief Minister of Jammu and Kashmir. These elections also became the cause of yet another split in the National Conference. By 1962, when the next elections were held, Bakshi was highly unpopular, but he retained the support of Nehru, who was supposed to have 'bartered stability for corruption'. The only way Bakshi is supposed to have won the 1962 elections, was by total rigging with the help

of Delhi officials, such that Nehru sent him a message on 4th March 1962,

"In fact, it would strengthen your position much more if you lost a few seats to bonafide opponents".⁸

The sordid politics of rigging the elections and maintaining a semblance of majority by the centre's stooges in the Valley could not stem the tide of disgust and revulsion experienced by the people of valley towards the so-called democratic and secular State of India.

Again, the dubitable elections held in 1987 with National Conference and Congress Coalition,⁹ which proved to

8. M.J. Akbar, Kashmir Behind the Vale, Viking, Penguin Book, 1991, p. 159.

9. The National Conference - Congress Cabinet, which came into being after the elections of 1987, was set afloat on a sound basis only in the conceptual sense. There was the 'Rajiv-Farooq Accord' at the national level, and what is known as the 'Double-Farooq Accord' at the state level, because the agreement at the national level meant drawing the chief national party and the chief regional party together for integrating other elements in the political mainstream. But it was a tainted alliance right from the beginning. Farooq's compromise with the very people who had manipulated in bringing down his government in 1984 eroded Farooq Abdullah's credibility. "He was charged with betraying his father's fifty (50) year old legacy of pride. That pride was suddenly handed over to the forces Abdullah had fought against all his life.... Shiekh Abdullah did not keep the congress of Jawaharlal Nehru and Congress of Indira away from Kashmir because he had anything personal against them; the congress was always a friend, but still the outsiders. It was an equation which had worked" -- M.J. Akbar -- Ibid, p. 213. It created a vacuum where the National Conference had existed, and extremists stepped into that vacuum.

be disastrous from the outset, though cannot be held directly responsible for the emergence of the violent secessionist movement of 1990, yet it paved the way for it (militant movement), since the events and political decisions taken in Delhi, by the Congress and, then the V. P. Singh government affected adversely any tide which could have stemmed the flow of terror let loose, such that terror and repression (by the Indian State forces) sustained each other.

Socio-Economic Factors

Now to see on the cultural and economic front, the allocation of social roles such that those roles commonly defined as having high prestige have been reserved for the members of the politically and economically dominant group in the region having undeniable affiliations with the Centre.

The demographic composition of Jammu and Kashmir - as it is a known fact that the Muslims throughout the world, not only in India, are averse to the idea of family planning and it has been a constant grouse of the Hindu fundamentalists against the Muslims in India, that they are multiplying themselves and would soon outnumber the majority community.

In Jammu and Kashmir however, due to various political, administrative and cultural factors, the demographic chart of the state show an abnormal increase in the Hindu popula-

tion over the years, Evidently, the successive census reports had been tampered with. These reports show Muslims decreasing in population as compared with the corresponding increase in the Hindu population.

On the other hand, the government jobs for Muslims were made available to them far below the proportion that should have gone to them. Prior to a couple of hundred appointments were made in the non-gazatted cadre early in 1991 (many had not been allowed to join their duty on some pretext or the other), the total number of officers in the Central government offices located in the state stood at 1,928 of which the muslims accounted for barely 133. In the clerical and non-gazatted category, they constituted as few as 12.98% of the total 5,060 employees, while in the class IV category of employment, there were only 1,212 muslims out of total 7,715 employees. In the nationalised banks the percentage of muslim officers was as minimal as 1.5%. While the scenario in the State Government offices was no better. Of the total 12,323 state gazetted officers, muslims constituted only 41.71%. In the non-gazatted and in further lower cadres their number was substantially disproportionate to their population.

Further, till very recently, 2% of the Kashmiri Pundits in the valley were known to be holding 20% of the valley's

assets, not only in land but also in other spheres of activity, like business, forests etc.

From, all the above given facts about the circumstances in Kashmir which has given rise to the situation in Kashmir as it exists today due to unemployment, poverty and powerlessness - which gives rise to the feeling of being not only exploited but also culturally humiliated to such an extent that mutual mistrust and suspicion by the people of the region towards and the authorities in Delhi, leads to an oppressive state machinery in the name of law and, unresponsive to the sentiments and welfare of the people, further alienating the masses of this region.

Sociological Review of the Civil Liberties Reports in Reference To Explanations Given Above

This brings in the fact of the presence of Indian Armed Forces, Border Security Force (BSF) and Central Reserve Police Force (CRPF) in the Valley, not only from 1988-89 onwards, but even before that. The growing pace of militarisation of the Valley can be evident since 3rd July 1990, when the 'Jammu and Kashmir Disturbed Areas Act' was enacted by the then Governor of the State - Jagmohan. Three days later, through the 'Armed Forces (J&K) Special Powers Ordinance of 1990', the districts of Anantnag, Baramulla, Badg-

am, Kupwara, Pulwana and Srinagar in the Valley and 'areas falling within 20 Kilometres of the Line of Control in the districts of Rajouri and Pooch' were declared as disturbed areas'.¹⁰

The crucial point is the excesses committed by these security forces against the people of Kashmir, of which we do not get daily reports, but have been reported nevertheless by the Indian and International human rights organizations. The two teams which visited Kashmir during March 1990, at the time of Jagmohan's governorship i.e. (1) Combined team of the 4 organizations (as mentioned earlier) from 19th March 1990 to 24th March 1990, and then again from 29th March 1990 to 4th April 1990; (2) the team of the Committee for Initiative on Kashmir, from 12th March 1990 to 16th March 1990; and then once again in December 1991 to review the latest situation in the Valley -- have thoroughly investigated by talking not only to the authorities representing the Indian government in the Valley, but also to the people of the Kashmir Valley, which establishes beyond any doubt that there has been extensive abuse of human rights

10. Kashmir: A Land Ruled by the Gun, (Dec. 1991), Committee for Initiative on Kashmir, pp. 3-4.

and heavy repression by the military and other security forces, even though denied vociferously by the other side.

The two fact-finding teams of the human rights organizations made their way to the Kashmir Valley after the popular mass upsurge of 19th January 1990 - even of the women, old, middle-aged and young - after the most intense humiliating house-to-house combing operation in Srinagar by the paramilitary forces, which brought people to the streets in protest at Gowkadal, where they were fired upon by the paramilitary forces, leaving more than 50 dead and many more injured in a day.

Till 19th January 1990, mass support for 'Aazaadi' was implicit, not explicit. But 19th Jan. 1990, saw young men in thousands crossing over into Pakistan-Occupied-Kashmir (POK) to receive arms and training in insurrection.

Jagmohan -- the then governor from Delhi, in line of successive arbitrary replacement of Governors, on the unsuspecting people of Jammu and Kashmir - responded by combining a programme of pure terror with the politics of pure manipulation. On the one hand, he encouraged the growing Hindu-Muslim divide, which is corroborated by the following facts :-

- "Rajinder Singh, a taxi driver, told the members of the team that certain interested elements were propagating that all those non-Muslims who migrated to Jammu or elsewhere

would be provided with free plots, cash and other facilities. There was a deliberate attempt to communalise the situation by setting up relief camps outside the Valley at a distance of 300 miles in Jammu, even while there is not a single case of communal rioting in the Valley."¹¹

Another excerpt which further deepens the complicity of Jagmohan's government can be seen from -

"..... the grievance that while the non-Muslims who were in relief camps were getting their salaries, the Muslim employees who were in the valley and could not attend their duties because of curfew were not receiving any payment. Similarly, the Governor has preferred to pay compensation to families of non-Muslim victims who were considered to be informers, but so far not a single penny has been paid to many more such Muslim families of the victims."¹²

And the reign of pure terror let loose by the military and paramilitary forces in the Valley, is such that there seems to be a method in madness too, which speaks about the policy of the government in Jammu and Kashmir under the directives of the Governor, the centre's representative.

"On 31-3-90 a group of children in the age group of 11-12 assembled at the house of a teacher to have tuition from him in Vicharnag locality of Srinagar. The teacher was a non-Muslim and all students except one were also non-Muslims. There was an incident in the vicinity and the CRPF men burst into the house. The CRPF men asked the identity of the pupils with their names. Only the Muslim boy was shot and killed."¹³

11. Report on Kashmir, (1990), A combined report by PUCL, CFD, IRHA and MEA, in Radical Humanist, Vol.54, No.2, May 1990, p. 31.

12. Ibid., p. 31.

13. Ibid., p. 32.

There are also instances when the security forces go beserk, and let loose all their pent up emotions, or if they are victims of communal feeling, vent them out over the unsuspecting uninvolved innocent persons who have nothing to do either with the militants or with the security forces. One such an incident,

"On 1-4-90 after a CRPF jawan of 77 Battalion was killed, some of them sought revenge on uninvolved persons far away from where the incident had occurred. At 7.30 a.m. (when curfew had been relaxed) a CRPF ambulance fired in the locality of Navpura injuring five persons including two women. Subsequently one woman died. The other persons were three boys aged 15 to 17. The persons who tried to take the injured to the hospital were beaten and arrested."¹⁴

This fact is further corroborated even today after almost two years of the above stated incident, on 6th January 1993, in Sopore, when a BSF picket was attacked by the militants. An hour later forty (40) strong BSF platoon arrived in armoured trucks and opened fire indiscriminately in the crowded market place and set fire to the shops. It spread to five residential areas. Vehicles were set ablaze, two hundred and fifty (250) shops and fifty (50) homes were destroyed, forty five (45) were killed and three hundred (300) injured. This pattern was repeated in Lal Chowk. Thus, creating a havoc upon the innocent people, which saw them refusing to accept compensation offered by the government, in protest against

14. Ibid., pp. 32-33.

the blatancy of oppression which dealt another fatal blow to the already hurt psyche of the people.

When the members of these teams went to hospitals, they were full of injured and each had a horror story to relate of the terror perpetrated by the security forces. To make matters worse, none of the victims of the firing by the paramilitary forces had been paid any compensation, nor the government had been responsible enough to set up any system whereby individuals who suffer can lodge complaints and seek redress.

In the absence of a responsible responsive government machinery numerous cases of molestation and rape of women during the cordon and search operations and otherwise too, by the security forces do not see the light of the day. The disillusionment of the people of valley is further gleaned by the reply to a question posed by one of the team members to a Kashmiri official, "You were born Indians, but we chose to be Indians through conviction",¹⁵ the conviction which today stands betrayed.

After more than a year when the 'Committee for Initiative On Kashmir' sent once again its fact-finding team to Kashmir to take stock of the change in situation in the

15. India's Kashmir War, (March 1990), Committee for Initiative on Kashmir, p. 10.

Valley, the report appeared even more disconsolating than before. This was because of the official position held by the government of India which reflected its negative bias against the victimised people of Jammu and Kashmir, which went a long way in the formulation and continuance of the 'hardline policy' towards militancy which leaves no scope for dialogue with the militants to come to an understanding, rather exacerbates the escalation in the degree of repression.

Since the official position of the Government of India holds that Pakistan has been fighting a 'proxy war' in Kashmir, "what logically follows from this argument is the justification for a permanent presence of the army in the Valley and the replacement of the civilian administration by the military authorities. But the tactics of fighting Pakistani's 'proxy war' by such means entails the danger of increased violent retaliation against the ordinary citizens of the valley, who are already regarded by the security forces as 'proxies' of Pakistan. Such unwarranted suspicions about the ordinary Kashmiris are not only entertained by the security forces, but also by the governor Girish Saxena, as evident from his interview with an all India fact finding team in Srinagar in October 1991, where he told the team that it was difficult to trust Kashmiris even in professions

like doctors and lawyers. (Press statement dated 22-10-91)."¹⁶ This constant harping on Pakistan and Islamic fundamentalism lends credibility to the view held by Kashmiris that it is their Muslimness that sets them apart. This perception, I am sure, would have gained further ground with the demolition of Babri Masjid and the anti-Muslim pogroms across India. It is this psychological and emotional state that has pushed the demand for self-determination as a defiant but firm conviction to the forefront of their agenda. Whence, it is no longer possible to whitewash the communal prejudices of the security forces and the administration that, "all Kashmiri Muslims, no matter who they are, are suspects."¹⁷

The repressive machinery of the state apparatus in J&K is further given credence to by, "the policy being followed is also evident in the very choice of an administrative apparatus which comprises people known for their experience in dealing with insurgencies".¹⁸ The widespread repression which has affected every section of population in the valley in the last 38 months has shown no signs of abetting. Rath-

16. Ibid., no. 10, pp. 2-3.

17. Ibid., p. 4.

18. Ibid., p. 4.

er, in August 1992 the Indian government launched a brutal new offensive in the Kashmir Valley called Operation Tiger, which was characterized by surprise raids and search operations to capture and kill militant leaders. Under its garb, summary execution of detainees increased, such that custodial deaths saw a sharp increase from four (4) a month to fifty four (54) in October 1992 and thirty two (32) in the first fortnight only, of November 1992, according to the records kept meticulously by the late H. N. Wanchoo, trade unionist and a human rights activist in the valley, whose death itself is shrouded in mystery.

It is a known fact that for every militant arrested, more than twenty (20) persons are 'interrogated'. Out of those arrested, how many have been arrested for being terrorists, and how many for the vague charge of 'abetment' is not known. Also not known are the routine arrests, torture and 'deaths in cross-fire'. Even senior serving officers express helplessness when approached with individual cases of those raped or missing.

All allegations of rape are dismissed as disinformation by the militants to malign and demoralise the Indian security forces, such that the Union Home Minister in his speech at an all party meeting on Kashmir made the remark, "A lot of publicity is being given to the alleged violation of

human rights in Jammu and Kashmir. Whenever terrorists are under pressure they resort to deliberate disinformation campaign, making all types of wild allegations against the security forces to demoralise them and deflect the thrust of their operations". (Indian Express, November 14, 1991).¹⁹

If rightful indignation by the people was 'disinformation campaign' by the terrorists, then what about the burnings and killings at Lal Chowk in Srinagar by the security forces, which resulted in two hundred and eighty (280) deaths, have been deliberately forgotten by the administration. And also the various other incidents as cited earlier raise disturbing questions about the role of the security forces. And now the death in BSF custody of a J&K policeman has brought out the ground reality starkly to the forefront of identification among the security force and J&K policemen as 'us' and 'them'.

Finally, the covert official policy of communalising the situation, with its overt manifestation has borne fruit such that, "A section of the migrant Kashmiri Pundits claim that they were the only Indian patriots in the Valley. With their departure the valley has fallen into the hands of enemies of India".²⁰ Therefore, a wedge has been driven be-

19. Ibid., no. 4, p.8.

20. Ibid., p. 14.

tween the two communities, and more chauvinistic elements within the Indian society i.e. RSS have been going a step further by demanding 'demographic Indianisation'²¹ of the Valley, which means settlement of Hindus there. This insidious demand of the RSS is very much in keeping with the earlier demand of the abrogation of Article 370.

Militancy is an expression of alienation and anger and "Armed Forces Special Powers Act, will not solve the Kashmir problem, it will vitiate the situation further. While it is necessary that the self-proclaimed militants, insurgents, kidnapers and killers be dealt with firmly, it is equally necessary to ensure that the civilian population is not put to undue hardship. If armed forces are allowed to take the law in its hands then the very objective of law gets defeated. The excess committed by these forces alienate the masses. The governments inability to punish the guilty personnel of the armed forces compounds this process of alienation The argument that punishment of the guilty will create demoralisation among the rank and file of the armed forces and jubilation among the militants is fallacious because this failure of the government to provide justice lends credence to the perception that the State in

21. Ibid., p. 16.

India is biased and therefore, it will not do justice. This is the psychological and emotional space in which the militants thrive".²² Besides this, whatever sensitivity, the government of India has shown towards human rights violations in Kashmir has been directly related to the outside pressure of United States of America.

Therefore, the government's refusal to talk to anyone without first giving up arms is perceived by the Kashmiri people as surrendering to the Indian government's diktat even before the negotiations can begin. Ground reality in Kashmir is for complete independence from the clutches of India as well as Pakistan. After the sacrifices of the last three years, there is a sullen determination which bodes ill for the Indian Union. Even though the impasse thus created satisfies and suits the purposes of none but those sections in India who advocate hardline measures to bring the valley round. Yet more than three years of unparalleled ruthlessness in curbing the rebellion has only seen it grow. While normal life is completely dislocated in the Valley, the only link with the Indian Union is the presence of Indian military, which is hated to such an extent that the people are now even supporting the militant organizations which are overtly fundamentalist in nature and are known to be pro-

22. Ibid., p. 23.

Pakistan, like, Hizb-ul-Mujahideen, Jamait-ul-Mujahideen and others as against the Jammu and Kashmir Liberation Front (JKLF) a pro-independence militant organization, which is today regarded as a spent force, due to their arrests, killings and persecution by the Indian authorities and security forces, and thus are unable to provide leadership and give shape to the aspirations of the people of valley for complete independence. "Looking back at the history of the last two years, it seems as if the government of India was bent up on pushing the people of the Valley into the lap of the pro-Pakistan militants in adiabatic game to create a marketable image of an enemy. It is easier to sell the pro-Pakistan militants as 'foreign enemies' for public consumption (and national sanction for the policy of repression) than the JKLF which enjoyed the reputation of fighting for 'azaadi' in both parts of Kashmir",²³ and are no longer favoured by Pakistan and its ISI (Inter-Services Intelligence). Hence, even if militarily India is in control, it has lost the valley in every other way.

The bankruptcy of Indian leadership at the helm of affairs of the Indian State is brought to fore not only by the lack of formulation of a long-term 'definite policy' in

23. Ibid., P. 13.

the context of Kashmir - which leads to the measures of adhocism to be applied as and when whatever contingency may arise - but even the opposition in the parliament is not sensitive or alert enough to question the governmental policy regarding Kashmir, the disempowerment of the Kashmiri people or even denouncing the reign of repression let loose by the security forces. Everybody seems to go partially deaf when the national and international human and civil rights organizations expose the handiwork of the security, forces in the Valley, but the 'Press council Report on Kashmir' - "Crisis and Credibility" August 1991, with its pro-security forces posture and exposing as a 'massive hoax' reports of army excesses and atrocities in the Valley, seems to have jarred them out of self-imposed complacency to make the report a convenient tool to pillory the human rights groups.

It is the intentions and motives of the political leaders' handling the Kashmir problem which needs to be questioned, their commitment to an early solution, even if of retaining the Valley in the Indian Union. Then, it must be clear to them that militancy must be fought politically by weakening the bond between the masses and the militants. Until justice is denied to the people of Kashmir, far and distrust will not end and the support for militants will continue. Thus, dismantling the regime of terror is the

precondition for any solution. This alone will gradually lessen the bitterness and antagonism towards the Indian state - a very slow process, of winning back the lost confidence of the people in them and once again become credible in their eyes. And simultaneously start measures to revitalise the political process, keeping in view the long denied aspirations of the people of Jammu and Kashmir so as to achieve their active participation in the process thus started with its sight on a long-term goal.

Delhi Riots, 1984

To comprehend motivations and emotions which went into the foementation of communal riots in Delhi in 1984 after the assasination of the then Prime Minister Mrs. Indira Gandhi, we have to trace out the objective reasons which led to the incident and its aftermath, the consequences of which are still being borne by the minority community in and outside Punjab.

Punjab unlike the state of Jammu and Kashmir, after independence was fully merged within the Indian Union, emotionally as well as legally, though its recent history bears testimony to one of the worst communal riots during the partition of the Indian sub-continent in 1947.

The situation in Punjab has to be understood with the backdrop of historical factors beginning from the pre-independence phase to the formation of the Punjabi Suba (Punjabi speaking state), to the model of socio-economic development which engendered the famous Green Revolution, which in its turn sharpened several contradictions in the society resulting in the creation of an objective basis for the present crisis. The refusal for rather the delaying tactics adopted to transfer to Punjab, Chandigarh which was built after evacuating Punjabi-speaking villages, the unresponsive manner in which the question of sharing of waters, and the territorial disputes have been treated by the Centre. Also, the traditional struggle for political power in Punjab between the Akali Dal and the Congress Party, each with its game of manipulations and manoeuvrings to gain ascendancy without fulfilling their promises to the electorate have to be taken into account while holding a whole community responsible for the crime committed by two misguided, highly strung youths who shot Mrs. Gandhi, as manifested in the Killings of thousands of Sikhs in Delhi in 1984 and elsewhere too even though the fact cannot be condoned.

Genesis of the Problem

Even though the Punjab crisis has its genesis basically in the politics pursued by the party in power at the centre i.e. the Congress Party, and the Akali Dal, which though enjoys a popular support in the region, yet it is not enough to sweep the polls without the help of BJP or the left, against the determined efforts of political manoeuvrings of the congress, which too has its say among major sections of population in Punjab.

The development of sikh militancy and extremism in Punjab goes back to the raising of Sant Jarnail Singh Bhindranwale by the congress from 1979 onwards as an alternative to fight the powerful combine of 'Sikh identity',²⁴ as portrayed by Akali Dal supported by SGPC (Shiromani Gurudwara Prabandhak Committee). The impetus for which had come from losing the Lok Sabha elections in 1977 to an alliance

24. "One of the striking features of the dynamics of Sikh politics is the remarkable degree of internal fragmentation that occurs under the cover of the ideal goal of communal solidarity. Any amount of internal political factionalism appears to be tolerable, but no faction can survive whose leaders manoeuvred into a position of perceived betrayal of legitimate Sikh political demands. Moreover, no leader who is seen to be sincerely pursuing Sikh political goals can be criticised in public." --- Paul R. Brass, Ethnicity and Nationalism: Theory and Comparison, Sage Publications, New Delhi, 1991, p. 193.

of Akali Dal and Janata Party²⁵ by a margin of 7.45% of the votes polled in the region. Bhindranwale²⁶ was brought into politics for the express purpose to divide the Akali Dal and to draw rural Sikh support away from it, thereby ensuring the persistence of Congress rule in and political power in the state.

After winning the elections in 1980, the Congress Party intensified its efforts to divide the Akali Dal. The Akali Dal resorted to agitational tactics to achieve longstanding Akali demands pertaining to Chandigarh, disputed territories between Punjab and Haryana, division of river waters, and other demands contained in the Anandpur Sahib Resolution of

25. The reason for Indira Gandhi's insecurity has wider connotations, since the 1977 elections were held with an united opposition not only at the regional level, but also at the national level in reaction to the anti-Emergency wave against the Indira Gandhi led Congress regime. Her heir-designate and she foresaw a dark career ahead in political wilderness. So it was the desperate attempt at political survival that she was ready to play any game -- however unethical the rules of the game proved to be -- to remain in politics, and may be able to stage a come back, which eventually she was successful at, even though later on it boomeranged.

26. To Understand the motive behind recruiting Bhindranwale, it is necessary to take cognizance of his earlier life, and the role allotted to him by the Congress as perceived to be beneficial to them, in keeping with the image of his background. He was the youngest of seven sons of a peasant of modest means who handed his son over to Sant Gurbachan Singh Khalsa of village Bhindran, to enter the Taksal. Since then till the end of his life, his careerograph rose mercurially with his adoption of a posture which was really helpful to him in arousing the passions of rural Sikh - i.e., Renaissance of Sikh fundamentalism. It was this quality of his which attracted Sanjay Gandhi and Zail Singh to enlist his help covertly.

1973. Moreover, throughout the increasingly bitter and violent confrontations between the government and the Akali Dal, and among the extremists and terrorist groups, and despite their spillover into the broader population, leading to deaths of innocent people, the government was unable to or rather it would be more apt to say, unwilling to reach a political accommodation with the moderate Akalis on outstanding issues, which was partly because of the priority given to political control, which was the guiding principle of Congress Party under the leadership of Mrs. Gandhi, than the goal of a final settlement of the issues in dispute in the Punjab which remained secondary.

Therefore, the politics pursued with such an intent as explicated above led to a politics of sham and pseudo-secularism in Punjab by the ruling party at the Centre in consonance with its counter part at the regional level, such that Bhindranwale was given full rein for four years in the hope that he would isolate the Akali Dal and hand over the Sikh masses to the Congress. He was allowed to roam around freely even after there were allegations against him of criminal nature,²⁷ and was even allowed to take sanctuary in

27. Dipanker Gupta, 'Communalism and Fundamentalism - Some Notes on the Nature of Ethnic Politics in India', in Economic and Politically Weekly, Vol. XXXVI, Nos. 11 and 12, March 1991, p. 575.

the Golden Temple when the heat of his pursuit became too much for him to feel safe anywhere else. The extent to which this strategy remained prominent in Congress's priority list was indicated by the remarks of Rajiv Gandhi only weeks before Bhindranwale and his men were killed in 'Operation Blue Star' of the Indian army, in which he referred to Bhindranwale as 'a religious leader' and declared his belief that the latter was not responsible for the terrorism and 'extremist politics' prevailing in Punjab.

The extent of this 'extremist politics' can be gauged from the attention that Bhindranwale was receiving from the public and media for the actions and speeches which placed him in the role of defending the Panth against an unjust central government and its repressive machinery in the form of police at that time. And the moderate Akali leaders were reduced to praising him and paying lip-service to his directives in order to ensure their own survival in a political process gone completely out of control and dominated by violence.

It was however, only when Sikh terrorists began to kill Hindus, that the Congress's political strategy began to change. The congress by then had lost any influence it might

have had over Bhindranwale²⁸ and other extremist Sikh groups; the Akali Dal remained committed to an agitational strategy until the Congress conceded its demands. The Congress hold over the Punjab Hindus now appeared threatened by the governments inability to protect the innocent Hindus from random massacres²⁹ which boded ill for Congress's electoral success not only at the regional level but also at the national level. Thus, began the massive crackdown on the Punjab terrorists by the governmental machinery, which did not prove to be very successful, since by now the police ranks were hopelessly divided amongst themselves on communal lines and also feared the wrath of the extremists. Government action in such circumstances did nothing but increase the general level of terrorist violence, which gained further support from the people as the Akali Dal was unable to show any results from its agitational politics, thereby eroding its credibility and increasing the degree of trans-

28. Bhindranwale's goals and those of the Congress were ultimately incompatible, though they may have coincided temporarily. This was so because, Bhindranwale, was operating within the ballowed Sikh ideal of Panthic unity, identity, and solidarity against all elements who would divided the Sikhs in their religious practices or in their political goals. While the Congress was playing the opposite game, using whatever political division among the Sikhs it could to gain and maintain advantage over its main political rival, the Akali Dal. since their goals were fundamentally incompatible, it was inevitable that they would ultimately clash directly."-- ibid., no.25, p. 192.

29. Ibid p. 192.

fer of political initiative in the Sikh community to Bhindranwale.

Whence, the perception of the ruling party at the centre of its losing ground not only in Punjab, but also the Punjab crisis eroding its credibility at the national level, became a reason enough to stop soft-paddling in Punjab politics and to start taking tough measures to rout the extremist menace, and now a political rival in the form of Bhindranwale and his force of militants at one instance. The measure which Mrs. Gandhi took and implemented was the highly controversial 'Operation Bluestar' undertaken by the Indian army to drive the terrorists out of the Golden Temple, Amritsar, which had become a sanctuary for Bhindranwale and his gang of terrorists - with the use of 'minimum force'³⁰, on June 4, 1984.

Socio-Economic Factors

The extent to which social and economic factors could be used as instruments to understand the reasons leading upto the Punjab crisis of 1980's, which in turn led to its manifestation in the incident of 31st October 1984 and the

30. Kuldip Nayar and Khushwant Singh, Tragedy of Punjab -- Operation Bluestar and After, Vision Books Pvt. Ltd., Chandigarh, 1984, p. 93.

consequences which followed in its wake, though are limited but nevertheless reasons enough to gain better insight into the highly misused and abused politics of Punjab.

In this connection it is relevant to remember the 1966 reorganization of the erstwhile state of undivided Punjab into - Punjabi Suba, with a majority of Punjabi-speaking population of Sikh majority; Haryana with an overwhelming Hindu majority, Hindi speaking population and Himachal Pradesh. In the newly formed state of Punjab, the Hindus comprised 38% of the total population, while the Sikhs formed 60% of the population, with the rest 2% being people from other minority groups. Of the 38% of the Hindu population, 15% were higher caste Hindus concentrated mostly in the major cities and towns, engaged in trade and commerce, 14% of the Hindu population comprised of the scheduled castes engaged in all kinds of activities in towns and specially as agricultural labourers in the rural areas, forming the lower strata of the society, socially as well as economically. As for the rest of the Hindu population, there a small number of non-agricultural high-castes, artisans and service castes engaged in their respective occupations.

As regards the Sikh population, out of 60% of the total population, approximately 40% are engaged in agriculture and are known as 'Jat Sikhs' and live mostly in rural areas with

rich landholdings. They are considered to be belonging to higher castes as well as class (even though Sikhism does not recognize caste system formally). Almost 11% belong to the scheduled caste and are engaged in all kinds of activities though of subordinate economic standing. While the rest of the Sikh population belongs to the rural artisans and servicing castes, and a marginal number to the urban trading castes who enjoy a higher status than the former. The scheduled castes, both Sikh and Hindu work for Jat Sikh peasantry as agricultural labourers.

Now in politics in Punjab four parties play a dominant role - the Congress Party, the Akali Dal, the BJP and the left parties. By the very logic and nature of caste and class distribution, Akali Dal is supported mainly by the Jat Sikh peasantry and the marginal number of urban Sikh trading section of the society. While the Congress Party enjoys a support base of urban as well as rural Hindu-trading and other sections of the population and a majority of the Scheduled castes, both from the Hindus as well as the Sikhs. Whereas the BJP too has its support in the Hindu section of the society mostly in the urban areas, and the left parties are also supported by the scheduled castes, thus showing an overlapping in each one's support bases. Therefore, it is evident from both the relative population proportions of the

two communities and from internal social and political divisions among them that intercommunal electorate or post-electoral alliances are necessary to gain political power in this State.³¹

Thus, as can be seen from the facts stated above that much of the politics pursued in the state of Punjab is highly dependent upon the corrosion of each other's political electorates and be able to breakaway as many votes as possible, since none of the parties enjoy an all-out support from the masses. Therefore, the votes polled and electoral gains are highly dependent upon the parties performance and coalition politics. This leads to a further creation of confusion and chaos in the political milieu with drastic results as proved in the former half of 1980's.

Regarding the economic causes - 'unemployment' seems to be the only major factor. The changes that came in the wake of mechanisation of the predominantly agriculture - based economy, made it impossible to absorb more people. And as the youth received education but could not find commensurate jobs; with the reduction in their recruitment in Armed forces due to policy of proportionate (to population) recruitment followed by the government, left the youth idling and at the mercy of the anti-national forces when they

31. Ibid., no. 25, p. 227.

arose. The supposedly charismatic leadership of Bhindranwale is assumed to be a major factor in the recruitment of rural youth to the folds of extremists.

Sociological Review of Select Civil Liberties Reports on Delhi Riots, 1984.

Following the army action in Punjab at the precincts of the Golden Temple, which outraged Sikh sentiments (such that people like Khushwant Singh and few others who had received national awards from the State of India, returned them in protest as a sign of their anguish); the nation saw an increasing ascendancy of Sikh communal forces in the region, with continuing murder of ordinary people by Sikh fundamentalists. The evident failure of both the State and Central Government to diffuse the situation, all serve as a background to the carnage and its aftermath which followed in the wake of assassination of the then Prime Minister Mrs. Indira Gandhi, who had ordered the army action and thus perceived to be a threat to the very existence of the Sikh community, a sentiment fed by the escalation of violence and counter violence in the State of Punjab due to the imposition of army on the people even after the incident.

Therefore, when the assassination took place, it was not wholly anticipated as revealed by the reports of Civil liberties organizations in Delhi, of which I am going to review three (3) of them in my study of 'Violence in contemporary India' and the nature of it. These reports are:

1. Who Are The Guilty?, (November, 1984), A Report of a Joint Inquiry into the causes and Impact of the Riots in Delhi from 31st Oct. to 10th November, by PUDR and PUCL.
2. Justice Denied, (April, 1987), A Critique of the Mishra Commission Report on the Riots in Nov. 1984, by PUDR and PUCL.
3. 1984 Carnage in Delhi, (November, 1992), A report on the Aftermath, by PUDR.

The first report as the name suggests is very enlightening regarding the nature of violence pursued during the week of communal riots in Delhi from 31st Oct to 10th Nov. 1984. The fact finding team organized by them did an exhaustive study and examined separately the role of so-called protectors of the people - the 'Police'; the role of official service-rendering class of modern society - the 'Administration'; the role of protectors of the nation - the 'Army'; the role of the so-called popular leaders who are supposed to represent the peoples' interests in the highest governing institution of the land - the Political Party in this instance, the 'Congress (I)', which was all that very

moment the party in power and hence bears the responsibility for all the people of the nation, officially atleast; the role of the so-called eyes and ears of the society - the 'Media'; and the role of the opposition party, who is supposed to be alert enough to not allow the government in power to escape from its responsibility and finally, the role of the very its responsibility and finally, the role of the very 'public' for whom the whole edifice is structured. This report has listed numerous case studies and the measures adopted for the relief and rehabilitation of the victims of carnage.

The team after its investigations came to the conclusion that, "the attacks on the members of the Sikh Community in Delhi and its suburbs during the period, far from being a spontaneous expression of 'madness' and of popular 'grief and anger' at Mrs. Gandhi's assassination as made out to be by the authorities, were the outcome of a well-organized plan marked by acts of both deliberate commissions and omissions by important politicians of the Congress (I) at the top and by authorities in the administration. Although there was indeed popular shock, grief and anger, the violence that followed was the handiwork of a determined group

which was inspired by different sentiments altogether."³² These findings have been corroborated even by daily press reports during that period in each and every newspaper. Also they have been further lent credence to by the accounts of independent persons and other groups and organizations functioning in the Union Territory of Delhi at that time.

The allegations by these reports show a discernable pattern followed at all the places during the violence, such that, first of all there were rumours to incite the people, like the poisoning of Delhi water supply by the Sikhs, or that the incoming trains from Punjab are carrying corpses of Hindus in thousands, such that peoples sentiments were outraged enough to take to arms and turn to the next Sikh for revenge, "..... The targets were primarily young Sikhs. They were dragged out, beaten up and then burnt alive in some areas of Mangolpuri even children were not spared women were gang-raped. The orgy of destruction embraced a variety of property ranging from shops, factories, houses to gurudwaras and schools belonging to the Sikhs. In all affected spots, a calculated attempt to terrorise the people was evident in the common tendency among the

32. Who are the Guilty?, (November, 1984), A report by PUDR and PUCL, p.1.

assailants to burn alive the Sikhs on public roads."³³

The worst affected areas were Trilokpuri, Mangolpuri and Sultanpuri, all resettlement colonies which were established by the government to resettle the refugees who had migrated to India in the wake of partition at the time of Independence. These colonies are traditionally the vote banks of Congress (I) party, such that all these places had an organized cadre of the party-workers, which could be brought into action at very short notice, such that when M. J. Akbar talked of. "It was the day of the lumpens in the Capital",³⁴ he was not very far from truth, as the crowds were led by the local congress (I) politicians and hoodlums of that locality in batches to massacre the Sikhs, loot their property and harass them. The names of the Congress (I) politicians and councillors who prominently figured were - Sajjan Kumar, Cong.(I) M.P. from Mangolpuri, Dharam Dass Shastri, Cong (I) M. P. from Karol Bagh, Jagdish Tytler, Cong (I) M.P. from Sadar Constituency, and many more at the lower levels of the party ladder, who actively participated in arson, looting and killing, for whom these higher up the party ladder were busy pressurizing the police to release

33. Ibid, p. 2.

34. Telegraph (Calcutta), 2nd Nov. 1984.

the miscreants.

In this context, it would be relevant enough to state the composition of Delhi's population, which is 83% Hindus as opposed to 7.5% of the Sikhs. Where were the protectors of the citizens - the 'police', "All through the period from October 31st to November 4, 1984 - the height of the riots - the police all over the city uniformly betrayed a common behavioural pattern, marked by (i) total absence from the scene; or (ii) a role of passive spectators; or (iii) direct participation or abetment in orgy of violence against the sikhs, such that a remark made by a policemen, so shocking in its import and consequence, was overheard by a concerned citizen, who quoted it, "We gave you 36 hours (to the loot-ers). Had we given the Sikhs that amount of time, they would have killed every Hindu." ³⁵This remark by the Delhi police brings to fore clearly the nature of violence being perpetrated by the Hindu anti-social elements in full connivance with the police, the role of whom cannot be dissociated from those in position of authority, even at the top i.e. 'the Home Ministry', who neglected to not only inform the army about the rapidly deteriorating situation, but also to impose the curfew on the city of Delhi atleast s late as

35. Ibid., no. 33, p. 5.

November 1st, 1984 almost more than 24 hours since the miscreants went on rampage in the city, and even sheer callousness displayed towards the plight of the victims.

Even when the army was deployed by the civil authorities after crucially long delay, they were provided neither with 'firm and clear instructions' from the top, nor any help from the civilian police to guide them to the 'trouble spots', or even 'no joint control room was set up' to facilitate the process of bringing the situation under control. And, where ever they were deployed, in almost every case, it was 'after houses in the trouble spots had been burnt to cinders and the massacre was over', which led to members of this team to "Suspect whether or not a deliberate, design (was afoot) to keep the army ineffective even after it was called in."³⁶

Whereas the opposition leaders failed miserably in their duty to rise to the occasion during the crucial week of November 1984. They were conspicuous by their very absence in coming to the aid of the people of city, and even when, "a group of concerned citizens... went to the Janata Party leader Chandra Shekhar to (ask him to) lead them in deputation to Teen Murti and appeal to the Prime Minister.

36. Ibid., p. 10.

Mr. Chandra Shekhar rose, folded his hands and pleaded: "I cannot do it. I do not want to be accused of ruining the late Prime Minister's funeral."³⁷ Thus, revealing a hidden streak of opportunism and absolute sense of irresponsibility towards the electorate, allowing the violence in the city to continue unabated. Later on, it is these very opposition leaders who abdicate their duty during the hour of need of the nation, are the first ones to play this very card of grievance of the Sikh community during the elections to put down the party in power and gain a few extra votes. Whence, exposing the bankruptcy of their political ethics.

Though showing a section of the populace of Delhi as anti-social elements and miscreants who indulged in heinous crimes, this report also takes into account the chivalrous and humanitarian attitude of another section of the society who showed courage and initiative in saving the lives of numerous Sikh families living in the neighbourhood of the affected areas.

This report also castigates the authorities in neglecting their duty towards the victims by not even attempting to set up relief camps in the earlier days, while acknowledging the efforts of a voluntary organisation called 'Nagrik Ekta Manch' in providing unstinting relief to the victims.

37. Ibid., p. 14.

This report clearly exposes the intentions of the authorities of the state, their inaction in dealing with the situation reveals a sinister plot afoot of 'teaching the Sikhs a lesson' for their past misdeeds and present folly, while conveniently forgetting that it was a Hindu brahmin by the name of Nathuram Godse, who had assassinated the most popular leaders of the era 'M.K.Gandhi''. They turned a blind eye to the logic that the folly of two highly strung, youth of the Sikh community cannot be taken as 'role models' of that particular community as a whole.

'Justice Denied' is a critique of the Mishra Commission Report, set up by the Government, "to enquire into the allegations with regard to the incidents of organized violence which took place in Delhi, following the assassination of the late Prime Minister Smt. Indira Gandhi," the terms of reference of which, and the context in which it was brought into being is the starting point of critique by this joint team of PUDR and PUCL, such that it is affirmed by them that, "In fact the Prime Minister (Rajiv Gandhi) himself at one stage stated that such an enquiry would not serve any purpose. Meanwhile the demand acquired an emotive fervour in trouble-torn Punjab. Political parties and groups representing the Sikh Community made the appointment of such an enquiry almost a pre-condition for any attempt to diffuse

the situation in Punjab. Eventually on 26th April 1985 the appointment of the Justice Ranganath Mishra Commission... was announced."³⁸ The time lag of six (6) months between the event of enquiry and the setting up of commission of inquiry is another aspect which erodes the credibility of the Commission at the very outset and exposes the intentionality of the government.

The procedures adopted by the Commission in its enquiry has come under heavy criticisms by the team members since, according to them, "the arbitrary decisions and functioning of the commission made the enquiry a one sided affair... (which) contributed to its complete loss of legitimacy even before it submitted its report."³⁹

While the report itself is supposed to be limited by its manner of presentation, its style of stating things and its factual errors, further the team could not find any feature of the report which could bring the guilty to court and punish them rather absolved most of them of the crime through ambiguous explanations and not so very clear statement of facts, thus denying justice to the wronged victims. The only redeeming feature of the Mishra Commission report,

38. Justice Denied, (April, 1987), A report by PUDR and PUCL, p. 2.

39. Ibid., p. 5.

as noted by the team was about the findings of 'role of the police' --- "The Commission has severely indicted the Delhi Police. But a distinction has been made even here. While senior police officials were indicted for their failure to correctly assess the situation, the lower ranks were indicted for not effectively intervening.... In some instances 'though few in number' the Commission also found that 'policemen in uniform have participated in looting (pg.. 37 of Mishra Commission Report)... the police could be hand in glove with the anti-social elements in their respective localities' (pg. 63-Mishra Commission Report)"⁴⁰

But again in the recommendations suggested, the team find very little of relevance to the findings of the Commission, since they are extremely general in nature and 'have no direct bearing on the matter under consideration'.

Thus, the very nature of the context, the procedures adopted, the contents of the report filed and finally the recommendations made by the Mishra Commission Report, highlights the response of the state and its institutional machinery to the genuine grievances of the people, which in turn brings to light the sublimely repressive mechanism of the state's implicit violence against its people, working in

40. Ibid., p. 11.

tandem with the interests of the few at the cost of suffering of the majority.

The third report, '1984 Carnage in Delhi', A report on the Aftermath, is the review of the performance of the committees and commissions instituted to enquire into the redressal of the grievances of the victims of the 1984 carnage. This report too successfully highlight the fact that in India today -- the administration, prosecution, courts and all other institutions are for those and those alone whose interests are compatible with and in concurrence with the interests of the entrenched power at the top and not for the victims, who in reality have become 'victims of democracy'. In this context it would not be amiss to cite one instance of glaring failure of the redressal machinery to bring the guilty to court. Sajjan Kumar, Congress (I) M.P. from Mangolpuri had been charge-sheeted by the Poti-Rosha panel for his role in instigating the 1984 New Delhi riots against Sikhs, "When the team (CBI) reached his house on 11th September 1990, a mob surrounded them and they were held captive for more than four hours. As per the affidavit filed by the CBI later in the court, --- the Delhi Police, far from trying to disperse the mob sought an assurance from CBI that he (Sajjan Kumar) would not be arrested. ---- CBI also disclosed that the file relating to the case pre-

pared by the Jain-Banerjee panel was found in Sajjan Kumar's house. According to the CBI affidavit, the then government counsel R.K. Anand never returned the file. Mr. Anand in this case represented Sajjan Kumar, and got him anticipatory bail while the CBI team was being held captive."⁴¹ This brings to light the incapacity of the Home Ministry's endeavours to bring one man to book, which failed miserably, which in turn makes one wonder whether any larger venture is within the scope or capability of the Home Ministry's endeavour. Hence, the failure of the democratic institutions in India in the case of 1984 carnage.

Even though today, the publicity organs of the government have been working overtime to convey the impression that complete normalcy has been restored in Punjab, yet it should not be assumed that a revitalised political process -- a precondition for democracy to operate -- has been restored too. Long years of militant violence accompanied by the expansion of the oppressive state machinery and the operation of large number of legal restrictions (NSA, TADA, MISA, Disturbed Areas Acts etc.), have made the political process in the state very fragile. Democratic movement in the state comprising mass organisations of peasants, work-

41. 1984 Carnage in Delhi, (November, 1992), A report by PUDR, p. 9.

ers, government employees, teachers and students is completely paralysed. Leaders of many of these organisations have been eliminated by the ongoing violence while others have been made inactive by threat of violence. The fragility of the political process in Punjab is best reflected in the formation and dissolution of the Anti-Repression Committee in the State.

Class issues and sectional demands of the people have been relegated to the back ground. Isolation of the left parties and groups in the political process of the state and their confrontation with the militants has forced them to withdraw further from the democratic process of people's mobilisation, even though it still retains a few pockets of influence, yet it is not in a position to intervene effectively in the Punjab situation. Whereas, the Congress, remaining in power for too long a period abandoned the task of organising a democratic mass movement. Over the years it built a captive vote bank among Harijans, peasants and the trading community through distribution of patronage. On the other hand, the BJP has a limited influence in the urban centres. Lastly, the Akali Dal had fairly good support among the peasantry, but the continuing violence in the state has also affected it adversely. Top Akali leaders and cadres suffered unjustified detention and arrests during the last

decade, such the Akali Dal as a political force in Punjab has suffered many losses and lost a lot of ground. Whence, the tremors of the Punjab situation though lessened to a considerable extent, had been felt almost all over the country.⁴²

The question of human rights is very complex. The situation in most of the disturbed areas in the country, though demands active human and civil rights activities, but the atmosphere in the state's corridors of authority and power is virtually anti-human rights. Threat of violence and sympathies with the contending parties responsible for violation of rights of various sections of the society make the analysis of this question partisan in nature. Numerous black laws such as NSA, TADA, Disturbed Area Acts, ESSMA etc. operate in the states of J&K, Punjab, Andhra Pradesh, North-East to name few major victims of such laws. These acts provide unprecedented powers to the security forces to search, arrest, detain and even kill persons 'suspected' to be terrorists.

On the other hand various militant outfits indulge in indiscriminate killings, plant bombs and explosives at busy places killing innocent persons, issue threats to individu-

42. Sucha Singh Gill, 'Punjab Crisis And The Political Process', in Economic and Political Weekly, Vol. XXVI No. 5. 1st Feb. 1992, pp. 189-190.

als, kidnap person at key positions or with high profile for extortions, threaten journalists and media persons to write in a particular manner through the issue of a press code, and even codes of dress, eating and social norms.

Thus, both the government and militants violate human rights. Organizations genuinely working for human rights come under attack from both sides thus penalysing its activities. This situation can lead to the deviation of activities of such organisations towards sympathy for either the government or the military organisations, such that these organisations will be unable to fulfill the functions for which they have been constituted, and become a party or rather a justification mechanism for either state's or militants design of continuing violence to the detriment of the interests of the common people of the country.

Critical Appraisal of Civil Riberties Movement in the Light of Response of the State to Their Activities

For the State, its ruling classes, their representatives or spokespersons in the form of communication media at the disposal of the state, the civil liberties or democratic rights organization are positively a threat to their very presence, as they expose the brutalities the repressive machinery of the state unleashes on the people in the trou-

ble-torn regions, would then come to the knowledge of people everywhere else, who would then rise up in arms against such an anti-people state. Therefore, the activities of the democratic rights organisations are looked upon as 'dangerously subversive', who are then reviled and run down not only by the ruling elite or those manning its state apparatuses, but also by others in all sorts of places, especially in media.

The critics claim to be independent and impartial, above party, politics or classes; even more than 'law and order' they speak in the name of 'the nation', 'the unity and integrity of India'. It has become customary for them to refer to democratic rights organizations, with ill-concealed hostility and unease as 'a nuisance', 'the self styled do-gooders', 'so-called defenders of civil liberties' and so on. At other times they are portrayed, attacked or dismissed, as 'front-organisations' -- for 'anti-national' forces, 'terrorists' or 'secessionists' etc.⁴³

Not only this, it is quite common for the agents of the state to question the credentials of the civil liberties organization's protest against state violence or state

43. Randhir Singh, 'Terrorism, State Terrorism and Democratic Rights', in Mainstream, Vol XXX, No. 14, January 25, 1992, p. 29.

terrorism and charge them with 'keeping silent' over terrorism of 'the terrorists'. As an answer to the allegations by the critics or the agents of state, V.M. Tarkunde, a leading civil rights activist has made it very clear in 'Report on Kashmir' that, "Human Rights organizations have always been opposed to militancy and terrorism. Nobody can tolerate the killing of innocent persons by militants in Kashmir. But while dealing firmly with militancy, the Government must always be human and considerate towards the people and must follow a policy which will win them away from the extremist elements. The lawlessness of the extremists cannot be eliminated, at least in a democratic society, by Government which itself becomes lawless",⁴⁴ thus providing the *raison d'etre* for the presence of and activities undertaken by the democratic rights organisations.

Also, in a law-based state like India, there exists an elaborate code, an entire ensemble of laws, procedures, institutions and enforcing agencies to deal with private violence or lawlessness, there is nothing comparable, no genuine checks or controls, to take care of peaceful or violent lawlessness of the state, which is potentially and often is in actual practice, the most powerful violator of democratic rights in society. Therefore, it is in this

44. Ibid., no. 11, in 'the Foreward'.

absence in our system of credible institutional safeguards against the illegal acts and violence committed or backed by the state and its functionaries that, more than anything else, makes the presence of the democratic rights organizations necessary. The reason for their presence is in the paramount need to protect the people's rights against their violations by the state or with its backing in one form or the other.⁴⁵

Therefore, the findings of this chapter reveal all that I have been arguing so far -- the ruthlessly repressive nature of the Indian state with an anti-people bias and the policies followed by and decisions taken by it deliberately, exposes the interests of the state. The examples of Kashmir and Delhi Riots are sufficient to reveal the nature of the Indian States and kind of violence perpetrated by it on the people to conceal its own weaknesses and shortcomings, its inability to deal in an adequate and responsive manner with the growing cleavages in the structure of the Indian social fabric, which in the first place had been engendered by the same state and its functionaries.

45. Ibid., no. 44, p. 41.

CHAPTER - IV

VIOLENCE, POLITICS AND MODERNIZATION: A CIVILIZATIONAL ALTERNATIVE

The entire discussion regarding violence in the contemporary states and specially in the context of India, as examined in the earlier chapters leads to a complete disillusionment of the people towards modern civilization. It raises the possibility of an urge to escape this violence and create a sane society, that is, to examine divergent alternative possibilities for the regeneration of the society. It is in this context that one is compelled to examine the two alternative perceptions of civilization provided: the Gandhain vision of Ram Rajya and the Marxian vision of a Communist society.

Therefore, when one studies violence, it becomes necessary to see it as an inevitable product of the project of modernity that the nation-state undertakes in the modern civilization. As a result, it would not be wrong to argue that, more often than not, the state seeks to justify its violence in terms of the project of modernity -- 'development', 'modern science' 'integrity', 'progress', 'growth-rate' and the related processes going on in the present nation state.

The grim picture of modern society put forward by Dorothy Sayers is very alarming but very true and cannot be refuted. According to her :

"That the Inferno is a picture of human society in a state of sin and corruption, every body will readily agree. And since we are today fairly well convinced that society is in a bad way and not necessarily evolving in the direction of perfectibility, we find it easy enough to recognize the various stages by which the deep of corruption is reached. Futility, lack of living faith; the drift into loose morality; greedy consumption; financial irresponsibility and uncontrolled bad temper; a self opinionated and obstinate individualism, violence, sterility, and lack of reverence for life and property including one's own; the exploitation of sex, the commercialising of religion, the pandering to superstition and the conditioning of people's minds by mass-hysteria and 'spell-binding' of all kinds, venality and string - pulling in public affairs, hypocrisy, dishonesty in material things, intellectual dishonesty, the foementing of discord (Class against class, nation against nation) for what one can get out of it, the falsification and destruction of all the means of communication; the exploitation of the lowest and stupidest mass-emotions; treachery even to the fundamentals of kinship, country, the

chosen friend, and the sworn allegiance : these are all too recognizable stages that lead to the cold death of society and the extinguishing of all civilized relations".¹

As against the 'cold death of society and the extinguishing of all civilized relations'. But it is the vision of a life-affirming saner society, the possibility of new ethics apart from the 'rationality' of modern state which in conjunction with the 'modern scientific ethos' and the process of 'development' unleashed by the modern man has built a 'system of production' that ravishes nature and a type of society that mutilates the self affirming, life-sustaining image of man. It is the vision of an utopia, which had been crushed under the, "too atomistic a view of both the individual and the state, too homogeneous a conception of social and cultural reality, and too grounded in the competitive efforts of bourgeois capitalism,² , and the world-view of modern science and technology which has provided a 'legitimate' model of organized violence and dominance, has to be determinedly set aside, and go beyond it. The transcendence of which would than give rise to the

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1. Dorothy Sayers, 'Introductory Papers On Dante', London, 1954, P. 114, in A Guide For the Perplexed, by E.F. Schumacher, Harper Colophon edition. 1978, P. 137.
 2. Rajni Kothari, State Against Democracy - In Search of Humane Governance, Ajanta Publication Delhi, 1988, P. iv.

possibility of a saner relationship between state and society, between society and the individual within new political ethics -- the project of 'humane world' governed by the knowledge and sentiments of a shared humanity.

The Nature of Statist Politics of Modernization

The post-enlightenment and post -renaissance was the period of growth in scientific knowledge with a simultaneous use for colonization of the world by the West. Dictated by the compulsions of the process of progress and development and an inherent lurch towards 'Modernization' which entailed in its wake the logic of 'economism' based on the 'great leaps forwards' made by modern science and its application to technology, generated and thrust upon the unsuspecting masses the homogenising tendencies were let loose by it. The nature of the modern science by the very logic of its internal dynamics is a partial image of reality, the elements of which have been abstracted to such an extent, as required by the 'experiments' to create 'scientific facts' to arrive at an 'objective knowledge' which is passed off as the final and only reality, 'the scientific truth', devoid of all historicity and uniqueness of an event. Rather, in the process of arriving at the 'truth', modern science channelises all the knowledge, (skeptically selecting through the principle of elimination of the unde-

sired) towards itself and gives it a label of 'scientific knowledge', now applicable everywhere, thus secularising it. In the whole process, appropriating to itself as the only reservoir of knowledge, and therefore, 'truth' in the modern world, exhibiting centralising tendencies, which in its wake razes to almost extinction of alternative systems of knowledge, of truth and set of ideas and values. The only valid knowledge is the knowledge propagated by modern science, the only valid truth is the truth arrived at by experimentation, the only valid set of ideas and values are the ones nurtured by the modern state under the influence scientific temper.

It is under the shadow of such a 'knowledge' perpetuated by modern science aligned with the principles of 'economism', that the project of 'development' is undertaken by the modern state in the latter half of the twentieth century to achieve the much sought after aim of 'Modernization' as put forward by its adherents and pioneers in the West. It is the lure of unhindered power, which has its grounding in the immoral vision of legitimising its ever-increasing permeation into the crevices of the civil society by the state. This is then justified by the project of modernity undertaken by the state, with the help of process of development in various fields under the watchful eye of modern science, the conspicuous, technology has become gradually the official goal of the states. Thus, the science

and the state mutually reinforcing themselves and justifying each others excesses under the guise of propaganda unleashed had by them -- Modernization.

This process of modernization in its turn would then entail another feature which is as suicidal for the society and its constituents, as its alignment with modern science; it is the marriage between state and 'economics'. It is in 'economics' that the development of production and acquisition of wealth become the highest goals of the modern state and its constituents; which then leads it into a never-ending vicious circle of power of money, of modern science, development and modernization, who in turn combinedly and as separate entities impinge upon the society and its constituents-the mass of humanity. Therefore, this mix-up of human progress, with development, of development with modernization, and further the state being increasingly married to the ethos of economism (with local economies having got increasingly integrated globally), governance has become possessed by thinking of 'profitability' and 'market efficiency' as the sole criteria for organising society. This grounding of politics in the market is essentially immoral, since it implies the destruction of nature and culture, generating ecological and ethnic tensions as a result of people being reduced to the status of victims by

the process of homogenization and victimization based on an effort to create a homogeneous world.³

This project of modernity undertaken by the state based on science and the consequent development constitutes the main threat to the nature of politics pursued by it towards the people living in the so-called 'developing nations' or 'the Third World' who were if not unaware of the possibilities of the process of modernization were at least indifferent to it. Such a proposition, being unheard of by the states of these societies, who had taken upon themselves as the harbingers of the state-sponsored development, and 'liberators' of the people from the clutches of the traditional world, now armed with legal support, stepped in to enforce 'the development'. The people, it was universally acknowledged in the knowledgable circles, would be 'forced to be free', particularly when they were unable to recognize for themselves the 'benefits of development'. Thus, the intimate connection between development and modern science was underwritten by the modern state. The state's commitment to modernization stemmed from its equal commitment to modern science, which seemed to it as an ideal choice since it remakes reality by recreating concepts and laws and produces new knowledge, a fresh interpretation of how things should

3. ibid, P. 1.

work, an adroit partner to champion it in its self-appointed role. It claims the right to modernize people and develop nature on the basis of a vision of progress set out according to blueprints supplied by modern scientific rationality, with people in the role of (passive, active as they like to be) participants of the ongoing process. In return, they are supposed to be privileged to consume the technological wonders that result from such a process of modernization, which would be, according to the state, an adequate compensation for the relinquishment of their rights to lead this 'own' lives.⁴

The modern Indian state is a very true copy of such trends. As explained in chapter-2 of this project, the nationalist leadership at the helm of affairs of the Indian state after it gained independence, gave a shape to it, dominated by the 'vision of human liberation through science', thereby inculcating a 'scientific temper' to overcome the shortcomings of a traditional heritage which was not in consonance with the progressing nature of Indian society based on scientific technology and the ethos of development, as envisaged by the new leaders, who had already been seduced by the glitter of the West and the so-

4. Claude Alvares, Science, Development and Violence -- the Revolt Against Modernity, Oxford Univ. Press, Delhi, 1992. P. 63.

called 'modernization' based on similar ethics. Consequently, modernization based on scientific technology, "gradually became the official goal of science in India, as well as the main source of legitimacy for science among the Indian middle classes... They expected this technology to allow the country to tackle its basic political and social problems ... it sought to be sold by the Indian elites as a cure-all for the ills of Indian society", such that, "In the 1950s and 60s, it was Atom for Peace, supposedly final solution of all energy problems of India; in the '60s and '70s it was the Green Revolution, reportedly the patented cure for food shortages in the country; in the '70s and '80s it was Operation Flood, the talisman for malnutrition through the easy availability of milk for every poor household in the country",⁵, furthering agriculture based on chemicals rather than on organic inputs, elaborating a nuclear energy programme etc.

In every instance the state has attempted to eliminate apparent low-efficiency processes, modes of knowledge and techniques, in the village, cottage or informal sectors, in favour of machines based on modern science and technology, eulogising its success in the increase of productivity as a measure of development and modernization,

5. Asish Nandy, Science, Hegemony and Violence - A Requiem for Modernity, Oxford Univ. Press, 1988, P.7-8.

trying to mask the violence inherent in such a process which either subsumes or altogether eliminates one set of ideas, people, realities, cultures and processes in favour of another, which by the very nature of its inception is violent in character.

The Project of Modernity and the Question of Violence

The violence inherent in the very nature of 'modernization', through its vehicle of modern science and technology, on which it is based, are fundamentally violent forms which generate a degree and intensity of violence hitherto unknown. Violence is part of modern science, its design and implementation in the form of anti-human weapon systems, anti-civilizational nuclear arsenals etc. What science creates are 'artificial facts', which are the basis of so-called 'truth' begetted by it, which is fragmented in nature by the very logic of the 'method of vivisection' with the help of which this truth had been arrived at.

Also, the 'logic of production', similar to the logic of scientific technology, is neither the logic of life, nor that of society. It is small subservient part of both. The destructive forces unleashed by it cannot be brought under control, unless the 'logic of production' itself is brought under control - so that destructive violent forces cease to be unleashed. "It is little use trying

to suppress terrorism if the production of deadly devices continues to be deemed a legitimate employment of man's creative powers. Nor can the fight against pollution be successful if the patterns of production and consumption continue to be of a scale, a complexity and a degree of violence which is becoming more and more apparent and do not fit the laws of universe, to which man is just as much subject as the rest of the creation. Equally, the chance of mitigating the rate of resource depletion or of bringing harmony into the relationship between those in possession of wealth and power and those without is non-existent as long as there is no idea anywhere of enough good and more-than-enough being of evil.⁶

This project of modernity as undertaken by the state as explained in the earlier section, is inextricably entwined with an ethos of violence, the extension and the reach of which can only lead to more extensive and intensive forms of violence. This can very well be gleaned from the specific industrialization model adopted by the ex-colonial societies and their governments which directs the major initiatives and policies in critical areas such as agriculture, energy and ecology in addition to the industrialization strategies, which are supposed to engender an ideology

ibid, no. 4, P. 276-277.

of development with its consequent fall outs in various areas is supposed to modernize them on the pattern of the West. Instead, this project of modernity engenders and legitimizes more violence - a serious threat to the human rights in our era.

In its essence, the violence perpetrated by the process of modernization takes away the right of the people to remain undeveloped, it insults their intellect, and potentiality to forge a living for themselves, it repudiates the diverse cultural achievements of earlier civilizations in a callous manner such that they are razed to nothingness and in their place come up the chrome-plated, glassed-in environs of a homogenized culture and a secularised image of society. Here, the exaltation of the strong over the weak, money over morals, cunning and selfishness over sublime and ethical, a celebration of the fragmented individual over the idealist, violence over the logic of peace, takes place. Thereby, denying the very possibility of a saner relationship between the state and society in the modern world.

The Possibility of Utopia : A Civilizational Alternative

It is in the hope of possibility of a saner society that social thinkers like Gandhi and Marx dared to dream of societies so far unrealized in the practical world. But nevertheless, presented an ideal to be approximated by the

societies, so as to allow maximum amount of freedom for human potentialities to develop to their fullest extent such that the people could undertake the task of social reconstruction devoid of all human exploitation and violence of the state as well as of the dominant minority representing it. Both argued for a stateless and classless society, the two features of politics of violence engendered by the capitalist ethos of the West.

Gandhi, put forward his theory of the State in the Indian context, which according to him should later be a lesson to be learnt by the rest of the world. Even though, ideally he preferred 'enlightened anarchy' under which socially responsible and morally disciplined people did not need any kind of governance, and therefore, no statal polity. But, since such an utopia was inherently unrealizable he approximated it to 'ordered anarchy' under which the citizens enjoyed maximum freedom consistent with the minimum necessary order.⁷ He thought that political, social and economic equality should be the basis of such a society, with extreme decentralization of political and economic authority, with non-violence as the basic over-arching principle guiding all the others. It is in such a society that the individual would be placed at a prominent centre of

7. Bhiku Parekh, Gandhi's Political Philosophy, MacMillan, 1989, P. 113.

society, such that in the regenerative capacities of such an environment he is able to regain and further develop his now lost morality, build up courage to face the world with the strength of his own convictions, autonomy and a sense of strong active power among its people capable of engendering a spirit of nationality transcending the narrow boundaries of ethnic, religious, regional and other such identities which foster divisive tendencies among people. To break the statist political culture, he advocated the fostering of strong, vibrant, autonomous and self-governing local communities.

For Gandhi, "the state did not exist independently of its citizens and was ultimately nothing more than a system of institutionalized 'cooperation' between its members. Its actions were not only made possible by 'their' own actions, but they as self-conscious moral agents, all were ultimately accountable for its activities".⁸ Such that, in the new polity consisting of small, cultured, thoroughly regenerated, well-organized and self determining village communities would engender a sense of social responsibility and the spirit of cooperation which would make them self-sufficient and render practically unnecessary a higher authority to govern them.

8. ibid, P. 116.

Beyond the relatively self-sufficient village communities, the polity would be organised in terms of 'expanding circles' of wider regions with congruent authority to govern them, each with considerable autonomy and a strong sense of community, the core of the society on the principles of which, matters would be discussed and settled amicably. Since, Gandhi was opposed to the very idea of direct elections, as they fostered divisive tendencies among the people, and abstracted the nature and content of the state from its people, he wanted power to be decentralized and well-up from below, thus favouring indirect elections. As Gandhi puts it :-

"In this structure composed of innumerable villages, there will be ever-widening, never-ascending circles. Life will not be a pyramid with the apex sustained by the bottom. But it will be an oceanic circle whose centre will be the individuals.... Therefore the outermost circumference will not wield power to crush the inner circle, but will give strength to all within and derive its own strength from it".⁹

The sphere of State action would be methodically reduced and authority would come to be handed over to voluntary associations gradually rendering the functions of a

9. M.K. Gandhi, Hindu, 28th July 1946, in *ibid*, P. 115.

vast bureaucracy defunct. He visualised the unnecessary of the presence of police and the army, the two coercive apparatuses of the State machinery, since crime would be minimal in such a society where all the basic needs of an individual would be fulfilled and each were in face-to-face relationship with the another. He relied on public opinion to work as a moral force if an infringement of community's norms did take place. Also, everybody would be trained in the method of non-violent Satyagraha to inculcate in them the strong force of ethos of non-violence and passive resistance to any injustice.

Therefore, Gandhi envisaged a federally-constituted polity based on self-governing local communities in a society full of regenerative power to engender the possibility, or rather the certainty of a saner society-state relationship based on new social and political ethics.

For Marx too, a 'Stateless-Communitistic' society was the ideal. He wrote, "Communism is the positive abolition of private property, of human self alienation, and thus the real appropriation of human nature, through and for man. It is therefore the return of man himself as a social, that is, really human being ; a complete and conscious return

which assimilates all the wealth of previous development".¹⁰ This would mean the ascendance of 'anarchy' i.e. the society would be characterized by the absence of government, since the State, the ultimate source of coercion and exploitation would have disappeared, such that society would then be a vast association for production, wherein all work would be performed voluntarily by everyone. According to Engles, there would be 'administration of things' rather than 'government of persons' which would not be special functions of a special class, instead of the whole community. This would render distinctions based on class unnecessary and invalid -- a fundamental reason for the disappearance of the State. Since there would be no classes, there would be no class antagonism, and the violence associated with it too will disappear. "In the Communist Society there will be no landowners, no capitalists, no wage workers; there will be simply human beings, comrades. There will be no classes, no class war, no class organizations".¹¹

Therefore, the communistic society would no longer have basis for the continuance of 'division of labour' which

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10. Karl Marx, 'Economic and Philosophical Manuscripts' (Third Manuscript), in The Dictionary of Marxist-Thought, by Tom Bottomore (ed), Oxford Univ. Press, Delhi, 1983.
 11. Bukharin and Preobraschensky, 'ABC of Communism', Progress Publishers, Moscow, P. 59, in Marxian Theory of the State, by Sherman M. Chang, Anupama Publishers, Delhi, 1987, P. 134.

was the source of exploitation of the dominated, by the bourgeoisie. This would further engender an all round development of human faculties, such that there would no longer be any distinction between manual and intellectual labour, and each will be respected and given his due in the society. Another fallout as a result of abolition of division of labour, would be the disappearance of distinction between 'town' and 'country', since this distinction is the first great division of labour, and inheres in itself the superiority of one over the other, such that the relay of exploitative mechanism followed the logic of ravishment of countryside by the townships, without supplying in return any regenerative potentials. This would now be stopped and the process reversed, till the two regions are completely amalgamated.

The coming of Communist society marks an era of abundance of all things required, poverty and scarcity would be unknown. This is so, since division of society into classes was based upon the principle of scarcity of desired goods, thus, the abolition of classes now presupposes the age of abundance. According to Bukharin and Preobraschensky, this possibility will be realized in the new society for three reasons, "First, a great mass of human energy will be set free which was formerly consumed in the class

struggle... .Second, the energy and wealth which were used up and destroyed in competition, crisis and wars, will be devoted to social purposes ... Third, organization not only prevents waste; it also makes possible the improvement of technical production...."¹² Therefore, as pointed by Marx -- 'from each according to this ability, to each according to his needs' can be realized.

It is here, that Marx's concept of 'human nature' being shaped by the dynamics of the environs in which it is, comes to full fruition, such that, it is in the Communist society, an ideal construct of Marx, there is a change in human nature, which makes the society under Communism durable and enduring. Hence, there will be no one in the new society like the present unthinking men, each will work according to his ability and take according to his needs. In other words, human nature is to be so radically transformed by the new environment that all conflicts will cease and harmony will preside over.

Whence, with an alternative vision for future society to be approximated, it becomes possible to go beyond the cycle of violence. In the vision of civilizational alternative provided by Marx and Gandhi, there would no longer be circumstances present which engender the phenomenon

12. ibid, P. 61.

of violence as present in the society of today. This would be so, because the ethos of competition and the deep-seated urge for avarice would be completely eliminated and replaced by cooperation.

But, the practical experiment of seven decades long of the approximation of Marx's utopia -- society based on the ideology of Communism -- has come to noughts, such that the post-modern civilization is at a loss, revealing a bankruptcy of hope, a loss of desire to dream once again, to take up the option of utopia provided by Gandhi. But, "it has to be realized that the guidance we need for this work cannot be found in science", or the project of modernity that the state undertakes, "the value of which utterly depends on the ends they serve, rather, it can still be found in the traditional wisdom of mankind".¹³ It is the optimism of hope that dispels the darkness of pessimism and lights the way for future.

13. E.F. Schumacher, Small is Beautiful, Radha Krishna, New Delhi, 1977, P. 279.

CONCLUSION

The proposition put forward in this project, of enquiring into the causes and consequences of the violence perpetuated by the Indian State on its people, is enquired into by sociologically reviewing select civil liberties reports, as mentioned earlier.

The first chapter has tried to demystify the 'legitimacy' appropriated by the state, of projecting itself as a representative of the entire society. The state had been able to do so due to its role in the society as an only organized body of power, to deal with the 'problem of order' in the society engendered by the distortions brought about in the 'human nature', since the advent of 'capitalist ethos' -- 'materialist view of man'. The inner compulsions of the modern civilization with such an ethos as delineated by Gandhi gave birth to the then abstracted modern man who is fragmented, indeterminate, fearful, suspicious, hostile because he is no longer supported by his social and cultural roots, long-established traditions and customs, which are being gradually but steadily destroyed by the onslaught of modern civilization. In understanding Gramsci's notion of 'hegemony' have come to the aid of exposing the deliberate class-bias character of the state, such that the state, in order to protect the 'order', in reality protects the interests of the dominant class. As a result, the violence

perpetuated by the state is primarily against the oppressed and the marginalized.

The second chapter deals with the nature of the Indian State, in which the growing cleavages between the state and the society at various levels, examined in detail earlier, reveals the class character of the Indian state right from its inception after independence, the fact which had been successfully kept under control during Nehru's stewardship of the country due to the Ideal construction of the Indian state as -- democratic, socialist, welfare and secular. But, with the advent of Smt. Indira Gandhi on the political stage of Indian nation, the cleavages present in the society were brought to fore sharply which in their turn served the short-sighted, limited purposes of politics of populism engendered during her era. This led to the undermining of the democratic nature of political process of the Nehru era, the crisis of institutions -- dilemma of their commitment and related processes of the Indian polity and society. Even the objective reality presented by the Indian society could not deny the legitimacy of the growing disillusionment with the state and its functioning. The responses of the Indian state in the face of the discontentment and resentment exhibited by its citizens led to politics of farcical compromise and a further strengthening of its coercive repressive machinery.

In the third chapter, the ruthlessly repressive, anti-people nature of the Indian state is illustrated by the two long-standing problematic issues -- the Kashmir problem and the Delhi riots of 1984 (with its historicity in the origin of the Punjab problem). This has been examined in detail with the help of six civil liberties reports, the authenticity of which cannot be denied, because there is no alternative source of information besides these, except the highly doctored information handed out by the representatives of the state in these regions. And, also due to the composition of these organizations which span a wide section of responsible people of the Indian society, whose sincerity towards the masses cannot be denied. Even through these reports have been vociferously denounced by the state and its agents, the presence of these organizations have become a necessity in the Indian realm, due to the unresponsive and indifferent nature of the Indian state towards its people and the lawful protection of their lives and properties in the trouble-torn states exhibiting secessionist tendencies due to the existence of terrorist menace. Thus, revealing the violence in contemporary India.

Finally, in the fourth chapter, there is an effort to repudiate the justification sought after by the state of its violence, in terms of its project of modernity. It is an examination of the possibility of a saner society with an alternative perception of civilization : the Gandhian vision of Ram Rajya and the Marxian vision of a Communist society,

to escape the violence in the modern civilization as illustrated in the earlier chapters in the context of state-society relationship in India.

Therefore, one has to try and recognize in one's own society certain trends which exhibit transformative potentials to ameliorate the exploited condition of existence and a repressed and hurt psyche of its people, so as to work towards an alternative vision of society, a possibility of approximation of the utopia, and hence a saner society.

In the Indian context, the last two decades have seen an upsurge of grassroot action groups, which have been operating among the rural and urban poor, scheduled castes and scheduled tribes, dalits, bonded labourers, women and other weaker sections of society. Their activities range from disaster relief through self-reliant development to conscientisation for structural transformation. These groups even take up issues like alcoholism, ecological degradation and cruelty against animals. Altogether, these signify the emergence of new initiatives on the part of the sensitized people, a new sensibility for concrete social transformation in localised settings.¹ These grassroots action groups can be looked upon as harbingers of silent social revolution, with the inherent potential for becoming an alternative to

1. S.L. Sharma, 'Social Action Groups as Harbingers of Silent Revolution', in Economic and Political Weekly, Vol. XXVII, No. 47, November, 21, 1992, p. 2557.

the violent state in the modern civilization, a hope for future.

The project of an alternative to the present state can be explored and examined in detail at the level of Doctor of Philosophy studies, the reasons for which have been provided by this project undertaken at the level of Master of Philosophy.

SELECT BIBLIOGRAPHY

- Akbar, M.J., India: The Siege Within, Penguin Books, Middlesex, England, 1985.
- Akbar, M.J., Kashmir: Behind the Vale, Viking, Penguin, Books India Pvt. Ltd., New Delhi, 1991.
- Alvares, C., Science, Development and Violence - The Revolt Against Modernity, Oxford University Press, Delhi, 1992.
- Afanasyev, V.G., Marxist Philosophy, Progress Publishers, Moscow, 1980.
- Bottomore, T., (ed.), A Dictionary of Marxist Thought, Oxford University Press, Delhi, 1983.
- Basu, S., Politics of Violence, Minerva Associates Pvt., Ltd., Calcutta, 1982.
- Brass, P.R., Ethnicity and Nationalism: Theory and Comparison, Sage Publications, New Delhi, 1991.
- Bazaz, P.N., Democracy Through Intimidation and Terror: The Untold Story of Kashmir Politics, Heritage Publishers, New Delhi, 1978.
- Collectti, L., (ed.), Early Writings of Karl Marx, London, 1975.
- Chaitanya, K., 'Social Justice, Bihar Style', in: Economic and Political Weekly, Vol. XXVI, No. 46, November 16, 1991, p. 2612.
- Chang, S.H., Marxian Theory of the State, Anupama Publishers, Delhi, 1987.
- Desai, A.R., State and Society in India - Essays in Dissent, Popular Prakashan, Bombay, 1975.
- Datta, P.K., Politics of Region and Religion in India, Upp Publishing House, New Delhi, 1991.

- Gramsci, A., Selections From the Prison Notebooks, Lawrence and Wishart, London, 1971.
- Ghosh, S.K., Politics of Violence -Dawn of a Dangeuous Era, Ashish Publishing House, New Delhi, 1992.
- Ghosh, S.K., Social Order in India (1948-1988), Ashish Publishing House, New Delhi, 1990.
- Gill, S.S., "Punjab Crisis and the Political Process", in: Economic and Political Weekly, Vol.XXVII, No.5, Feburary 1, 1992, pp. 189-190.
- Gandhi, M.K., Hind Swaraj, Navjivan, Ahemdabad, 1932.
- Iyer, R., The Moral and Political Thought of Mahatama Gandhi, Oxford University Press, Delhi, 1978.
- Jessop, B., The Capitalist State, Martin Robertson & Co. Ltd., Oxford, 1982.
- Johari, J.C, Indian Government and Politics, Vishal Publica tions, Delhi, 1976.
- Kohli, A., (ed.), India's Democracy : An Analysis of Chang- ing State-Society Relatonships, Orient Long- man, Hyderabad, 1991.
- Kothari, R., State Against Domocracy: In Search of Humane Governmence, Ajanta Publications, Delhi, 1988.
- Kothari, R., "On Federalism - The Problem", in: Seminar, 357, May 1989, pp. 12-14.
- Kashyap, S.C., Jawaharlal Nehru and the Constitution, Metro- politan Book Co.Pvt. Ltd., New Delhi, 1982.
- Kaur, A., The Punjab Story, Roli Books, New Delhi, 1984.
- Misra, S.K., and Puri, V.K., Indian Economy, Himalay Pub- lishing House, Bombay, 1991.
- Marx, K., Theses on Feurbach, in: Collected Works Vol. 5, by Karl Marx and F. Engles, Progress Publish- ers, Moscow, 1976.

- Marx, K., Economic and Philosophical Manuscripts of 1844, Progress Publishers, Moscow, 1977.
- Mathur, J.S., and Sharma, P.C., (ed.), Non-Violence and Social Change, Navjivan Publishing House, Ahemdabad, 1977.
- Mullick, B.N., My Years with Nehru: Kashmir, Allied Publishers, Bombay, 1971.
- Manchanda, R., 'Press Council Report on Army in Kashmir', in: Economic and Political Weekly, Vol. XXV, No. 33, August 17, 1991, pp. 1899 - 1900.
- Navlakha, G., 'Bharat's Kashmir War', in: Economic and Political Weekly, Vol. XXVI, No.51, December 21, 1991., pp. 2951-62.
- Navlakha, G., 'Kashmir: India Turns Clock Back', in: Economic and Political Weekly, Vol. XXVIII, No.21, May 22, 1993., pp. 1017-62.
- Nehru, J. L., 'The Basic Approach', in : Remembering Jawaharlal Nehru Today, Mainstream Publication, New Delhi, November, 1989.
- Nayar, K., and Singh, K., Tragedy of Punjab-Operation Bluestar and After, Vision Books Pvt. Ltd., New Delhi, 1984.
- Nandy, A., (ed.), Science, Hegemony and Violence : A Requiem for Modernity, Oxford University Press, Delhi, 1988.
- Nigam, A., 'Mandal Commission and the Left', in : Economic and Political Weekly, Vol. XXV, Nos. 48 and 49, December 1-8, 1990., pp.2652-3.
- Parekh, B., Gandhi's Political Philosophy - A Critical Examination, MacMillan Press, Houndmills, 1989.
- Parekh, B., Colonialism, Tradition and Reform - An Analysis of Gandhi's Political Discourse, Sage Publications, New Delhi, 1989.

- Prasad, P. H., 'Economic Roots of Political Struggle in Independent India', in : Economic and Political Weekly, Vol. XXVI, No.5, February 2, 1991, pp. 225-228.
- Pandey, G., 'Communalism Beyond Political Parties', in : Economic and Political Weekly, Vol. XXVII, Nos. 49 and 50, December 5-12, 1992, pp.2627-8.
- Prasad, N., Hind Swaraj - A Fresh Look, Gandhi Peace Foundation, New Delhi, 1985.
- Radhakrishnan, P., 'Land Reforms : Rhetoric and Reality', in : Economic and Political Weekly, Vol. XXV, No. 47, November 24, 1990, pp. 2617-2621.
- Rajagopalan, S., 'Examining Rural Development', in : Economic and Political Weekly, Vol. XXVII, Nos. 10 and 11, March 7-14, 1992, pp.523-24.
- Raina, D. N., Unhappy Kashmir - The Hidden Story, Eskay Printers, Reliance Publications, 1990.
- Ray, A., 'The Sarkaria Commission's Perspective - An Appraisal', in : Economic and Political Weekly, Vol. XXIV, No.21, May 28, 1989, pp 1131-33.
- Rudolph, L. I., and Rudolph, S. H., In Pursuit of Lakshmi : The Political Economy of the Indian State, Orient Longman, Hyderabad, 1987.
- Singh, R., 'Terrorism, State Terrorism and Democratic Rights', in : Mainstream, Vol. XXX, No. 14, January 25, 1992, pp.29-46.
- Sharma, S. L., 'Social Action Groups as Harbingers of Silent Revolution', in : Economic and Political Weekly, Vol. XXVII, No. 47, November 21, 1992, pp. 2557-2561.
- Shah, G., 'Social Backwardness and Politics of Reservations', in : Economic and Political Weekly, Vol. XXVI, Nos. 11 and 12, March 1991, pp. 601-610.

- Singh, M. P., 'The Sarkaria Reciepe', in : Seminar, 357, May 1989, pp.15-18.
- 'Souza, V. D., 'Economy, Caste, Religion and Population Distribution : An Analysis of Communal Tension in Punjab', in : Economic and Political Weekly, Vol. XVII, No. 9, May 8, 1982.
- Schumacher, E. F., A Guide for the Preplexed, Harper Colophon Edition, New Delhi, 1978.
- Schumacher, E. F., Small is Beautiful, Radha Krishna, New Delhi, 1977.
- Thakur, J., Indira Gandhi and Her Power Game, Vikas Publishing House, New Delhi, 1979.

REPORTS

India's Kashmir War, (March, 1990), Committee for Initiative on Kashmir, Kalpana Printing House, New Delhi.

Report on Kashmir, (1990), People's Union for Civil Liberties; People's Union for Democratic Rights; Citizens for Democracy ; and Manav Ekta Abhiyan; in : Radical Humanist, Vol.54, No.2, May 1990, pp.29-37.

Kashmir : A Land Ruled By The Gun, (December, 1991), Committee for Initiative on Kashmir, Kalpana Printing House, New Delhi.

Who Are The Guilty?, (November, 1984), Report of a Joint Inquiry into the Causes and Impact of the Riots in Delhi from 31st October to 10th November, by People's Union for Civil Liberties; and People's Union for Democratic Rights, Sunny Graphics, Delhi.

Justice Denied, (April, 1987), A Critique of the Mishra Commission Report on the Riots in November 1984, by People's Union for Civil Liberties; and People's Union for Democratic Rights, Sunny Graphics, Delhi.

1984 Carnage in Delhi, (November, 1992), A Report on the Aftermath, by People's Union for Democratic Rights, Classic Offset Press, Delhi.

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