

Manthan

MONTHLY JOURNAL OF DEENDAYAL RESEARCH INSTITUTE, NEW DELHI

Vol. IX

No. 11

November, 1988

निर्मन्वचवमतन्द्रिताः (श्रीमद्भागवत 8-6-23)

Churn on diligently

Today, a large cross section of industries depends on Citurgia quality

Besides the traditional usage of citric acid in food, soft drinks, confectionery and drugs, today the uses of citric acid extend to new areas:


* In the textile printing and dyeing industry, it provides 'STABLE pH' conditions for polyester and nylon. As also for Acrylic prints curing and cotton-resist printing. Citric acid has successfully replaced imported tartaric acid because of its excellent quality, low costs and easy availability. Also, it is a very safe acid compared to other organic and inorganic acid salts.

* Citric acid prevents flavour deterioration, rancidity and discoloration in edible oils.

* It imparts an acidic taste to dry powdered drinks.

* It is also used as a descaling solution.

Citurgia Biochemicals Ltd., is the largest producer of high quality citric acid in India. Besides catering to the domestic demand, Citurgia's citric acid is exported to USA, Japan, Germany, Australia, Iran, Malaysia, Sri Lanka and other countries.

 **Citurgia**

CITURGIA BIOCHEMICALS LIMITED

Regd. Off: Neville House, J. N. Heredia Marg, Ballard Estate, Bombay 400 038
Tel: 268071, Gmc: CITURGIA BOMBAY, TLX: 11-2572 BDM IN

CONTENTS

	Page
1. Proceedings of the Inaugural Session	9
2. " " Session-I	11
3. " " Session-II	14
4. " " Session-III	26
5. " " Session-IV	36
6. Epilogue—Sailendra Nath Ghosh	51

Chairman

Nanaji Deshmukh

Editor & Publisher

K.R. Malkani

Deendayal Research Institute

7-E, Swami Ramtirath Nagar, Rani Jhansi Road NEW DELHI-110 055
Phones : 526735, 526792

Subscription Rates

Life Member	: Rs. 1,000
Annual	: Rs. 50
Single Copy	: Rs. 5
Foreign (Air)	: £ 15 or \$ 25
(Sea)	: £ 6 or \$ 15

ॐ

In our previous (October) issue, we published the papers presented at the Nagpur seminar on the Indian Political System. In this issue we are publishing the proceedings verbatim. These will show the wide range of questions discussed in the seminar.

In the end, we are presenting an Epilogue by Shri Sailendra Nath Ghosh, which seeks to add certain new dimensions to the issues raised in the seminar. In the light of the perspective which the Epilogue seeks to give, it may be possible to reconcile many of the conflicting viewpoints.

Our readers in general, and the participants in the Nagpur seminar in particular, are requested to send their comments in the interest of deepening our understanding on the subject.

'K.M.'

*Deendayal Research Institute
invites you to become a
Life Member*

*of
DRI
on payment of Rs. 1,000 only*

*7E, Swami Ramtirath Nagar,
Rani Jhansi Road,
NEW DELHI-55*

Deendayal Research Institute Offers You Its Choicest English Publications . . .

- | | |
|---|--------|
| 1. Pandit Deendayal Upadhyaya : Profile
(by Shri Guruji, Nanaji and others) | Rs. 40 |
| 2. Destination : (being impressions of Deendayalji
by J.P., Morarjibhai, Balasaheb and others) | Rs. 20 |
| 3. Gandhi, Lohia & Deendayal : A Comparison | Rs. 20 |
| 4. 'Manthan Special' on Rural Reconstruction | Rs. 50 |
- Friends ordering copies of ALL THE FOUR BOOKS can have them for a total price of All Prices are inclusive of postage charges. Order your copies today with payment by Draft or Money order :

Deendayal Research Institute, 7E, Swami Ramtirath Nagar,
Rani Jhansi Road, NEW DELHI-110055

DRI Seminar On Indian Political System, Nagpur

24TH APRIL, 1988

PROCEEDINGS

INAUGURAL SESSION

Dr. S. V. Bhalerao—I welcome you all to this Seminar. I am glad that a fairly good number of scholars, lawyers, social workers, and journalists have assembled here to discuss an alternative to the present political system which has failed to solve our problems. We are fortunate to have Nanaji Deshmukh to conduct the Seminar and our new Vice-Chancellor, Dr. Bokare, to inaugurate it. I now request Dr. Bokare to inaugurate the Seminar.

Dr. Bokare—(After lighting a lamp and garlanding the portrait of the Late Shri Deendayal Upadhyaya.)

I am thankful to the organisers for inviting me to inaugurate this Seminar. I look at the subject of this Seminar from a phenomenological point of view. There is lot of dissatisfaction about our present political system. In fact, such dissatisfaction is not confined to India. Even in capitalist and communist countries there is growing dissatisfaction with their systems. That is why many thinkers are now proposing a new system of partyless democracy. Whatever we propose, we must find evidence of it in real life and our argument should be based on sound logic. We should also try to evolve a system that would be valid for the whole world in general and for India in particular. With these words I declare the Seminar open.

Nanaji Deshmukh (Chairman) : The present political system has miserably failed to solve our problems. It failed because it does not have an appropriate conceptual foundation. Those who operate it are guided more by a thirst for power than by any ideology. To prove oneself a patriot, others are accused as traitors. All this must change. Unfortunately, those who want change tend to look to the U. S. presidential system as the alternative. Copying others would not do. Lala Lajpat Rai had said long ago that no foreign constitution would serve our purpose. We have to think out anew and evolve an appropriate political system. This is the purpose of this seminar. Prof. Kashikar has prepared a theme-paper for this seminar and it has been already sent to you. However, I would request him to highlight the main points of his paper to facilitate our discussion.

Prof. Kashikar : About 40 years of the working of the parliamentary system shows that it has failed to solve our problems. One reason for its failure is that we did not have adequate training in operating it and that we failed to imbibe its spirit and respect its conventions. But it failed mainly because it is totally out of tune with the Indian ethos.

It is, therefore, necessary to explore an alternative system that would be in keeping with the Indian ethos, Indian culture and Indian conditions. It will have to be basically indigenous though there should be no hesitation to graft on to it worthwhile features of other systems. In my paper I have drawn a framework of such a system.

My first proposition is that secularism is completely out of tune with the Indian religiosity. We should, instead, declare India a 'Dharmarajya'. Dharma is not religion. It has no equivalent word in English. It is the supreme code of conduct based on ethico-judicial concepts common to all religions. It aims at the highest and all-sided bliss of all. It is dynamic and not static. It should represent a grand national reconciliation of all religions in India. It will establish moral check on state power and make politics value-based.

Respect for charismatic leadership is an abiding feature of the Indian psyche. It can, however, be constructively utilised. Our ancient kings were looked upon not as rulers but as guardians of the people. We should, therefore, have a system of guardians elected directly by the people at all levels—national, provincial and local. The concept of Dharmarajya, whose ground-rules the people are quite familiar with, will prompt people to elect only true public-spirited leaders possessing great qualities of head and heart.

We should have legislatures based on professional representation. This will give representation to all major interest groups. It will have the added advantage of eventually transforming the die-hard caste-system into profession-based social order.

Decentralisation of political and economic functions is the hallmark of truly Indian polity. States should be smaller in size and should be called pradesh for provinces. They as well as the local bodies should be autonomous with adequate political and financial powers.

Last but not the least, party system is alien to the Indian ethos. Moreover, parties take lopsided view of the day's problems and mostly put party interest above national interest. We should therefore have partyless democracy. Instead of parties, genuine popular movements and associations will educate and activate people and throw up selfless leadership.

SESSION-I

Chairman : I now request Dr. Bokare to present his paper.

Dr. Bokare : We are discussing an alternative political system because we are dissatisfied with the working of the present one. The crux of the problem is the working of political parties. They are at the root of all our ills. The parliamentary form based on party system will not achieve harmony in democracy. We should therefore have a party-less democracy, which is the best possible alternative. It will emerge. This can be said in positive terms.

The question is about the concept of Dharma. Will it be acceptable to all people? According to me, Dharma is law of Nature. In other words, the rule of Dharma will be a law-bound rule. As such it would be acceptable. But we have to see if we can make a positive statement about it.

Prof. P.J. Jagirdar : I have given my views in detail in my paper. Here I shall confine myself to only a few important observations. Prof. Kashikar seems to consider the ancient Indian political thought and institutions alone to be truly Indian. But during the medieval period, Islam and Muslim rule had an impact on our thought and institutions. Subsequently, there has been impact of the western thinkers and the British rule also. All these need to be taken into consideration.

My second point is, instead of first finding out what the ancient thoughts and institution were and then sorting out which of them are still prevalent, why not straightaway find out the present Indian political thinking and institutions through the questionnaire method? It is a scientific method in social science investigations.

I agree with Prof. Kashikar that our decision-making should be based on consensus and not on majority rule. However, I differ from him on universal franchise. The poor and illiterate people do not know the value of their votes. It is, therefore, exploited by the politicians. This is the root cause of many of our ills and the degradation of our political system. I, therefore, propose that there should be no right to vote for those who are below the poverty line.

Lastly, the difference between pre-industrial and post-industrial revolution cultures is more vital than that between Indian and Western cultures. India today is passing through a transitional period. We should, therefore, find out the elements of its present culture through the ques-

tionnaire method and then determine which political system would suit us.

N.R. Varhadpande : We have adopted the principle of secularism as a vital feature of our Constitution. But, in my opinion, we have not at all given it any trial. There is hypocrisy all around. We have deliberately given wrong meanings to various terms. Secularism, for us, has come to mean anti-Hinduism. That is why there are assaults on Hinduism while other religious groups are pampered.

It is a myth that different religions can have common principles. They do not have any meeting points. According to Christianity, Christ is the son of God and New Testament is the only standard scripture. Not only those who do not have faith in them but also those who have faith in them as well as in some other seers and principles which are not recognised by the Bible, are heathens and they go to hell. The same is the case with Islam which recognises Muhammad as the final prophet and Quran as the scripture which is to rank above all others. It is therefore not possible to find common ground for all religions.

Secularism is rational scientific thinking and only the constitution based on such thinking is secular. The land of India is most congenial for such secularism but we have not at all observed secularism in its true sense. We have classified majority and minority on the basis of religion and this has landed us into total mess.

It is true that the Indian people are enamoured of charismatic leadership. But it is not proper to encourage it for that reason, as Prof. Kashikar proposes in his paper. He has suggested creation of Acharyakula consisting of knowledgeable and experienced persons to put a check on the power of the elected leaders. But such a provision already exists in our Constitution in the form of nominated members of the Rajya Sabha.

I, therefore, propose that the state should not recognise any religion or take any decision on religious considerations. No religious conversion for reasons other than spiritual should be allowed. Decision-making in the state should be guided solely by rational and scientific thinking.

R.K. Patil : We have accepted the parliamentary form of government after deep consideration. It is therefore a moot point whether our present-day problems are due to any defects in the constitution or due to the people who operate it. I feel it is the people who are at fault and not the constitution.

The need of the day, therefore, is the constructive work like the one Nanaji is doing in Gonda District.

It is said that we should have a political system based on the Indian way of life. But what is the Indian way of life? Prof. Kashikar has not made it clear in his paper.

I do not see any alternative to the present Constitution. It contains all principles that are dear to us.

Chairman : All the papers that were listed for this session have been presented. The subject is now open for discussion.

Prof. S.S. Pandharipande : The concept of Dharma-rajya, in its constitutional context, is not a religious concept. It is a moral concept. If so, why not base the constitution on moral considerations rather than on religious considerations. The concept of ethical state would be more appropriate. For that we will have to determine the ethical parameters of the state : its political and economic contents. Mere historicity will not do. It is not an Indian concept.

We will also have to ensure people's participation in government. The present system does not do so. The constitution should have some built in provision to make people's participation inevitable.

G.T. Parande : The preamble, directive principles, etc. contain something more than what the concept of Indian culture tells us. Liberty, equality, fraternity ultimately lead to unity. The question of constitution should be viewed in the total perspective of our national movement, constitutional requirements and planning needs. The inner content is more important than the outward robes.

Principal P.S. Kane : The constitution of a country is the propeller of its political system. It must suit the genius of the people. However, the criterion of a good constitution will not be the same in all times. The criteria of 50 years ago are no longer valid. It is in this context that the concept of Indian system needs to be studied. The changes we propose must be clearly defined. At the same time, some of the Western concepts have now become part and parcel of our life and so they cannot be discarded. Take the concept of secularism. It was not there in the original Constitution. It was added in 1976. But the term is interpreted so differently by different people that its true meaning often eludes us. Truly speaking, the Indian concept of Dharma includes secularism. Secularism is thus not against Indian outlook.

Another term is socialism. According to Laski, there should be sufficiency for all before there is superfluity for a few. This is the basic aspect of socialism and that also is in conformity with the Indian outlook.

A point has been made that the poor people should not be given the right to vote. But this is not possible. It will lead to the neglect of the interest of the poor by the rulers.

SESSION-II

Chairman : Before we take up papers of the second session, I would request Prof. Kashikar to briefly analyse the points that were raised in the first session.

Prof. Kashikar : The first session was devoted to general discussion. My observations on the various points raised in the papers are already included in the folder supplied to the participants. I shall, therefore, confine my remarks only to the main points raised during the session.

Dr. Bokare has raised the point whether Dharma means Law of Nature. In my opinion the concept of Dharma is so broad that it includes not only the law of Nature but also the law of reason and even the Divine Law. In fact they all meet at the highest level.

Not only this. I agree with Principal Kane that the concept of Dharma includes secularism also. Shri Varadpande has defined secularism as thinking according to law of reason. In that sense the concept of Dharma includes secularism. In my opinion separation of politics from religion in negative secularism, equal regard for all religions is sitting on the fence, while recognition of the essence of all religions is positive secularism.

Prof. Jagirdar has raised some very important issues. In fact, of all the papers, his is the most critical of me. I liked his criticism though I have differences with his views.

He has said that my paper takes into account only the ancient Indian political thought and institutions and ignores the impact of Islam and Muslim rule on India. If that is the impression my paper gives, I am really sorry for it. But that is not my outlook. I want all influences to be considered, even the British. However, my reading of this point is that the concept of Dharmarajya did not die during the medieval period and even today it occupies a pride of place in the minds of the people. There was no basic change in the socio-economic organisation during the Muslim rule and even the political system, barring a few aspects, was not much different from the past one. The ancient village organisation was almost intact until after the advent of the British. This is my reading. However, if any other concrete points are made on this aspect, they would be welcome. Regarding the British influence, I have already incorporated the principles of liberty, equality, democracy, elections etc. in, my scheme.

Prof. Jagirdar has stressed the importance of questionnaire method. I am not opposed to it but I think for our purpose it is not necessary.

The questionnaire method can bring out immediate reactions of the people to current events but it is not of much use in assessing the dormant feelings of the people that can become active in appropriate circumstances or through proper efforts. A life-long student of the subject who has been studying, observing and analysing the social phenomena can do it much better.

As for divesting the poor man of his right to vote, I think it is neither possible nor necessary. The moral level of the poor man is often higher than that of the rich person. Collectively, he has voted in the past elections in a fairly responsible way, while the rich and the educated mostly remained apathetic. Above all, vote is the only tool in the hands of the poor to ensure some amelioration of their condition. Hence it should not be taken away.

Shri Varhadpande has said that secularism has not failed and that it has not been tried at all. Well, it may be so. That view also implies the need for review of the situation.

Shri Varhadpande has also said that there are no principles which are common to all religions. To this my answer is both yes and no.

Shri Varhadpande : Which are the common principles ?

Prof. Kashikar : There are many. For example, Truth.

Shri Varhadpande : No.

Prof. Kashikar : Brotherhood.

Shri Varhadpande : No for some Christians the principle is : "Liquidate those who do not believe in Christ." This is no brotherhood.

Chairman : Excuse me for intervention. I do not want to put any restrictions on expression of views. But I think we should not enter into running debates. Let us express our views only. We shall take note of them. The discussion is not ending here. We have to come to conclusions and all views will be weighed while doing so. While all kinds of points can be raised, we are not experts on everything, certainly not on all religions. Hence let us not enter into debate.

Prof. Kashikar : Here I would only like to draw your attention to the seminar on "Religion and Conflict" held in Bombay on 6th April, in which eminent personalities from all religions participated. They unanimously passed a resolution to say that religion can bring about

peace and harmony in the world and that India is called upon by history and tradition to provide leadership in fostering mutual understanding between followers of various religions and ideologies. (He reads out a newspaper cutting). This shows that there is scope of finding common ground.

Shri R.K. Patil says that what constitutes the Indian way of life is not very clear. I think in my paper I have enumerated all aspects of it so far as they relate to the question of the Indian political system.

Shri Patil also says that present deterioration is not due to the Constitution but due to the people who operate it. Here my question is: why has it been so? We started with good people. Even today there are good people in the society. Why are they pushed aside and why do the unscrupulous people occupy positions of power? This is the contribution of this system.

Prof. Jagirdar : Adult franchise is responsible for it.

Prof. Kashikar : I need not oppose every point of view.

I have given my view for your consideration.

Prof. Pandharipande has said "principles enunciated in the name of Dharma are ethical in nature, hence why should we not straightaway think on ethical lines instead of on religious lines?" Here I would like to ask. What is the basis of the present Constitution? It, too, is ethical. Liberty, equality, welfare etc. are ethical principles. But they are not enough. Hence the need to go beyond them. People's participation, which is his next point, will also be ensured if we base our political system on 'Dharma'.

Shri Parande wants the national movement, political development, planning etc. to be considered together. I have no objection to that. Like him, I also feel that the content is more important than the outer robe. If he points out any example of the outer robe having been given greater importance, I shall accept the mistake.

Thus, I have dealt with the major points raised in the discussion. We may now begin discussing the papers reserved for the second session.

Shri V.P. Divecha : We have two points of view about participation. One is that people's participation is lacking. The other is that voting power should not be given to poor people. Now, a citizen participates in government in two ways, namely, by voting and by paying taxes. While the one is voluntary, the other is compulsory. One peculiar thing about taxation

is that most of it is indirect and hence people are effectively kept away from knowing the essence of participation. This should be changed by providing election of the Rajyasabha, not on professional basis as suggested by Prof. Kashikar but by tax-payers who pay direct taxes. We may also have them elected by educated people, say, matriculates or by people above the age of 50 who cannot easily be swayed by slogans. There may also be some restriction on indirect taxation. Ours is only a 14 per cent democracy as only 14 per cent of the people pay direct taxes. Indirect taxes are the bane of our democracy. Government does not give alms to the people; it is the people who pay for themselves.

Probably, our Constitution is the first in the world to have its preamble amended. Our Supreme Court has also given a verdict that the Constitution cannot be amended beyond a certain limit, that the basic structure cannot be affected. Thus, we have evolved our own mode of governance.

Dharma denotes the Rule of Law. It is followed in England. The only difference is that while Dharma denotes the common law, in England the statute law overrides the common law.

Dr. Bhalerao : I would request the paper reader not to repeat the points that have been already dealt with by others but only dwell on new points. This will save time.

Dr. K.S. Kashirsagar : I have submitted my paper to emphasize the Paramount need for electoral reforms. Our political system has failed miserably on the economic front. 30 per cent of the people control 70 per cent of the national resources and 70 per cent people only 30 per cent resources. The top ten per cent of the people corner 40 per cent of the national income and the bottom 40 per cent have to be content with only 10 per cent of the national income. This is the agony of our economic front. How has the universal franchise worked in our country? It only means that the poor people have chosen to be poorer and have, willy-nilly, made the rich richer. That is why perhaps Prof. Jagirdar wants the poor to be deprived of voting in the interest of their own well-being. With machinations, the ruling party manages to get two-thirds majority with barely 45 per cent votes, with the result that the other parties, even with majority of votes, have been reduced to helpless, hopeless and hapless minority. This is the truth. That is why Prof. Jagirdar wants the poor to be excluded from voting.

One voice : Do you think it right?

Dr. Kashirsagar : No. No, my point is different. Out of 800 million population, 50 per cent have the right to vote. Out of them only two-thirds

exercise their votes. My point is that with this kind of situation, our parliamentary government is reduced to para-military government.

Remedy lies in replacing the present electoral system by proportional representation. Parties may choose their representatives after the polling so that election bickerings are minimised. It will all also shift importance to party ideology, programme and manifesto from other considerations. This will enable the parties to be organically linked to public opinion. It should be obligatory for parties to hold their internal elections, which in our democracy are not regularly held. This will foster inner-party democracy in place of domination through nomination, cliques etc. This should be precondition for recognition of a party at the national level.

Secondly, government should throw open public media for election campaign by parties. Now-days, even an envelope costs Re 1/- and if seven lakh fifty thousand voters in a constituency are to be contacted even once by postal envelope, it involves expenses of Rs. 7,50,000/-.

Then, the third point in the list of remedial measures, Minimum qualifications, training experience, ability to understand the country's problems and international issues should be prescribed for Parliament membership. It should not be difficult to find 800 people in the country with such qualifications. At present, members do not understand the problems and do not even care to attend the sessions.

There should be voters' councils, not to recall the members but to name them if they do not perform satisfactorily.

Constant cabinet reshuffling, treating ministers like a pack of cards in which any joker can take any place, should not be permitted.

The judiciary should be completely autonomous and independent. At present people's faith in the judiciary has been eroded; and the executive -not the judiciary—is responsible for that.

Just two more points. To check corruption, a high-powered institution on the model of ombudsman should be created. Then, there should be full financial autonomy for states. Last, but not the least, the wide gap between authority and responsibility, promises and performances, legitimacy and credibility must be bridged by constitutional guarantees.

Prof. K. Mahabai : There are two points of view regarding our Constitution. According to one—as represented by Dr. K.P. Jaiswal—everything that we see today existed in the past; so there is nothing new in it,

According to the other—as represented by Prof. Kashikar—there is too much new in the present Constitution and that is responsible for the present-day problems.

We have, therefore, to consider what our ancient political system was. In fact it was full of so many varieties that it is not possible to say that the present system has anything radically new in it. Tarkateerth Laxmanshastri Joshi is of the same view. The ancient political system had four or five cardinal features. They were : (1) the king should be Kshatriya, (2) he should protect the *chaturvarna* system, (3) he should act according to *dharma*; (4) he should pay more attention to social interest than to his individual interest. Besides, the first three varnas exercised check over the king's power.

Myths were created to sustain the system based on these features, for which credit goes to the myths and the culture created around them and not to the personal qualities of the king.

Now, let us consider the concept of *dharma*. It cannot be purely theoretical. It must be accompanied by certain patterns of behaviour. But, then, the question arises as to which forms of behaviour should be accepted today. If we select them on a rational basis, the orthodox will not approve of it. And if we choose according to orthodox norms, it will not be rational. The same difficulty arises while selecting moral principles. Shall we choose them on a spiritual basis or the materialistic basis? That is the problem.

The present Constitution has given to all people the rights that were available in the past only to the first three classes. There is nothing wrong in it.

I do not believe that our present-day problems are the result of an alien constitution. We have accepted the panchayati system, and the parliament is the developed form of panchayat. I have therefore doubts about the allegation that the Constitution is really alien. We have also made changes in the Constitution according to our circumstances.

Our problems are not due to the acceptance of the western system but due to increased population, excessive individualism, apathy of the intellectuals, our clinging to anachronistic values and non-acceptance of democratic culture. Our problems have arisen out of our failure to usher in social, economic and political equality, so essential for the success of democracy.

We cannot bring about social change through institutional change.

Laws cannot change attitudes. What we need today is attitudinal change and not institutional change.

In ancient India, great stress was laid on the character of the ruler. Today also that is necessary. Men of character should enter politics in large numbers.

In the name of individual freedom, great harm is being done to social interest. Our ancient concept of interdependence of the individual and the society needs to be highlighted today. The rulers should work for the welfare of the people and not for their own selfish interest.

Intellectuals should show courage to stand up against injustice as was done in the ancient times—and also recently by Ramdas, Tilak, Gandhi and others. Unfortunately, the intellectuals are getting alienated from the society. That is the greatest problem of today.

Now, my last two points. *One*, the freedoms that were available to a few, Brahmins and sages, are now available to all with the result that the hitherto neglected classes are speaking out now. That is a welcome thing.

Two, we are passing through a transitional period in which difficulties and problems are bound to arise. We should not get confused by them but strive hard to bring about attitudinal changes so that the present secular parliamentary system becomes successful.

Shri P.G. Ghate : According to me, our Constitution is the outcome of the mistakes we committed in the past. Secularism is one such outcome.

I have my own ideas about the organisation of independent India. According to me, the country should be divided into natural developmental regions, such as (1) Urban area, (2) Rural or agricultural area, (3) Forest or adivasi area and (4) Mineral area. These regions should be, as far as possible, self-sufficient and their composition of population, educational system, economic organisation, employment structure etc. should be planned and implemented strictly in conformity with their nature.

Prof. S.S. Pandharipande : In my paper I have pointed out that there are certain values which are universally accepted. So we cannot classify them as Indian or non-Indian. Hence the purpose of all constitutions is to preserve trans-cultural universal values.

Hence, when we speak of an Indian constitution for India, we really

want to determine our constitutional approach within the framework of universal values.

In this connection, mention may be made of two approaches. They are (1) revivalist approach and (2) reformist approach. Both these approaches developed in Maharashtra—and also in Bengal—in the latter part of the 19th century. These two approaches appear to be contradictory to each other. Yet, both of them have adopted the same criteria of goodness and badness which have been passed on to us by the British. For example, the evolutionary outlook, historicity and regard for industrial development as progress, are common to both the approaches although these have been the legacy of British imperialism. That is why while the reformists wanted to give up the old and adopt the new, the revivalists wanted to give new—i.e. modern—form to the old. There is thus not much difference between the two approaches.

The invasion of British imperialism was thus mainly a cultural invasion, which has been very clearly described by Gandhiji in his 'Hind Swaraj'. Hence we have to meet the challenge of this cultural invasion by a counter-culture. This counter-culture can grow out of *Advaita* and *Samanvaya*. In my paper, however, I have proposed a trio which I think is better than the aforesaid duo. The threefold approach is of organic unity, universality and harmony. These are the principles of our culture. These are not mere moral categories. These are also economic and political categories. As economic categories, they lead to what Schumacher call 'Economics of Limits' in his 'Economics in a Buddhist society'. Economic organisation of society can be based on these categories. Political categories can also be based on them. The 'Grama-Swarajya' of Gandhiji and Vinobha is their model.

My last point is that our basic concept is of 'Swarajya', not of mere "Rajya." Rajya involves violence. Swarajya leads to emancipation. This leads to Bharatiya Anarchism, traces of which we find in Gandhiji's Philosophy.

Shri B. B. Shende : It is true that the people are dissatisfied with the present system or with its working. The preamble of the Constitution mentioned all the principles on which it is based—sovereign democratic republic, liberty, equality, fraternity, unity and also subsequently added socialism, secularism and integrity.

According to Article 25, religious practices can be regulated in secular matters. Thus, the concept of secularism was there right from the outset.

It is said that the Constitution has failed because it is not truly Bharatiya in nature. The ancient Bharatiya system underwent changes in the course of the history of thousands of years. Hence it is not possible to say that any one system or code of conduct operated throughout this period.

India was united politically under the British who through succeeding laws developed its administration. These laws are naturally reflected to some extent in our Constitution. In my paper I have given detailed survey of these developments. The British did introduce some element of democracy in India.

The Constituent Assembly had many eminent members like Dr. Rajendra Prasad, Dr. Radhakrishnan, Dr. Shyama Prasad Mukherji, who had profound love for Indian heritage. They examined the constitutions of various countries and then prepared our Constitution.

Voting right could not be limited to a few people. We have to accept universal franchise and tell the people that it is their religious duty to exercise their vote properly.

Certain features of Indian culture have been incorporated into our Constitution. Dharma as Rule of law or as Law of duty is no doubt a basic Indian principle that has an earnest appeal to the people. But it is not possible to define it. Then, how can we introduce Dharma in our political system? Shall we have a theocratic state? The answer is simply 'no'. The Constitution guarantees, in Art. 25, freedom of religion subject to public order, morality and health. I want to say that the Constitution has adopted the principle of secularism and it cannot be said that it is not in keeping with our culture which has equal regard for all religions. Right to equality (Art. 14 to 16) is also an expression of our cultural belief. If our ancient jurisprudence required that no one should be punished without proven guilt, than Art. 21 guaranteeing life and liberty is in accordance with it.

However, something will have to be said about the ills that have come in. Did the Constitution makers expect that the powers given by the Constitution would be misused? I shall only quote two authorities. Ganville Austin has said that Indians—because of their rich cultural heritage, experience, and maturity—have created a democratic constitution and 'did not default their trust with destiny'. Likewise, Dr. Ambedkar said, "I feel that it (i. e. the Constitution) is workable, it is flexible and it is strong enough to hold the country together both in peacetime and in wartime. Indeed, if I may say so, if things go wrong under the new Constitution, the reason will not be that we had a bad Constitution. What we will have to say is that man is vile".

Principal Dr. Nagarajan : Prof. Kashikar wants Dharmarajya, partyless democracy, and decentralisation. Mr. Patil wants to explore if all this is possible within the present Constitution. But what is important is to go back to our ethos. There is difference between *Rajya-Vyavastha* and political arrangement. Both *Manu Smriti* and *Arthashastra* have discussed these things in detail. *Arthashastra* has gone one step ahead and discussed our *Prakriti*. Those things can be adopted today. What is our Indian ethos? It is that public property should not be treated as private property of the king. There is difference between *Raj Prakriti* and *Swami-prakriti* in Kautilya. This is our ethos.

Those who studied Kautilya in the third or fourth decade of this century were shocked to find that he gave more importance to *Rajya Shashtra*—royal edict—than to *Dharma*. But if we study Kautilya properly, we find that according to him the highest thing is not only *Rajya Shashtra* but also *Dharma-nyaya*. Those 'parts of society which are not governed by the state—the Shrenis, Sanghas, guilds, etc.—are controlled by *dharma-nyaya*. Where we come under political or state arrangement, there the royal edict is the final word. If we free more and more people from the control of the state, they will come under *dharma*. *Dharma* is not possible if we have all powers in the hands of the Government. One of our greatest thinkers, Kashyap, has elaborated the idea of *Viraj*. It is the union of different groups leading towards *swaraj*. More and more people come together to manage their affairs. *Union without uniformity*. This is one ethos.

If we follow this ethos, we come to partyless democracy. Even in Kautilya, there is mention of *Swapaksha, a-paksha*. *Swapaksha* was not a party but a group siding with the king, while *apaksha* did not mean Opposition but the independents. Majority of the people have to be independents. This is partyless democracy. In it the independents dominate.

One more point. We know the revolt against Vena and the installation of Pruthu as king. Pruthu was the representative of Indian agriculture. He was the first ideal king. The same emphasis on agriculture is found in Kautilya also. He was also representative of agriculture. That is Indian ethos. Unfortunately, when our Constitution was framed, our rural areas, our agriculturists were not represented adequately.

Dr. K. Majumdar : I am afraid, I may sound a somewhat discordant note and also look pessimistic. There is near-unanimity of view that there is something basically wrong with our political system and its change is long overdue. I for one would tend to differ and contend that there is nothing wrong in the system as such, the wrong is in the

persons who operate it. The same system was working reasonably well twentyfive years ago. What is wrong with it now? Let me illustrate. Pandit Nehru had tremendous respect for parliamentary institutions. I saw him attending a session for five hours at a stretch. On the other hand, I saw Indira Gandhi coming in and going out at least ten times in five hours. I attended the Parliament recently when I found Prime Minister Rajiv Gandhi absent from the session. No institution would function when the human material is bad.

Second point, we inserted the words "secularism" and "socialism" in the Constitution thirty years after its adoption but thereby we did not make the country more secular or more socialist. Just the reverse rather. We feel that we are not secular or socialist and hence the need to interpolate those words. We were far more secular and socialist in the early period when these words were not there in the Constitution.

Prof. Jagirdar has made the point that poor and illiterate people should not be given the right to vote. Thereby you assume that the wealthy and the educated are not corrupt. This is not correct.

Last point. Prof. Pandharipande has said that a good system is one that functions well irrespective of the people who operate it. That is good to hear but I know no system which functions that way. To give you an instance, Yugoslavia and China have adopted the brands of communism which they considered suitable for the genius of their people, different from that of Russia, though all are communists. Every system reflects the people who operate it and the circumstances in which it evolves. Take Britain, France and America. They are all capitalist countries. But their systems differ according to their geniuses.

Dr. R.H. Tupkari : The title of the topic for this seminar begins with the word 'Bharatiya'. Therefore, while dealing with this topic relating to the Constitution we shall have to presume that there is no Constitution in this country and that we have to prepare it anew. While doing so, we shall have to consider the social attitudes, individual as well as collective. Greediness, power-concentration are some salient features of this attitude. All the shortcomings, drawbacks being experienced upto 1988 will have to be considered. Here is the Prime Minister who wants to concentrate all powers in his own hands. Considering this aspect of the polity, countervailing power shall have to be created as an alternative, which will be multi-centre in nature.

The Constituent Assembly in the year 1950 might have anticipated some shortcomings in the implementation stage but certainly not to the extent that we have been experiencing at present. Rajya Sabha was

intended for the men of high calibre who might not be power-greedy. But now it is seen that those who were defeated in the elections are sent to the Rajya Sabha by all the political parties in general and the ruling party in particular, with ulterior motive. The entire polity of this nation has reached the nadir and the Prime Minister individually has become sovereign in this land. Not only the nomination of members of Rajya Sabha or Vidhan Parishads of different provinces, but the appointment of Chief Justice or the election of the President of this country also is solely dependent on the choice of the Prime Minister. Then, what type of justice and independent judiciary would take shape? Normally, the judges must be above party politics and they should not be allowed to enter the election politics. Rajyapals or Governors should not be members of any political party. Such type of strong restrictions will have to be imposed. By this, totally independent and uninterfering establishments would come up. This is actually the 'Bharatiya' way of doing things and constitutional experts should think on these lines to evolve the necessary solution.

Dr. N.R. Varhadpande : I desire to touch upon some unhistoric points raised by Shri Mahabal in his speech. According to him, only Kshatriyas were the kings in the ancient past and examples of non-kshatriyas becoming king were very rare. But the fact is that we shall find many non-Kshatriyas as kings in known history. In the known Indian ancient history, Nanda Kings were not Kshatriyas but they were Shudras. नन्दान्तं शत्रियकुलम् is the saying. (Kshatriya rule ended with the Nandas). After that, the Mauryas were admittedly Shudras. Thereafter, for about a century Pushya Mitra Shunga established a kingdom but they were Brahmins and could not last long. Afterwards, Satwahans and Guptas came to power. Guptas were Vaishyas and it is doubtful whether Satwahans were Kshatriyas; in any case they were not enlightened. Samrat Harshwardhan was a Vaishya. Even Yadawas and Chhatrapati Shivaji Maharaj in the recent history have been described as non-Kshatriya. Peshwas were Brahmins; and there are disputes as to whether the king Chhatrapati Shahu Maharaj was Kshatriya. Shindes of Gwalior too were not regarded as Kshatriya. As such most of the kings were Shudras as per historical records. □

SESSION III

Democratic Decentralisation- Nature, Function, and Structure of Local Bodies

Dr. Khekale : Before mentioning the salient points of my paper I would like to make a mention of three schools of thought which have influenced the goal of political system in the West. These are all semetic. According to me they are semetic in the sense that they are intolerant of other thoughts.

The first is Islam which Hazarat Mohammed propagated in Arabia. Islam has influenced many political systems.

The second, according to me, is Christianity which was propagated by Jesus Christ. This thought has influenced the political systems of the West.

The third school is communism enunciated by Marx. After the Industrial Revolution in the 18th century, Marxian thought gained tremendous influence. The thought of Marx is different from that of his guru, Hegel. The latter's thought is spiritual while that of former is materialistic. In dialectic materialism, through conflict of thesis and antithesis, the synthesis of thought emerges. While interpreting the history of human race, Marx gave importance to conflict. While advocating his materialism, Marx called mind a super-matter. Marx believed in the reality of matter only.

In India, Patanjala Yogasutra accepted the concept of mind and its power. Marx did not think of the mind's power. On the other hand, Marx's thought is based on conflict and in this thought of conflict there is no place for any co-ordination.

Materialistic philosophy of Marx does not convey the proper meaning and sense of liberty, equality and fraternity. The question that proves baffling is : equality between whom and how ? As against this, in India we say ईशवास्यमिदं सर्वम् । The whole universe is filled with divine principle. In Bharatiya thought the individual is not looked upon as body but is supposed to possess the divine principle, 'Atman'. This is not a mere belief, the accent is on its realisation. Because of the deep conviction that "I am not only a body but 'atman'," conflict between two persons, two 'atmans' is impossible. Therefore, this is a philosophy of coordina-

tion' and not conflict and we should be able to achieve something through this principle of coordination instead of conflict. This is Bharatiya thought.

Against this background, we should think of the goal of political system. When we talk of unity without 'atman', unity of bodies is not possible. Therefore, we should first realise that a human being is not only body but 'atman' also. Then the concept of conflict will be abandoned. This is Bharatiya philosophy of coordination. Can the political system help to achieve this ? There can be difference of opinion about the form of a political system but the goal of it should be realisation of divine principle.

In my article 'Panchayat Ganaraja', I have taken this thought as the base. It is a short one and therefore I need not read it. Our present political system has lost its 'atman' somewhere and if we want to find it out, we can find it in Bharatiya thought only.

According to Machiavelli, the goal of materialist secular state having centralised bureaucracy is implementation of law and order. Secular state has become the present model because according to Western secularism, religion creates conflicts. But this is not true. Coordination does not have room for conflict.

In Bharatiya philosophy, *Dharma* has to influence the goal of the state. *Dharma in India is a broader concept and is different from religion which is a system of worship.* The political system based on the broad concept of *Dharma* makes self-realisation possible.

Greene and others in the West have also advocated this thought. They have also advocated the goal of state as self-realisation.

In ancient India there were republics. There was autonomy in these republics. There was decentralisation, that is, a system in which self-realisation was possible. We have no doubt accepted the word Panchayat but the spirit behind it has been lost. Consensus is absent due to elections. Elections, however, should be there. There were different methods of election present in ancient republics. One of which was lots system. Sir Henry Maine in his 'Tiny Republics of India' has made a mention of this election system. *Arthashastra* of Kautilya, *Smritis* and *and Jataks* also mention about the system. Today, democracy is turned into capitalism. Why should we not try the method of lots and elect the rulers at different levels ? This will give equal opportunity to all those who want to serve.

Prof. Muttepar : I am sorry that I could not send my paper. But I would like to put before you the main points. We have assembled here to think which type of system would best suit India. This clearly means, we feel the present Constitution is not perfect. 50 amendments within a period of 38 years speak for the Constitution's imperfection. Therefore, in my opinion, if we decide to change the Constitution, we should start from the preamble. Somebody said that preamble cannot be changed but the 42nd amendment inserted two words, socialist and secular, in our constitution.

C.E.M. Joad has called socialism a cap which has lost its shape. Socialism is not only an economic theory but the central idea is emancipation of man from his physical needs. The late Prof. Kurundkar, a great thinker of Marathwada, used to say that along with economic aspect, socialism has an ethical aspect. Therefore, taking this aspect of socialism, we shall have to think of creating an alternative political system.

Secularism means aloofness from religion. State should not interfere with religion and vice versa. But in India there are many religions and there are some bad customs and traditions in every religion. Now, if the Government wants to stop these customs—for example, the practice of sati—by law, the Government will have to interfere with religion, and thus the Government cannot remain secular. Therefore, I feel, instead of using the word 'secular' we should substitute the word 'tolerance'.

In ancient India there were certain very good principles. In fact, when we talk about change in the system, we mean that those good principles should be brought into practice by incorporating them in the Constitution. For example, in ancient India 'duty' was more important than the exercise of 'right'. In our today's Constitution, rights have been given prominence and duty did not even find a place originally. Subsequently, the 42nd amendment incorporated some duties but they are not dominant. Performing one's duty is of great importance and therefore, in my opinion, right from the school education, the duties should be emphasised and they should get predominance in the constitution also.

We all know that justice delayed is justice denied. We also know that a large number of cases are pending not only in district courts but even in High Courts and the Supreme Court. Therefore, I feel that not only the number of judges be increased but also new courts should be opened. Justice should be quick.

About the theories of punishment, even if Mahatma Gandhi has advocated 'reformation theory', I feel that the punishment should be

severe. Manu also has advocated severe punishment. In ancient India, when the *Chaturvarna* system was in existence, punishment was not only proportionate to the crime but was also in ascending order. A Brahmin committing the same offence used to get 64 times more punishment than a Shudra.

In my opinion, no system, whether it is presidential or parliamentary, is good or bad. Both the systems have some good points and some bad points. For example, while selecting his team of ministers, the Prime Minister in parliamentary system is under pressure of groups, but it is not the case in presidential system and therefore, some *via media* should be found out. Along with this, I feel, if we have a separate minister for propaganda, like Goebbels under Hitler, other ministers will get sufficient time to do their real functions.

I have to make one more suggestion. Today, in the Rajya Sabha the states are represented. Instead of that we should adopt functional representation—representation to different vocations. We should adopt the office of Speaker in toto as we see it in England. As far as election system is concerned, I feel we should adopt proportional representation.

In the end, you will all agree that for any system to be successful, the right type of citizens is necessary. For this, social education is needed. Besides, education is necessary in all walks of life. Thus, along with a change in the political system, social consciousness of the people needs to be developed.

Shri Kalamkar : I am going to submit a model of decentralisation. In this I would like to emphasise two things. The first is that the local bodies should be given more and autonomous powers. Secondly, their natural resources should be utilised to the maximum. My paper spells out the pattern of local Government based on these considerations.

Dr. Bhalerao : I shall avoid repetition of points covered by other speakers. I agree with Prof. Kashikar that India needs a Bharatiya political system and in this connection I put forth three important points.

As students of Political Science, we normally describe two types of political system—the British model which is known as parliamentary system and the American model which is called presidential form. We also know and teach the students that Switzerland has a third model which is *via media* between these two. The Swiss model is working successfully. My point is, when a small country like Switzerland can devise and successfully implement a third model, why can we not in

India have an indigenous model suited to our conditions, our traditions and culture.

We have talked a good deal about parliamentary system. I would, however, like to draw your attention to the federal structure adopted by us. No doubt, India is a land of diversities. We have a variety of languages, scripts, different food and clothing habits and so on. But by giving undue importance to these diversities and by neglecting the thread of unity underlying them, we have allowed separatism to grow in this country. I would like to remind you that in 1956, that is, at the time of reorganisation of states, Shri Guruji, second Sarsanghachaluk of R.S.S., had written an article "Wanted a Unitary State." His concept of unitary state was slightly different from the concept we study in political science. He wanted a system in which instead of differences and diversities, the concept of unity would get importance. In the same article he had cautioned that by calling the provincial units as states, we might land in trouble. The concept of unitary state enunciated by Shri Guruji was a Bharatiya one. At the end of my article, I have given a diagram which has been elaborately explained by Late Pandit Deendayalji. As shown in the diagram, in the West, from an individual to the universe, the arrangement seems to be of concentric circles. The idea is that when a family is created by individuals coming together, the individual thinks that he is a loser. Therefore, there is a conflict between individual and family and so on. In the Bharatiya concept, family is no doubt a group of individuals but it is a natural extension of individuals and therefore, there is no conflict between the two. The structure is of a spiral nature. Can we not develop this thinking and accept it as a basic principle in the alternate political system we are contemplating?

The last point which I think we should give our thought to is also Bharatiya. In ancient India, politics was an important and necessary part of society's life. But it was a part and not the whole. It was not all-pervasive just as we find it in the West. Indian thinkers, the recent being Mahatmaji and Pandit Deendayalji, advocated a concept of autonomous society free from outside governance. In the West, Government completely dominates the society. In India, society from government was a concept in practice. Can we not think on the same lines? Let us have autonomous society with the minimum necessary government.

These are the three points on which I expect you all to express your opinions.

Chairman: Now that all the papers are presented, I would like to request others to express their thoughts.

Shri Shivshaoukar Pente: Since morning I have been listening to all the thoughts carefully and trying to find out a solution which we, followers

of Gandhiji, Vinobhaji and Jaiprakashji, are facing these days. But I must say that I am disappointed. What is the problem? Vinobhaji used to say democracy is turning into democracy. Rs. 65,000 crores are collected by Central and State Governments through direct and indirect taxes from the people. Out of this 75% is spent as the salary of Government servants, teachers etc. Out of Rs. 800 collected as tax, about Rs. 600/- are spent on administration as an unproductive expense. Most of the amount is spent on development of cities. In this condition, how are the people living in 5 lakh villages going to make progress? By changing the system from parliamentary into presidential, will this expenditure be reduced?

Vinobha Bhaveji had expressed a principle: village free from government, and government free from party. 'Village free from government' means decentralised democracy while 'government free from party' means partyless democracy. We are thinking of an alternative to the present political system. In my opinion, the system in which the administrative expenditure would be less and where the people would really have maximum power and would have the right to recall the elected representatives should be the alternative. In this connection I shall request the participants to read the book भारतीय राज्य व्यवस्था को पुनर्रचना—एक सुझाव by Jayaprakashji. In this book the writer has considered the opinions of Western thinkers like Marx as well as Bharatiya thinkers like Aurobindo.

If we want to change the present atmosphere of uncertainty, unsafety and the possibility of another partition of the country, the only way is decentralisation of power. Along with change in political atmosphere, change in social, educational, judicial, in fact, all types of atmosphere is necessary. Jayaprakashji called this total revolution. The number of government servants and the representatives of people should be reduced and the whole system should be designed as an inverse pyramid as Jayaprakashji used to say.

I also agree with the view that a change is necessary in tax collection system. The right to collect tax should be given to municipalities and villages. A part of it should be given to state and central governments and the remaining should be kept by local bodies and spent on development work. In this light we should think of an alternative.

Shri Upendra Joshi: I feel we are beating about the bush and not concentrating on the main issue. People may like it or not, I feel our nationalism has to be based on *Hindutva*. There is no other bond which can hold us together and prepare us to sacrifice everything at the altar of the motherland. Bharat is a Hindu nation. This alone will be able to hold us together.

We have many religions in this country but most of them are backward-looking. On one side, the concept of religion binds us but on the other it makes us backward-looking. If the nation expects me to be a good citizen, then, the nation has to satisfy my physical needs. In my opinion, our citizen should be honest, sincere, truly loyal; then alone we shall be able to achieve something.

Shri Sanjay More : We are discussing an alternative system. But in whatever discussion we have had, I feel 70% discussion was on our past, 20% on what the system is today and only 10% on what the alternative should be. The circumstances in 1950 were different and taking those into consideration, we tailored our system. We should visualise what it should be after, say, 50 years and taking that into account we should think of the alternative. Otherwise, we shall have to meet again and again.

Shri Laxmanrao Joshi : The subject of the symposium is alternative political system for our country. Most of the speakers have expected a total change in the present Constitution. But I am optimistic about the existing Constitution. India is a vast country, with vast population and vast problems. The period of 40 years of implementation of our Constitution is a short period. Hence it would be doing injustice to the Constitution if we think of changing it.

If we take a review of neighbouring countries, especially those which got independence in or around 1947, we find that their systems have undergone great changes, even dictatorship has taken place. But in India we have some sort of democracy. This is a fact worth appreciating.

In these 40 years, the country experienced foreign aggression, natural calamities and even the establishment of dictatorship for a short time. But with the present political system (constitution), we have overcome these calamities. Today, when we think of changing the Constitution, we shall have to take as base the different articles of this very Constitution. The only other alternative is revolution.

If we are blaming this Constitution today for certain deficiencies, we should not forget that certain good things, some achievements also have been made by our country. The credit of those things will have to be given to this Constitution. I agree, all of our aspirations could not be fulfilled. I also agree that there are certain deficiencies in the constitutional framework. I put forth for discussion two such deficiencies—our election system and party system. The party system does not have a mention in the Constitution and there is total chaos in the parties. It is not binding on political parties to hold internal elections;

there is no audit of their expenditure; their sources of income and expenditure are not known. We have uncontrolled party system. So also is the election system. It does not reflect public opinion correctly. With 27% votes, a party can get 67% positions. This creates frustration. These two have given rise to all our worries and thoughts of changing the Constitution. Therefore, if by suitably amending these two things, we implement the same Constitution, we might get the necessary results. Problems are going to remain but they would be bearable. In short, according to me, the present Constitution be given a fair trial by amending the election system and party system provisions.

Prof. Yogananda Kale : I have read the basic paper written by Prof. Kashikar. It is definitely thought-provoking, but certain points should have been explained in details. Prof. Kashikar has mentioned about decentralisation of power. But the details of how it should be done and at what levels have not been sufficiently mentioned. He has also dealt with the moral control of Acharyas on the political power but how this control can be enshrined in the Constitution has not been dealt with.

Through Grampanchayat, Pachayat Samiti and Zila Parishad, decentralisation has been effected but these local bodies are not autonomous. To make them really autonomous, a Fiscal Commission at state level (at centre it does exist today) be created, which will allocate funds to these bodies.

I feel both change in system and change in attitude should be done. Then alone, the experiment of decentralised democracy can be an alternative to this system.

Dr M.C. Bokare : Friends, at the beginning of this discussion, I had used a word. I would like to remind you all of it. When we say that a certain thing should happen, those who feel that this should happen will come together and work for it while others would join to oppose it. There is nothing wrong in it. When we, fifty people here think in one way, we presume that all people think the same way. But this presumption would not be correct. When we say a certain thing should happen, it is a normative statement. But can we make a positive statement? For example, because of the velocity of the sun, the moon and the earth, we say that on a definite day and time, an eclipse will occur. This is a positive statement. Can we say that, in the history of mankind, on some day or the other, partyless democracy will come into existence? That the common man will become ruler was never dreamt of but monarchy has yielded its place to democracy. Just as there was birth, development and demise of monarchy, so also after the

birth and development of democracy, it will be destroyed. At least I feel so. When democracy came into existence, it came into force through political parties. But if we can make a statement that partyless democracy will come into existence, then it will be a scientific, objective and positive statement. In short, we should differentiate between normative and positive statement and should carry on the discussion on these lines.

Dr S.B. Varnekar : When we talk about change in political system, we should bear in mind one point. When this Constitution came into existence, the present system of states was not there. There were provinces. As states, they did not get representation in the Constituent Assembly. Thus, in a way, the Constitution is not prepared by all the people of India. Therefore, a new Constituent Assembly representing all the people of India needs to be formed and a new Constitution drafted.

Secondly, the national problems in the late forties were different. Today, after nearly 40 years, they are different. For example, today there is a cry for unity. The problems of Khalistan, regionalism, regional parties—all these were not there at that time. Because of new national problems a new constitution has become necessary. Prof. Kashikar has proposed a new scheme, according to which we should have a Constitution based on 'dharma'. But the term 'dharma' has numerous meanings. That is why he has to clarify that 'Dharma' does not mean Hinduism, Islam or Christianity. But, then, what is 'Dharma'? *Mimamsakas* define it in one way, others define it in a different way. There are thirty different meanings of 'Dharma' given in the dictionary. Like a too-much-used coin, this term, has become defaced. It does not fetch any value in transactions. Hence though I am myself a deeply religious person, I feel that for constitutional purposes, we should not use the term 'Dharmadhistit Rajya' (धर्मोचित राज्य).

Prof. S.G. Kashikar : Would you please suggest some other term ?

Dr. S.B. Varnekar : The Indian Constitution should be based on the principle of serving the interest of all (सर्वहितोचित राज्य) *Sarva-hitadhistit Rajya*. This word I am suggesting for the time being as a suitable substitute for Dharmadhistit Rajya. यद् भूत हितमत्यन्तं वत् सर्वमिति निश्चयः Here the word, 'Hita' is important. It covers the wellbeing of all classes and interests. The backward classes and interests, scheduled castes, the poor, the downtrodden and all others should feel that their interests are taken care of. The word 'Dharma' brings to the minds of different people different ideas. The word 'dharma' has a subjective image in the minds of the people and this differs from person to person. So the word 'Dharma' should be dropped.

Secondly, the present election system is beset with a number of ills and has polluted the entire political system. Why this pollution? Because the election is based on party system and small territorial constituencies. It is easy to pollute these with money power. Constituencies are polluted, purchased and dominated by money magnates. If the constituencies are demolished and the entire people of Maharashtra vote for total number of, say, 800 candidates or so, all voters cannot be identified by the contesting candidates. And the people will choose 100 or 125 of them depending on the arrangement. In this system the voters are spread out and cannot be purchased easily. All sins emanate from (Lobha) temptation of money. (लोभमूलानिप तानि) I have personally seen in Bhandara district that under a tree, money was being freely distributed. I asked them how they could afford. The answer was a historic one. The distributors, who were Bidi merchants, said that they would make up for the distributed money (20-25 lakhs) by putting horse-dung in the tobacco-bidis. The small territorial constituencies are the root cause of such corruption, and hence the entire area should be one constituency.

Now I have one more suggestion to make. We are thinking of changing the present Constitution. What should be the guiding principles for such an intended change? I suggest the DRI should appoint a committee of experts to rethink on democracy, secularism, etc. and evolve proper principles. And what should be the nature of the Constitution based on such principles should also be left to the committee.

Shri N.R. Varhadpande : Sufficient light has not been thrown here on one relevant point. Our problems have cropped up not because there was no unanimity on what should be done or what should be the nature of the Constitution. The Constitution was passed unanimously, including the Directive Principles, the Fundamental Rights etc. Similarly, what should be the nature of education has been elaborated from Radhakrishnan Commission to Kothari Commission. All their recommendations were unanimous. Lack of unanimity is not the cause of the present maladies. But there is a section of people who deliberately want to do the opposite of what was written down. They are the power-holders. Take the problem of language. All those in power still insist on sending their children to English convents despite the fact that according to the Constitution, after 15 years, Hindi was to be the official language. They were pretty sure that they would not allow this to happen at any cost. This is the root cause of the problem. □

SESSION-IV

Chairman : Now this is the last session of our seminar. Dr. Bokare has rightly stressed the need for positive statements. Not only on behalf of DRI but also on behalf of several right thinking persons in India who are worried about the problem of our Constitution, it can be said that the present Constitution is not useful and that which is not serving the purpose will change. I am not the only person to say this. I found that people in the thirteen democratic countries visited by me are not satisfied with their constitutions. But they do not know the way out. India has to take the lead in this direction. My heart is burning. Influences of right-minded people make me think that the welfare of all, as Dr. Varnekar has rightly pointed out, needs to be ensured. He has used the term 'Sarvहितadhistit'. I think the word should be simple. It is true that in spite of the fact that the word 'dharma' is most suitable because of its common usage, it sometimes creates misunderstanding.

However, I can assure Dr. Bokare and others that the Constitution is bound to change in the interest of humanity. This will happen soon. Unfortunately, we do not have sufficient time to consider all views in greater detail. But I urge all of you to help us start a movement for changing the Constitution. Prof. Kashikar, a professor of Political Science, has helped me at this crucial time and expressed the views very much nearer to my mind. And all the discussion that has taken place to-day will guide us in our future seminars.

God willing, we are soon going to have another seminar in Nagpur under Dr. Bokare's guidance on 'Tax-less Government'. It is a new concept which is put forth by Dr. Bokare.

The present seminar on Constitution is the first in a series of seminars we propose to organise in all parts of the country, for which constitutional experts will be invited. Let me tell you that everywhere people feel the agony of the present conditions and it will be our effort to give it a vent. I hope all of you will cooperate in this endeavour.

Before we proceed further, I shall request Prof. Kashikar to sum up the views expressed so far and also give his observations.

Prof. S.G. Kashikar : In the second session, Shri Divecha suggested that the Rajya Sabha should have representation of propertied, educated and elderly people. His aim is laudable, for he wants to have responsible persons in the Upper House. But it is our common experience that generally people have the interest of their own class uppermost in their mind. Hence the representations of the propertied class are likely to give

more attention to the interest of their own class only. Similar will be the case with the educated. Moreover, it presumes that there would permanently remain an illiterate class in the society, which is not at all desirable. Therefore, in my paper I have suggested that one of the houses of the central legislature should be based on professional representation. There is such a legislature in Yugoslavia, though it is a communist-led country. I feel that the interest of the classes, which Shri Divecha wants to safeguard will be protected if we adopt professional representation.

Dharma as rule of Law.....

Dr. S.L. Kashikar : Excuse me. Don't you feel that there is erosion of values ?

Prof. S.G. Kashikar : Yes, there is great erosion. Hence the concept of Dharmarajya.

Dr. S.L. Kashikar : Then, what should be done to revive these values ?

Prof. S.G. Kashikar : For that I have proposed moral control over political power in keeping with our tradition.

Prof. S.G. Kashikar : What efforts are needed to create a suitable climate for that ? That is my main point.

Prof. S.G. Kashikar : Yes, such efforts are necessary. First, a proper climate is being generated as a reaction to the present deteriorating conditions. Secondly, seminars like this also help create a proper atmosphere. It is my firm view that ideas do rule the world. Ideas spread like wild fire once they are properly kindled. For that thoughts must touch the hearts of the people. They do so if they are absolutely correct. So, of all the efforts to create a proper atmosphere, the most important is to formulate most appropriate and correct ideas. Then, those ideas spread on their own inherent strength.

I was referring to the rule of law, a point raised here. According to me, the concept of Dharmarajya includes rule of law and yet it is broader than that. It includes, besides rule of law, law of Nature, Law of Reason and even common law. To call Dharma a Rule of Law is its crude translation because there is no appropriate word for dharma in English. The English language has enriched itself by adopting many foreign words. So let it adopt Dharma also. The concept will become clear in due course.

Dr. Kshirsagar has emphasised the need of proportional representation. This point is not relevant in the context of the partyless system

proposed by me. However, proportional representation has one drawback; it fosters divisive tendencies by putting a premium on multiplicity of parties. For, by creating their own separate parties, the leaders stand better chance of being elected.

Prof. Mahabal has said that there are all kinds of thoughts in ancient literature. True. Still there are some thoughts which are dominant. And from among these thoughts we have to pick up those which can form the bases of ideas useful for the present. I think it will not be proper to suggest that because there are all kinds of thoughts, nothing can come out of them.

Chanakya is worldly in his approach. That is true. But that does not mean he was opposed to the concept of Dharmarajya. The ancient Indian political thought has two main branches—*Dharmashastra* and *Arthashastra*. And both of them operate within the concept of *Dharmarajya*.

A point has been advanced by him, that the parliamentary system has evolved out of the ancient panchayat system. It is stretching logic too far and is not historically true.

Many participants, including Prof. Mahabal and Dr. Majumdar, have advanced the proposition that mere institutional change cannot bring about social change, which ultimately depends on change in the attitudes of the people. Well, this is true, but not wholly so. When we say, "For forms of Government, let fools contest; that which governs best is best", what does it indicate? It indicates that no form of government—not even dictatorship or monarchy—is bad in itself but it must match with the people's aspirations and the circumstances. So the parliamentary system is not bad in itself. In fact it was adopted with the best of intentions by the stalwarts of our constitution-makers. But my point is that it does not at all meet our people's needs.

It has been pointed out that the root cause of our ills is the alienation of the intelligentsia. This is a very vital point. Why does the intelligentsia, which should normally hold the natural leadership of a society, feel alienated? Obviously because it does not fit into the whole picture. Hence, if you want it to become active, you have to change the picture.

It is no use saying that we are passing through a transitional period. It is not a valid argument, for every period can be called transitional. I am not against efforts to reform the present system. But if they do not succeed, let us have an alternative ready. Some time ago, Shri Girilal Jain wrote in the *Times of India* that there is no escape from continuing

in the present system because we do not have a blueprint of an alternative system ready with us. So let us try to evolve an alternative blueprint.

Shri Ghatge has made a proposal for natural developmental divisions. I welcome it as an innovative thinking. But many of those divisions are overlapping and hence they may be good for planning but not for administration.

Shri Ghatge : Rural areas and urban areas are two distinct areas.

Prof. Kashikar : That is true. But then, there may be industrial areas in both of them. I, therefore, feel that the division is good for planning but not for administrative purposes.

Prof. Pandharipande has argued for the presentation of certain culture-free universal values. His analysis is deep and innovative. He has advocated the Indian approaches of organic unity, totality and harmony. This is really a very valuable thought. But beyond theoretical design based on these approaches.

Shri Shende has referred to the presence of lovers of Indian culture, like Dr. Rajendra Prasad, Sardar Patel, Dr. Syamaprasad Mukherji *et al.*, in the Constituent Assembly and has suggested that their presence ensured the reflection of Indian culture in the Constitution. I do, however, feel that the extent to which Indian culture has been reflected in the Indian Constitution is a matter of objective analysis of the constitutional provisions. The coincidence that some of the articles, such as 25th, 21st and 19th, resemble traditional Indian thinking does not prove that the Constitution as a whole reflects Indian culture. The fact is that our Constitution draws very heavily upon the Act of 1935 and some other constitutions of the world. History notes that at that time, Gandhiji, the greatest of leaders, wrote to Nehru to impress upon him the need to do some basic thinking about the future Indian Constitution on the lines suggested by him in *Hind Swaraj*. But Nehru completely ignored his suggestion. He considered Gandhiji's ideas as out of date and, instead, was guided by what he looked upon as the modern culture. The Western thinkers have really sown the seed of intellectual confusion in our minds by classifying culture into traditional and modern, thereby suggesting that all that is traditional is bad and all that is modern is good. Instead, the elements of both should be classified into those that are good for today and those that are not good for today. We should give up the western classification.

Shri Shende has quoted Austin and Dr. Ambedkar in support of the present Constitution. So far as a westerner like Austin is concerned, he is bound to be all praise for our Constitution. For, westerners are really surprised to see this largest democracy on earth still existing and functioning comparatively smoothly. But, as the saying goes, only the wearer knows where the shoe pinches. And so far as Dr. Ambedkar is concerned, I think, his quotation shows that he was aware of the difficulty our Constitution would face. That is why he said that if the Constitution failed, it would be the failure of the people and not of the Constitution. The people failed because they failed to develop suitable attitudes. But attitudes can be changed only upto a certain extent. And if they cannot be changed fully to suit a particular constitution, then we have to think of changing the constitution to suit the attitudes. You can achieve the same purpose in many ways. So why confine yourself to only one way? England and France are both democratic countries. But the mode through which democracy operates in France is radically different from the way it operates in England. What is achieved through decentralisation in England is achieved through deconcentration in France. The theory of statutory powers operates in England—and we have adopted the same theory—while the theory of general powers operates in France. Thus, democracy operates in one way in France, in another way in England and in still another way in the U.S.A. We are also votaries of democracy. Why not choose our own way to operate it? As I have pointed out in my paper, freedom of thought, concern for the welfare of all, decentralisation of power; decision by consensus etc. are very much Indian concepts and they constitute the soul of democracy. Why not build around them and explore our own way to democracy? That is the main thrust of my paper.

Dr. Nagarajan has distinguished between *Dharma-nyaya* and *Raj-nyaya*. He is a scholar on this subject. But I have doubts if really there was *Dharma-nyaya* only at the lower levels and *Raj-nyaya*, that is, writ of the king at the national level. I think the king also was under the rule of *Dharma*.

There is some inconsistency in the statements of Dr. Majumdar. I have noted down two statements. One is that the system is not bad, it is the men who operate the system who are bad. Thus, he blames the people for the failure of the system. But as Herbert Spencer has pointed out, you cannot implant anything totally new by uprooting everything old. You have to graft the new on to the old. He calls this the process of pseudo-metamorphosis. Dr. Majumdar himself says—and this is his other statement that “every system should reflect the genius of the people”. What else am I saying? This itself is the burden of any paper.

November 1988

There cannot be much difference of opinion on what Prof. Tupkari has said. Society is always multi-central or federal and therefore the political system also must be multi-central or federal. However, different parts of the system cannot be completely separated from one another and made totally independent. The system constitutes an organic unity. Its limbs should have autonomy but organic linkages are essential. Counter-vailing checks and balances are, therefore, necessary.

The characteristic Indian outlook of synthesis has been rightly emphasised by Prof. Khakale. That has been always uppermost in my mind and I shall modify my paper to make it more explicit on that issue. This point is well taken.

Prof. Mutteppwar has indicated that socialism is an ethical concept. I agree with him. I also agree with most of his other points and they have already been touched upon in my paper, namely, emphasis on duties, need for speedy justice, functional representation etc. The only one point which is rather amusing is his suggestion for a separate minister for propaganda or public relations, like Goebbels under Hitler, so that other ministers would not waste their time on these. I don't think this is feasible in a democracy where every minister feels the need for his own public relations or cultivating his constituency.

Shri Kalamkar has given a detailed outline of local government. It gives a fill-up to what I have said in my paper. The only point of difference is independence of local bodies. What we should insist upon is, in my opinion, maximum autonomy and not independence.

Dr. Bhalerao has advanced the concept of government-free society. The concept is acceptable if it means society with minimum governance or self-government. Society free of all government is an ideal which is not practicable.

One Voice : Why not free from government ?

Prof. Kashikar : That is not possible. The explanation is quite simple. Man lives in society. Development of knowledge, culture, arts, language conveniences are all results of social living. And when a number of people live together, some discipline is required and that means government. The communists said, the state would wither away. But the state would not wither away.

Prof. Pandharipande : What is required is administration of things and not government of people.

Prof. Kashikar : Administration is a part of government.

One voice : Government means political power.

Prof. Kashikar : True. But without that power, administration is not possible.

Prof. Pandharipande : Is there no distinction between administration and government ?

Prof. Kashikar : There is. But the point is that some regulation would be necessary in society. Then you may call it administration or government. It is only a matter of psychological satisfaction.

Shri N.R. Varadpande : The concept of withering away of the state is mere fantasy.

Prof. Kashikar : May be. Let us not enter into that discussion.

Shri U.V. Joshi has expressed the view that religion is backward-looking. To a certain extent this is true of all religions. But my idea of *Dharmarajya* is forward-looking. As Nanaji had pointed out, the countries which have kept religion out of their political system, are feeling some void. This void can be filled by Dharma. And as I have pointed out earlier, India is eminently equipped to fill that void and show the way to the world. But even for looking forward, some retrospection is necessary to identify the path we are walking along. Hence my insistence on building upon the past.

Shri U.V. Joshi : The crux of the problem is whether we can develop good citizenship without religion.

Prof. Kashikar : That is possible, provided appropriate attitudes are developed. But that is not easy. Western democracies have tried secularism more or less successfully but not fully. No western democracy is fully secular in the sense in which the term is interpreted in India. Western secularism arose out of the conflict between catholicism and protestantism. It was a conflict between sects and not religions. That is why in England the Queen is the Defender of the Faith and I had seen election booths located in cathedrals. Nobody objected to them. It is secularism in a limited sense. If it is not fully possible there, it cannot be practicable in India where the common man is imbued with religiosity.

Shri N.R. Varadpande : England is not a secular state ; it is a Christian state.

Prof. Kashikar : That is what I am saying. In the U.S.A. also, it is very

rare to get a catholic elected as president. So things are not as we suppose them to be there.

It has been stated that in India the only people on whom we can rely as nationals are Hindus. To a certain extent this is unfortunately true. But then what can we do there ? Can we drive out all those whose loyalty is not to the country of their birth or living ? That is not possible. Hence my scheme of Dharmarajya is an attempt to bring all such people into a community of reliable nationals. And I feel that a national reconciliation can be brought about if we keep the politicians out and bring truly religious people together.

Shri Ghate : A person may not be a devotee of God i.e. *Devabhakta*. But he should be a devotee of the nation—*Rashtrabhakta*.

Prof. Kashikar : That is alright. My concept of Dharmarajya has a place for non-believers too. And in my opinion it is a scheme that can also turn people of all religions into patriots.

One voice : You are harping on the concept of Dharma so often. We, as Hindus, have certain concepts of Dharma. Others have their own concepts. Is there no difference between the two ?

Prof. Kashikar : The answer is both yes and no. There are obvious difficulties in getting people of different religions to agree to certain common principles. That is why I have deliberately given a *broad concept of Dharma*. It is necessary to see if this broad concept is acceptable. If it is, details can be worked out by bringing knowledgeable persons of all religions together. A few days ago, I attended a meeting convened by Jamat-e-Islami. The speaker was Muslim and the audience was also Muslim. Generally such Muslim speakers, while addressing non-Muslims, uphold the concept of secularism because they see advantage in doing so. But in that meeting, the speaker said that since everything was controlled by God, this concept of secularism was absurd. He further said that instead of advancing the concept of secularism, people of different religions should be brought together to evolve common principles and the state be declared as religious state. Thus, it seems, it is possible to work out the details of Dharmarajya.

N.R. Varadpande : How is that possible by bringing together fundamentalists—mullas and maulavis ?

Chairman : Don't call them fundamentalists. They are fanatics.

Prof. Kashikar : The idea is not to bring fanatics together, which will lead to...

One voice : Confusion.

Prof. Kashikar : Hence we have to bring together those who are truly religious and not fanatics. There is no religion which at one time did not consider itself as the only true and others as false.

N.R. Varadpande : It is one thing to regard them false and another thing to condemn them to hell.

Prof. Kashikar : It is a matter of more or less condemnation of other religions. But all religions did it. Hinduism considered others ANARYAS and wanted them to learn something from Hinduism. (कृष्णन्तो विद्वमार्यम् । एतद्देश प्रभूतस्य etc.) Christianity talked of civilising mission.

N.R. Varadpande : The concept of Arya has nothing to do with religion.

Chairman : Look, here we are not experts in religions. Moreover, the concept of Dharma is different from that of religion. Hence let us not enter into it.

Prof. Kashikar : My point is that at some time or the other every religion divided the world into fidels and infidels. But on account of the pressure of circumstances and dissemination of knowledge that there is something good in every religion, most of the religions are now giving up their 'holier-than-thou' attitude. And those religions which have not yet done so, will have to do so under pressure of circumstances. Otherwise, they themselves will suffer. Hence I am hopeful about change. This is a positive statement.

Shri Joshi has said that a period of 40 years is not adequate to justify any adverse evaluation of the working of the Constitution. I feel what is important is not the period but the speed with which the down-hill fall is taking place. Otherwise, why only 40 years? Even a period of 100 or 200 years can be called a transitional period. But the fast-deteriorating conditions make it very risky to wait any longer.

He has also opined that democracy has survived in our country for the past 40 years in spite of difficulties and this, according to him, shows the suitability of the present Constitution. In this connection I would like to draw your attention to what I have already said in my speech and also in my paper, viz, that democracy survived in our country not because of this Constitution but because the soul of democracy has been a strongly built-in Indian tradition.

It has also been asked, if we blame the Constitution for various failures, why should we not give credit to it for the many good

things that have taken place? I entirely agree with this view, I don't say that nothing good has been done. But who are the beneficiaries of these good things? More and more fruits of development are being appropriated by fewer and fewer people and the distribution system is fostering inequality. This aspect is also a matter of great concern.

According to Shri Joshi, there are only two areas of concern where reform is necessary, namely, the electoral system and the party system. I feel that even changes in these two systems will entail fundamental changes in many other areas of the Constitution. But what is more important is that unless the Constitution agrees with the total life-approach of the people, the changes would not work and might lead to other deformities.

Problems will always be there. I don't claim that the system proposed by me is cent per cent problem-proof. Even if it solves all problems for the time being, there is no guarantee that in course of time no new problems will arise. What I have been emphasising is the adoption of a constitution that suits the genius of the people and therefore is capable of healthy growth and tackling problems appropriately as and when they arise. What is important is to identify the right direction for constitutional development rather than its static form.

Prof. Kale has highlighted the need for autonomous local government and ethical control over state power. I agree with his views.

I also agree with the view that both institutions as well as attitudes need change. They should match each other. But it should be remembered that attitudes of people are slowest to change. And therefore, stress has to be laid on changing the institutions to bring these in tune with the ethos of the people. As Swami Ramdas has said, in order to make a child walk, you have to walk with him at his pace. This is the realistic approach. It is the approach of social science engineering.

My esteemed friend, Dr. Bokare has raised a technical point about making positive statements as is done in physical sciences. However, it is not yet fully possible in social sciences in which it is possible to indicate direction but not destination. Now-a-days, positive statements are not possible at higher levels of physical sciences also, such as quantum physics. In place of cause-effect relationship, they explain physical phenomena in terms of input-output relationship. In social sciences, the methodology of forecasting is used to explore possible trends in social development and present them in the form of various scenarios. It is then the function of social science engineering to select the most promising scenario and prescribe steps for its realisation.

Dr. Varnekar has raised an important issue and it deserves serious consideration. He has said that the term 'Dharma' has many meanings—

about thirty—and hence it has lost all precision. But if so, for whom has it lost precision? For scholars who know those thirty meanings. Not for the common people who know its meaning alright. For them, confusion may arise between two meanings only: 'Dharma' and 'religion'. But then, should we adopt some other term to avoid the possibility of confusion between 'Dharma' and 'religion'? He has suggested the phrase 'serving the interest of all'—'Sarvahita-dhishtit'. But take this term 'interest'. It is also amenable to different meanings. Some may take it to mean abject self-interest, while some one else may think that highest spiritual interest is the only true interest. Still some others may interpret it to mean social interest. Thus, it is not easy to find a substitute for 'dharma'. Whatever be the confusion in the minds of the educated few, so far as the common Indian masses are concerned, they instinctively comprehend the term 'dharma' correctly. It makes an instant appeal to their mind and hence it is the only proper term to designate the proposed constitutional system.

Dr. S.B. Varnekar : I would discuss this point separately with you.

Prof. S.G. Kashikar : Oh yes. You are most welcome.

In order to eliminate the corrupting role of money-power in the electoral process, it has been suggested that there should be state-wide large constituencies so that it would be well-nigh impossible to offer money to a vast number of voters. In my scheme, I have proposed direct election of a single executive at all levels—national, state and local. Thus, the constituencies will be of large sizes and this will help minimise the influence of money power in elections. But I don't think it will thereby be completely eliminated. In elections it is not always necessary to bribe all voters; it is enough if the palms of various group-leaders, caste-leaders etc. are greased and this would be possible even in large-size constituencies. Some additional measures would be necessary to tackle this problem.

It has been suggested that a committee of experts should be appointed to formulate the principles and structure of a new constitution. It is said that when you don't want to do a thing, you appoint a committee. However, in our case, a committee will not be able to function in a vacuum. The state of the people, their ethos, their psyche will have to be first ascertained and duly activated before any committee goes into the problem. The committee is the last step, not the first.

These, then, are my observations on the various points raised in the discussion. This, however, does not mean that I disagree with all the views expressed here. In fact I have benefited a lot by it, and I shall take due note of the various suggestions made by the learned participants. The discussion has thrown up many constructive suggestions and I am

happy to note that the general level of deliberation has been indeed very high. My overall impression is that you agree with the view that no constitution is in itself good or bad, that the one that fits into the condition of the society, its ethos, its genius, can alone function in a healthy manner in that society, and that, by and large, you appreciate the scheme formulated by me. I am really thankful to you all for your candid observations.

I know you are eager to listen to the observations and concluding remarks of our esteemed Chairman, Shri Nanaji Deshmukh. So without taking any more of your time, I now request him to enlighten us with his observations.

Shri Nana Deshmukh (Chairman) : Brothers and Sisters, I am very pleased to note that you have honoured the invitation of Deendayal Research Institute and spared your valuable time to participate in this day-long seminar, for which the DRI is profoundly grateful to you. As said by Prof. Kashikar, the level of discussion has been remarkably high and the DRI is also beholden to you for having contributed to the success of this seminar.

Quite a number of suggestions have been made and Prof. Kashikar has very appropriately and in rational, logical manner dealt with them. It is, therefore, not necessary for me to cover the same ground again.

Individual and society should become complementary to each other. Then only the society can exist, progress and become richer. It is very unfortunate that the society and the individual are not complementary at present. The Constitution should be such as can give strength to this complementarity. In this respect, the present Constitution is full of several shortcomings. In this country—which is known for its tolerance—mutual trust and goodwill have been on the decline during the past 40 years. We experience this almost at every step.

The other drawback pertains to the present party-system, whose base is self-aggrandisement and condemnation of others. "I am always right and you are always wrong": this sort of tendency is increasing day by day. In effect, not only the society or its different sections but even the political parties themselves, who talk of leading the nation, are not free from disintegration. No party is an exception to this. I say this on the basis of my inside experience of the past 28-30 years of the working of political parties. I shall not name any party, nor is that necessary. But when a political party bases its working on self-aggrandisement and condemnation of others, the same trend is bound to develop in intra-party relations. As a consequence, while we were trying to march towards democracy, we have actually fallen a prey to individualistic cult. Today,

every party is dependent on one or two individuals. You do not find team work anywhere. And where individualistic cult grows, democracy cannot exist. It is not only that party interest is rated above national interest, as pointed out by Prof. Kashikar, but within the party itself the interest of personality cult is put above party interest. We no longer have leaders of parties. Instead, we have parties of leaders. Look at Indira Congress, Jagjivan Congress, Sharad Congress, ! What do they indicate? I am not blaming any individual. Many of them are my good friends. I blame the nationally harmful tendency that is growing in the political parties. It must not only be arrested but given a proper direction.

The fault lies not only with the individual but also with the present constitutional system. The tendency is a natural development out of the present constitutional pattern.

Let us delve a little deeper. Everyone talks of decentralisation or deconcentration. These are really nice words to utter. But has anyone ever demanded inclusion of grampanchayats or municipalities in the constitution itself? They are totally at the mercy of state governments who hold elections if they want, not if they don't want, and suspend these bodies if elections are not to their liking. Is this a march towards democracy?

According to me, we have reached a situation which is intolerable. And if we are tolerating it, let us ponder if really we are citizens of independent India.

I do not want to give a long speech. I have only shared with you my own experiences of the actual condition.

Two more points. First, the proceedings of this seminar will be exhaustively published in 'Manthan'—the journal of the DRI.

And secondly, we have made a beginning of a movement here at Nagpur on this day. We propose to spread it throughout the country. In this task I seek the cooperation of everyone of you; for, this is not the movement of DRI alone. It is a national movement. Under whose auspices it is conducted is immaterial. We shall also require organisers from here as they have worked out a certain organisational plan. There will be organisers from other places too. We cannot see our nation fall into distress.

This is a great movement. And let me tell you that not only the national but also the international climate is favourable for such a movement. No nation is at present satisfied with its state of affairs. Not only China and Russia who till now thought that they had a panacea,

but also other nations whom we look upon as ideals, are also deeply concerned about their systems. For want of time, I shall not go into the details. I would only say that all that has transpired here today has enthused the DRI and filled it with hope that the expected change is not too far away. Let the change be easy, straight and, above all, happy.

With these words I thank you all for your cooperation.

Dr. S.B. Bhalerao : The Chairperson of Seminar committee, *Sau. Sumatitai* will propose a vote of thanks.

Sau. Sumatitai Sukalikar : Respected Nanaji, our vice-Chancellor Dr. Bokare, our highly esteemed and elderly guide Prof. Kashikar, Shri R.K. Patil and all the learned brothers and sisters! I thank you all most heartily for your cooperation to make this seminar a success. Shri Nanaji considers the proposed change of constitution as an essential step in the process of national renaissance and we are fortunate that he chose Nagpur to hold the first seminar on the subject. We are thankful to him for this and also for accepting the chairmanship of the seminar. My special thanks are due to Prof. Kashikar who not only prepared the basic research paper on the subject but also participated actively in the work of the committee. Also, Sarvashri Bhalerao, Kshirsagar, Pimpalkar and all our workers exerted themselves fully for the success of this programme and I sincerely thank them all.

I shall fail in my duty if I do not extend my special thanks to Dr. M.G. Bokare, our new Vice-Chancellor, who inaugurated the seminar, presented a paper and has been with us the whole day.

Again, I thank you all.

—CONCEPT OF NON-POSSESSION—

When I found myself drawn into the political coil, I asked myself what was necessary for me in order to remain absolutely untouched by immorality, by untruth, by what is known as political gain. I came definitely to the conclusion that if I had to serve the people in whose midst my life was cast and of whose difficulties I was witness from day to day, I must discard all wealth, all possession.

I cannot tell you with truth that, when this belief came to me, I discarded everything immediately. It was painful in the beginning. But, as days went by, I saw that I had to throw overboard many other things which I used to consider as mine, and a time came when it became a matter of positive joy to give up those things. The possession of anything then became a troublesome thing and a burden.

—Mohandas Karamchand Gandhi's
address at the Guildhouse, London.
on 23-9-1931

The measure of a man.....

For any industry to be achievement-oriented its people must value achievement as well. At Excel, we know that our organisation can be only as good as our people. We see them as an integral part of everything we do. For all innovations must spring from people, in order to be of value to people. And the worth of every breakthrough we achieve, is the measure of the people behind it.

EXCEL—THE INNOVATORS

Chemicals for Industry & Agriculture

EXCEL INDUSTRIES LIMITED

184/87, Swami Vivekanand Road, Jogeshwari (West)

BOMBAY-400 102

Phone : 571431-5

EPILOGUE

—Sailendra Nath Ghosh

The Nagpur seminar on Indian Political System raised a whole host of questions. Is our Constitution basically defective? Were the political ideas that were introduced later, such as "secularism" and "socialism" inadequate? Or the wrong lies mainly with implementation? Is the parliamentary system of democracy which we opted for, desirable—or should there be another system of governance, such as the presidential system as in the USA, or some other system? Could the provision for proportional representation or right of recall make it work better? Is party-based democracy at all suitable? Does not this promote partisanship whereby each group cancels out the other group's efforts? Why is the society reeking with corruption? Why is maximum expenditure incurred on administration and on the cities? etc. etc.

The question was raised: What is democracy? Is it to reflect the will of the majority—or should consensus be the basis of governance? But, if consensus had been the guiding principle, what changes this would have made in the political structuring and character of polity was not discussed.

The author of the theme paper (Prof. Kashikar) expressed his conviction that declaration of "dharmarajya" as the Indian state's goal could have reoriented the course of the society. He made it clear that "dharma" is not any religion, that it has no equivalent in English language, and that it is "the supreme code of conduct based on ethico-judicial concepts common to all religions". While some agreed with this view, others were not so persuaded. Some felt that the concept of "guardianship" at the village, district, province and national levels, and the introduction of profession-based representation in Parliament would have made for real democracy. Some others felt that in a country, where the poor are in overwhelming majority, universal adult franchise was a mistake. The upholders of the view felt that this has given the rich greater opportunity to climb to power by disbursing eve-of-the election doles to the poor. Some felt that Fiscal Commissions at state (i.e. provincial) level were necessary to ensure greater freedom to the panchayats. Some others were for more radical measures in favour of the panchayats: they felt that the Constitution should have given the panchayats the prime right to collect the taxes and to allocate a part of the accruals to the state and the federal levels. A participant (Prof. Pandharipande) pleaded that decentralisation on the Gandhian model ought to have been accepted as the model. He also pointed to the error of equating "scientific outlook" and "technological developments" with real progress. Whether

the "scientific outlook or temper" that rules today is the real scientific outlook and whether it misses the wood for the trees was not, of course, asked. Whether there could be another philosophy of technology propelling another kind of development was also bypassed.

Some other basic question, too, were missed out. In their absence, the controversies could not be resolved; hence, no synthesis could emerge, no consensus could be arrived at. We would come to these questions later.

What needs to be pointed out at this stage is that some participants, who sought to make some profound philosophical statements, failed to bring out their significance in terms of practical measures as alternatives. Hence these failed to carry conviction to men of action: there was no follow-up discussion. For example, Prof. Balrao's statement that in Indian culture, the individual, family, society, nation and the universe are spiral circles (अनल बलय) and not concentric circles as in the West—and hence, "there should have been decentralisation of power, every level being invested with adequate powers" must have appeared to many, despite its enormous significance, as a mere abstract statement, a lifeless profundity. Similarly, Prof. Pandharipande's statement about "organic unity, totality and harmony" remained on the remotely abstract level, even though he took care to explain that these meant "interdependent and self-contained approach", "complementary relationship between human beings, other animals and the physical world" and "mutual enrichment at all levels of life". What alternatives were needed in the Constitution and in the existing structure of politico-socio-economic-cultural and technological policies to effectuate these principles—and how these were practicable as well as more rewarding—were not spelt out.

Merere reiteration of Vinobha Bhave's nine principles of "the new political order" would not be of much use because these could neither impress the power-holders who were respectful to the Acharya nor create the impetus for a mass movement to register people's sanction. Evidently, these principles fall flat unless it is clarified how these can score over the so-called modernising process. Moreover, Vinobha's principles need supportive ideas from scientific and technological fields. Unless these are convincingly spelt out, no amount of talk about decentralisation would be able to make a dent on the increasingly centralising body politic (which also implies body economic).

Invoking Gandhiji's name, too, would be of no avail. It must be conceded that Gandhiji could not find time to marry his philosophy to

'decentralisation technologies' which could stand against the challenges of "modernism" in the diverse fields of human activities such as agriculture, industry, energy generation, transportation etc. (If his life had not been cut short by an assassin's bullets, possibly he could have.) It is this failure that swayed Nehru to the Western "modernist" path and marginalised the Gandhians until the ecology movement came to the fore.

Before we seek to explore the missing links in the foundational concepts for a preferable politico-socio-economic-cultural and technological order, it is necessary to clear the ground by a few observations. The present writer is convinced (i) that the present Constitution is based on several fundamentally wrong concepts and is, therefore, inimical to both national unity and democracy, (ii) that the concept of "secularism" is inadequate; (iii) that the ruling concept of "economic democracy" and "socialism" is surface patchwork; (iv) that the idea that the declaration of "dharmarajya" as the State's goal—embellished by the clarification that this "dharma" is the code of conduct based on the ethico-judicial concepts common to all religions—would push the society on to a new trajectory is wishful thinking; and (v) that those who talk of the need to rebuild the country on *Hindutva* (हिन्दुत्व) would do great disservice to Hinduism if they persist in talking about this without defining its core principles and without salvaging it (Hinduism) from the rut into which it has fallen by wrong identification. Let us take the last two points first.

"Dharma-rajya" as the State's Goal ?

Behind the proposal for "dharmarajya" is the intent to make India a land of virtues—i.e. of the great qualities that enrich, elevate and spiritualise life. But will this purpose be served by merely declaring "dharmarajya" as India's goal ?

Words as symbols are two-edged weapons. Semantic confusions create great havoc. Symbolic words can do good when their content is crystal clear and not amenable to differing interpretations. It is not enough to say that we are using the word "dharma" in a sense of different from the way the Westerners perceive it. It is true that "dharma" is that which *holds together*—which is the cementing bond between the individual and the society, between the head and the heart (i.e. the intellect and the emotion) within each individual, and between human beings and the Cosmos (which includes all other forms of life and the inanimate environment that supports life). Even then, it is undeniable that "dharma", even in the idiom of our own countrymen, has come to be identified with religion; and religion, again, is associated in people's

minds, mostly with its externals. (Each religion, at the time of its origin, became a unifying force in the country of its origin. The followers of each religion, subsequently, repressed its intrinsic truths and promoted divisive forces, forgetting that divisiveness is irreligion.) To believe that the declaration of "dharmarajya" as the nation's motto would promote dharmic values is to give free rein to imagination. In our given climate of mistrust and suspicion, it is more likely to be misconstrued as an attempt to impose the "majority community's" religion on others!

To leave such a major premise with a cryptic statement that it will be a "code of conduct based on the ethico-judicial concept common to all religions" is to shirk the responsibility for in-depth exposition and illustration. This avoidance creates the impression that the proposer did not make any attempt to visualise what the code could be. The proposition thus becomes a non-starter.

If one tries to figure out the values of "dharmarajya", then, one would find that these are love, non-violence, truthfulness, sincerity, selflessness, non-possession, hospitality, freedom of thought and expression, chivalry, respect for women etc. These values are at the opposite pole of the "modern" values of lust, greed, offensiveness, violence and exploitation. But can the former set of values be promoted merely by reminding ourselves in our daily prayers and pledges that these are the cherished values of this nation? Life has a physical basis, too. This basis has to be created to make the physical environment conducive to spiritual values. It is a two-way process.

We often hear moans about the degeneration of character. But do we try to see why the spiritual teachings now-a-days fail to strike root in most people—or why these values lie dormant and get repressed? How does the process of corrosion of higher values get acceleration in modern times? In earlier periods of history, the influence of great teachers like Buddha, Mahavir, Christ, Nanak, Chaitanya could last for centuries before they lost their vitality. But in modern period, the teachings of great teachers like Ramkrishna Paramhansa, Ramana Maharshi fail to create the force in society which can stand the onslaught of greed, despotism, corruption and hyper-selfishness. It will be wrong to say that the later-day saints were lesser men or that their teachings were less vital. The fact is that the physical conditions of life have become too inhospitable for these values.

Modernism—whose other name is "scientism"—has, wish its "nature-conquering philosophy, become, in modern times, a "super-religion", an overriding ideology subsuming all religions and ideologies,

What began with the idea of conquering Nature for the benefit of man has kept conquering vast masses of people for servitude to a few, disrupting the basis of life, and creating conditions where survival has become the main problem before everybody in a highly exploitative society. Participation in exploitation and impropriety in some form or the other has become the condition of life. Such conditions are severely adverse to the nurture of higher values by the masses. If "dharmarajya" means a regimen where upholding of dharmic values is to be the way of life of the masses, what chances does it have against this grim background? The proponents have nowhere expressly recognised these obstacles, leave alone suggesting any solution. We can go on talking about high moral teachings such as "ईशा वास्यमिदं..." and "पुरुंमदः पुरुंमिदं..." but these will remain remote from societies where famished mothers seek to stave off extinction by snatching morsels of food from the sinking child.

The True Vs. False Hinduism

Now, to the premise that the nation could be built up on *Hindutva*. Let it be recognised that there is great opacity on what is *Hindutva*. Hinduism is no religion. The religions which originated in India were Shaivism, Sakti-ism, Vaishnavism, Buddhism, Jainism etc. The Persians gave us the word "Hindu". By "Hinduism", they meant a way of life which prevailed on the banks of, and to the east of, the river "Sindhu" (Indus). Hinduism, therefore, is a culture. It is a "confederal principle of co-existence of all religions" and can be called a philosophy of holding together all religions. A true Hindu considers every religion and its original message and values as his own. Hindu Culture was the culture of constant renewal. It is a culture, to which dharmic values are eternal, and holding together is perpetual. Conscious of the corrosion of values with efflux of time, it either reinvigorated the recessive values or imbibed new values from wherever these were available, to meet the challenges of new times. Thus, it constantly revitalised itself by the infusion of fresh insights and new emphases—by reaching higher levels of synthesis in every epoch.

Those of us who cling to anachronistic values, who let the society be weighed down by caste disabilities, do not feel the glow of oneness with the cosmos, and fail to continually unify the followers of all faiths in a bond of love, are no real Hindus. Although the spirit of tolerance of all religions has continued within the broad bosom of what is now called the Hindu society, its capacity to forge a union of hearts of believers of all faiths is nowhere in sight.

Many will raise the question : how could the spirit of Hinduism unify the people when the followers of religions which originated outside India—Islam and Christianity—fanatically believe in the superiority of their own religions and even in the inevitability of all people of the world ultimately coming under the umbrella of their faith ?

To this, the answer is : bigotry is a diseased state of the mind. It could be cured by the overpowering presence of a superior spiritual-cultural-material culture among the rest of the population. If the Muslims could witness here greater socio-economic-political unity among the others than in the Islamic world, if they could find compelling evidence of greater harmony, at any rate, among the followers of faiths of Indian origin than was evidenced in West Asia or Europe, and if the Christians could find here overflowing love which equalled the best in their tradition—then, things would have been very different. Before this striking vitality, all arrogance and bigotry would have melted away. The key issue is : without radiating love for all, none can love the followers of even one's own faith. If there is hate and malice against any people, it gets internalised and spoils the harmony within.

Mahatma Gandhi's philosophical statement about the objectives and tasks of Indian national movement can be appropriately adopted to define the requirements of religio-cultural reform movements. Gandhiji had said that the Indian people needed freedom not only in their own interest; they needed to free the British people, too, from the yoke of their imperialist rulers, and also to free the British ruling class from the circumstances, which degraded their soul. This approach was born of love for all.

Likewise, the true spirit of Hinduism should strive to lift the souls of all. *This includes the liberation of people of all faiths from their morbidity of fear, hatred and the fanatical complex of self-assumed superiority.* This is achievable by universal love, not by "hatred for hatred." Similarly, the Muslims, most of whom will not now like to be called Hindus even in the original sense, may also be the harbingers of renaissance, if they can rise over their present state of self-pity and radiate love for all.

The message of "love for all" is no plea for surrender to illogic or separatism. It stands firm against any unprincipled policy of appeasement : it also flows incessantly to protect the life and livelihood of the weak and the oppressed, *irrespective of creed, caste or sex.*

Let us take the case of Muslims in India. In post-Independence India, they are mostly the victims of the backlash of their "aggressive.

minorityism". Firmness against the communalists' illegitimate demands could have helped the non-communal elements among the Muslims themselves. Loving care and defence of their legitimate interests could bring all people together. For example, when the Armed Police Constabulary of Uttar Pradesh, angered by the intransigence of some Muslim families in Meerut, were seeking to "teach them a lesson" in the manner all security forces do, when innocent lives were being butchered, the votaries of *Hindutva* needed to intervene to stop the insensate acts of the armed police. If this had been done, it would have overnight transformed the communal situation so radically all over the country that the Babri Masjid agitators would have lost their ground. In a climate of reasonableness, it would have been possible to persuade the Muslims that a birthplace cannot be shifted but the location of a mosque can be. For the construction of mosque nearby, the non-Muslims, too, could handsomely contribute.

According to Tulsidas's Ramayana, Lord Rama had proclaimed that the *Shiva-drohis* (haters of Lord Shiva) would not have access to him. In the same manner it can be said that the "*Allah-drohis*" would not have access to Lord Rama nor would the resisters to reverence to Lord Rama get the mercy of Allah." This is true Hinduism. To live it, we need tremendous moral courage and universal love.

Since there are sceptics who are quick to smell appeasement in every such statement, it is necessary to say that genuine love never appeases, for in the longer term it is the appeased who loses much more than the appeaser. Appeasement is the outcome of tactic, not of love. Gandhiji resorted to tactic when he sought to mobilise the Muslim masses in defence of the Khalifa. This was unprincipled pandering to communalism. It fuelled pan-Islamism whose later outcome was Partition, in which all Indians suffered but the Muslims became the worst losers. This is the result of seeking and receiving the poisoned fruit of appeasement. The same Gandhiji was the soul-force of Hinduism when, during the communal riots of 1946-47, he risked his life to protect the Hindus and the Muslims, as the situation demanded. Because of the morality of his stand, he became, in Mountbatten's language, the "One-man Boundary Force" preventing riots which battalions could not do.*

Those who are pathologically anti-Muslim or anti-Christian, those who cannot combine resistance against unreasonable clamour with spon-

*When Nehru said that minority communalism was not vicious, it was appeasement. When Rajiv government got passed the Muslim Women Bill, it was appeasement.

taneous urge to serve all people's legitimate interests indiscriminately, and whose love knows barriers of creed, are not genuine Hindus. Provoked by some fanatics' over-assertion of separate identity to the near-exclusion of common national identity, angered by some missionaries' vaunt of a "superior religion and superior culture", these "Hindus" return hate by hate, contribute to increasing the cumulative divisiveness within the country, burying in this process Hinduism, which is, in principle, a perpetual unifying force. These "Hindus" have no faith in the integrative power of moral principle, and winning power of love. Thus, there is a world of difference between genuine Hinduism and fake Hinduism.

Hence when we talk of *Hindutva*, we must first state the kind of *Hindutva* we stand for.

Secularism is Passive Neutrality Between Religions

Secularism, as defined, is equal treatment to all religions. Since it proclaims impartiality between all religions, it is fair to all faiths. But in the context of the deep divide between the religious communities which resulted in Partition, the task was to bring about a union of hearts of people of all communities to build a mosaic of multi-religionism in India. The need was harmonisation. Could secularism, as defined and practised, meet this need? The answer is a resounding "no".

Equal treatment can be given to all religions either by equal proximity to all or by equal distance from all religions. When there exists a "modernist" belief that with the growth of industrialisation, all religions will be marginalised, the tendency would be to give equal treatment to all by ignoring all equally. This does not promote harmonisation of the followers of different religions.

Secularism proclaims non-discrimination between religions by the State. This is alright so far as it goes. But it does not say what is to be done at the people's level. If positive harmonisation—integration of the psyches of people of all faiths—is the objective, this requires immense positive inputs. Bypassing religion—or brushing aside inter-religious differences—does not help. The need was inter-religious understanding and constructive dialogues therefor.

To bypass religion is to fail the nation in producing suitable responses to the challenges of those who plead that their communal politics are an integral part of their religion.

It was necessary to point out to the all people in general and the followers of these religions in particular 'the apostles'

(i) that the apostles/gurus' original purpose behind integrating their religion with State affairs was to subordinate socio-politico-economic and all other activities to the demands of piety and to all other virtues that true religion stands for. This was because the objective of religion was upliftment of spirit—peace with oneself, harmony with all, and oneness with the *cosmos*;

and

(ii) that the kind of integration which the practitioners of communal politics today seek is intended to serve just the opposite purpose: it is to exploit religion in their own interest of power. This is subversion of religion itself.

Secularism, as has been formulated and is being practised, has meant the absence of any people's movement for understanding (i) the original purpose of each religion and (ii) the way of meeting the purpose in today's conditions. This vacuum left the field wide open to people like Bhindrawale, the new versions of Jinnah, and the narrow-minded mullahs, priests and jathedars. These people have known only the rituals i.e. the externals of their own religions but are illiterates in the essence of their own religion, what to talk of the essence of other religions. In the absence of initiation to the intrinsic truths, they could only preach hatred.

Today's ruling concept of secularism permits a person, whose life has no pious or religious dimension, who knows no ethics and exploits people of all communities without discrimination, to be called secular merely because he is non-communal. It is such immorality—and the widespread distress caused by it—which is provoking people to think that if it were possible for the community to return to its old days, it could be better. Unfortunately, they are seeking to return to merely old forms, not to the pristine values. This is mere formalism, externalism. Those who call it fundamentalism are sowing yet another confusion. If there had been a seeking for the fundamental values of the old in the present age, it could have kindled the fire of reforms.

A clearer and more positive attitude towards religion could have sparked, within each community, a movement for reform—for higher achievement of the religion's original purpose, and for harmonisation on an extended scale in today's conditions. It could have given all those who are called 'minorities', in terms of religion, the vision that by their creative attitude and efforts, they are more likely to be the harbingers of a new renaissance. History provides many examples of renaissance being sparked by minorities. The Muslims of Indian union could have been helped to see that they have a historic responsibility of contributing

not only to the rejuvenation of India but of rescuing the strife-torn Islamic world by showing how a mosaic can be built with people of all faiths. We needed to emphasise from the beginning that those, who did not learn to live harmoniously with people of other faiths, could only internalise hatred, and fight with people of their own faith when others are absent.

Lack of such positive content in the philosophy of secularism has caused the crisis in Punjab. It also ensured the continuance of separatist zeal among the Muslim masses of Kashmir Valley. Among the complex of factors responsible for the agitation in Assam was the fear among the Assamese Hindus that a day would come when the bigotry of the Muslims, who were seeking to be admitted as immigrants, would give rise to secessionist demands. If we have not been able to fight successfully the pernicious two-nation theory and if a large majority of Muslims have great love for Pakistan than for India—despite the supreme sacrifice of many patriotic Indian Muslims during the Indo-Pak war—it is because of passive i.e. merely non-discriminatory, secularism. As a result, communalism has not been fought and conflicts are flaring up, every now and then.

Wrong Orientation of the Constitution

In the same manner as surface reasoning failed to find deficiencies in passive secularism, many seminarists found nothing wrong in the Indian Constitution. The Constituent Assembly, under Nehru's leadership, prescribed 'modified federalism' for India. Articles 352, 356, 359, 362 gave overriding powers to the Union Government as existed under the imperial British rule. Thereafter, the Union Government, by force of usage, came to be called "Central Government", which is not done in any federal system. To call a government "central" is to attach far greater importance to it; it assumes that governments at every level would have to revolve round it. The proper word would have been the Federal government, or the "Union government" as was laid down in the Constitution.

Of course, there was scope for rationalisation. Whereas the British had sought the Centre's extraordinary power to preserve the interests of an 'alien paramount', Nehru and his colleagues felt that a centre, strong in relation to the states, would make for a strong nation. Had not India in the past ages, repeatedly fallen to foreign invasion on account of divisive forces within? Would not more power to the states be taken advantage of by purveyors of fissiparous tendencies?

Such reasoning flowed from the philosophy of overlordship and the belief that the Union Government can do no wrong. That denial of real autonomy to the states could produce more resentment and more divisiveness was not taken into account.

In any case it was based on the negativism of fear and the lack of understanding of positive benefits of true federalism. In the confusion, State power was equated with people's power and a central government strong in relation to the states, came to be equated with a strong national system. Here, a metaphor used by Poet Tagore in another context would seem appropriate. 'If the head draws all the blood deceiving the body, it cannot be called health'. (Does not overflushed brain cause hypertension and unstable condition?) The poet had said this in the context of the relation between the town and the countryside: it is equally applicable to the relation between the Union and the State levels. As a matter of fact, since there had been a tradition of discontent leading to betrayals, there was even greater need to diffuse power *upto the grassroots level*. It would have plugged the sources of discontent. Empowerment of people at the grassroot level would have taken care of wayward tendency at any level.

We all say that power derives from the people. Therefore, the proposal for empowerment of people might seem strange. But have not the Constitutions of almost all countries conspired to take away the powers of the people? People's power needed to be made vibrant by constitutional power at each unit level.

Basic Issues

Let us now raise a few basic issues which were not at all raised in the seminar. These relate to principles which, if accepted, could reconcile the conflicting viewpoints.

One, both parliamentary system and presidential system, which are often posed as the only alternatives, are systems of *governance by representatives*. This system cannot ensure democracy unless it rests on the pillars of participatory democracy at the local levels. In India, the local level would mean the level of a cluster of villages and the block level. Participatory democracy is possible if there is statutory provision for assemblies of people at local levels taking decisions on the basis of consensus, these having the force of local legislations and governmental decisions.

Two, only the kind of nationalism, which gives scope of expression for a *multiplicity of intermediate loyalties*, is able to inspire the natural and genuine loyalties of its members. Loyalties based on language, territory (district, state), custom and tradition meet some of the vital psychological and sociological urges of human beings. Each of these loyalties has a definite place. There is no need to subordinate or repress any

oyalty in the interest of promoting another. Both the narrower and the larger loyalties can develop, reinforcing one another.

Three, when a nation emerges from colonial rule, it is the national elite's cosmology and concept of life-style that decides the nation's choice of the Technological Order and the Energetics. These are most crucial in deciding the values of the society. When a country opts for "nature-conquering technology" and "high-concentration energy", then, elitism, concentration of corporate power/statist power, authoritarianism, militarism, corruption, mass impoverishment and disintegration of life-support system with all their dehumanising consequences are bound to follow.

Four, when a country decides to develop as a nation-state with a central role for the government apparatus, there is bound to be absolutism of power and corruption. There is a close connection between the technological philosophy and the concept of the role of State power.

Five, unless there is declaration of an "Antodayee" (सन्तोदयो) society as the goal, instead of a State patterned on the unstable Western modernist State, the drift towards national military power-cum-meretricious Gross National Product-oriented State, hiding the wretched condition of the people, was inevitable.

For elaboration, let us take the second point first.

The Relation Between the Narrower and Larger Loyalties

Often there are talks about the need to submerge the loyalties at the lower levels to promote "higher-level" loyalties—for example, to sacrifice loyalty to language group in the interest of loyalty to India. This concept is the basis of unitary-ism, which is responsible for diluting federalism.

This approach fails to perceive that the loyalties to lower levels—to the family, linguistic group, ethnic group etc.—are very intense. These can readily be harnessed for improving the condition at their respective levels. In their healthy state, they strengthen the higher-level loyalties, for there is an organic relationship between these.

If a particular order of loyalty is encouraged to intrude on loyalty of another order, it is expansionism and an over-expansionist loyalty is malignant: it does harm to itself, while bringing about the collapse of the entire structure of loyalties.

When the demand for a particular type of loyalty becomes so aggressive that it invades the spheres of other loyalties, all concerned should do some soul-searching. Did the impugned loyalty of the particular group find its normal channels of expression? Was there any suggestion of the group's inferiority in relation to another group on the corresponding level? And, why did the larger-level loyalty fail to have a greater pull on the wayward group? Why could the narrow group loyalty become exclusive to its own detriment and to the disintegration of the organic whole?

A loyalty overreaches itself and becomes aggressive when there is a pent-up fury on account of the blockage of its normal outlet. It asserts itself with a vengeance when there is contempt or even suggestion of inferiority from another group. This intense reaction is only an expression of an urge to re-establish the group's identity. But by its over-assertion it creates a situation where the original offender now requires a "defence mechanism". It counter-reacts and widens the divide. Thus, polarisation accentuates and the loyalties appear irreconcilable.

Only a creative approach can solve these problems. A large group, by steadfastly refusing to be drawn into negative channels—by fixing its gaze on continual ascent to heights of positive achievements—can create a condition in which even the contending group would feel drawn towards it, to share in its glory. In an approach like this, the larger loyalties develop. If, however, there is a lack of appreciation of the other groups' emotions—that is, the reasons behind their illogical over-assertion—the society as a whole will fail to develop the vitality which alone could remove the separatism of some of its constituents, by measures of understanding sympathy. It is from such situations that the absence of larger loyalties and organic dysfunction of the society result.

A dispassionate understanding of this relation between the loyalties is essential if the problem of provincialism, linguism, racism, etc.—is to be solved. It has also a message for the conduct of relations in a federal set-up as also for an approach to development.

Need for Five-tier Federalism

Today, we have a mere two-tier federalism—that, too, 'modified federalism' which has a strong flavour of unitary-ism. If true democracy and people-oriented development are to be ensured, it would be necessary to provide for:

- (i) government at the level of a cluster of villages and at the block level, by people's direct participation;

and

- (ii) elected legislative bodies at district, State and Union levels would select their executives (governance by representatives).

Each level of government would have clearly defined functions, each being independent in its own sphere, none being superior to the other, none having the right to override the other.

It is difficult for any one individual to precisely define the specific spheres for each tier of government. But it is possible for a team to work it out. But it must be preceded by a nation-wide consensus on the desired life-style as well as on the broad contours of the desirable civilisational pattern—the types of villages, towns and cities, the pattern of energy use, the pattern of farming, industry, transportation, communication etc.

It is particularly important to begin with a consensus in favour of a life-style which meets everybody's genuine needs as distinct from needs induced by commercial houses as at present. It is also necessary to know the latest in communication technology and in a few other fields. The acceptance of this kind of life-style should not be difficult in view of India's tradition of plain living and high thinking. The relevance of the latest in communication technology lies in the fact that when satellite communication system enables a villager in the remote interior to converse with somebody thousands of miles away, it will be possible to give much lower emphasis on the high-speed transportation system. The slow-and medium-speed transportation, based on low-concentration energy derived from decentralisation technologies, will then find much greater acceptability.

So long as the society considers that the high-concentration-energy based farming, industry, transportation are essential, there cannot be any proper decentralisation. Gandhiji believed in genuine decentralisation because his concept of development was based on ecological resources whose utmost development was possible by giving more and more attention to the local landscape. Nehru was prone to centralism because in his concept, even agriculture would have to be based on chemical fertilisers, chemical pesticides, electricity from larger power stations, irrigation water through trunk canals connected to big dams. There was hardly any role for the village panchayats or village assemblies in this latter kind of development. If, however, agriculture was to be based on organic manure, nitrogen-fixing ferns and blue green algae, rotation of cereals and legumes, intercropping, and a nexus of multi-varietal crops, animal husbandry and poultry farming—which are more productive in the overall reckoning of the food basket, and are accessible to common people's resources, ecologically sound and sustainable, then, village assemblies and

panchayats would be the first priority. About industry, energy generation transportation etc. we could likewise discuss the merits and demerits of the two alternatives. But let us keep these for another discussion.

Under this concept of five-tier federalism, the Inter-State Zonal Councils and the National Councils consisting of representatives of the Union and State governments would have very important coordinating roles. The Union Government would have, *broadly speaking*, defence plus defence industries, foreign affairs, currency, international communication and a few other portfolios. *The Union Government would be stronger if it limits its functions and concentrates its attention on these vital aspects.* If there is any wayward agency at an intermediate level, the powerful locales below and the stronger Union at the top will be able to deal with it better.

For efficient system of functioning, a leaf could be taken out of our wonderful body system. It is based on the principles of autonomy of organs, of load sharing, buffering and containment of pressures and all-inclusive interlinkages serviced by a most efficient information and instant-response producing system. Since the autonomy is governed by holistic control in a variety of ways, such as the nervous pathways, the circulatory, respiratory and all-connecting excretory systems, there is little scope for the autonomy being misused. This is a system in which each cell is connected with every other cell in a tissue, each tissue connected with every other tissue, and each organ connected with every other organ in a "holocentric" linkage system. These principles are applicable to socio-biology, too. When these are ignored and a system is built in which there are too many functions and excessive power at the top, it leads to overheating of the top and failure of the entire system. Unmindful of this, the Constitution had provided for excessive functions and excessive power at the federal level. These were further reinforced by the centripetal tendency of the megatechnology which we adopted in imitation of the West. The West now is coming to realize that this pattern is unsustainable even for the temperate countries. These patterns are far more ruinous for tropical countries, where stability lies in a much longer chain of interconnectedness.

By belittling the potential of local resources—both material and human—for local development; by denying the scope for local containment of pressures; by creating conditions whereby every resentment gets aimed

*The Union Government needs to be strong for the defence of the people against aliens. It does not need to be strong vis-a-vis the people. Moreover, it is a wrong concept that the Union Government or the State Government will be weaker if people's assemblies at the grassroots level come to have greater statutory power.

at the nation's top; by holding the Damocles' sword to threaten state governments with supersession, our watered-down and truncated federalism has made the Prime Ministers' office the direct receptor of all pressures. It has made the Prime Minister omnipresent and omnipotent within the country and left practically no shock absorber at any level.

A genuine federalism—in which every state government could have closer links with, and stake in, every other State government—would have given us a big advantage. In a biological system, where every organ is connected with every other organ, there is an inbuilt corrective system: if any cell develops an aberration, all other cells close in on it to provide the correction. Similarly, a truly federal system, built on this "helocenoetic link" principle, would have had an instant-correction system. If there was a secessionist movement anywhere, the strength of all states and their popular organisations would be brought to bear on it spontaneously and directly. India could have shown the way to this kind of true federalism if the founding fathers had not been shortsighted.

A critic may naturally ask the question: if real autonomy was conceded to the states, would not the country have been defenceless against misuses such as smuggling or gun-trading across the borders by the henchmen of local leaders, as was being alleged in the case of many members of the different political factions in Punjab? First, the Union Government, relieved of too many responsibilities, would have been better equipped to concentrate on the overall information system: border intelligence and security would have been better. Secondly, the overall philosophy of development and the general guidance system for India as a whole would have been different. The present pattern of development—which put the Punjab farmers, most of whom were Jat Sikhs, in a less advantaged position in relation to the non-Sikh traders and the non-Jat Sikh businessmen—would have been absent. Even then, if at all a phenomenon resembling the small farmers' present disadvantaged situation had occurred, it would have come up as a clash of economic interest groups, not as a communal conflict. Again, in an alternative pattern of development, the kind of development which makes unemployed Sikh youths fall for smuggling and gun-running activities, would have been absent. It is very easy today to compound economic grievance, political grievance, and religio-communal grievance. In a truly federal system of the type described above, it would have been difficult.*

* Some may ask if power at grassroots level will not lead to local despotism by the rural rich. This can be prevented by organising poor people's organisations simultaneously.

Yet another aspect needs to be recognized. There is a belief that the spread of technology will wipe out smaller identities and create a world community. This is not wholly true. Spread of technology no doubt brings people of different cultures and territories in closer contact. But it also accentuates a contrary trend. Afraid of getting submerged in the larger crowd, people seek to rediscover their identities in smaller communities.

Decentralisation removes the fear of submergence. It makes it possible for the larger loyalties to strike deeper roots naturally.

To employ yet another imagery of Tagore, the diversity of petals does not impair the one-ness of the flower; rather, it adds to its beauty. One can possibly go a little further. The *distinctiveness* of the different flower parts and the *individuality* of each sepal, petal, stamen etc. within these parts give the flower a completeness. This individuality at different levels is Nature's design to help the flower fulfil the purpose (to produce fruits and seeds).

A five-tier federalism, as suggested above envisaging prime role for village assemblies, is the greatest insurance for freedom, for "people's sawaraj". In this set-up, all groups—religions, linguistic, ethnic—wield power at some level or the other. In the areas of their habitation, these groups' key role in shaping their own life and culture will be assured. This built-in assurance would remove all fear of overlordship by some national-level dominant group.

Curiously, this was the fear that had brought about partition of the country. Once such federalism is introduced, it will send waves throughout the world. Their impact will be even more in the neighbouring countries. The Sindhis, the Baluchis, the Pakhtoons and even the Punjabi masses will demand such genuine federalism in their own country any build a more united, happier and peaceful Pakistan. With the fear of Hindu domination gone, the people of Pakistan and Bangladesh may even feel a new urge for re-unification with India in a confederation. In fact, in the above model, the difference between confederal and federal structure becomes tenuous. Since such a consummation will solve their identity crisis in terms of their place in ancient history, the process of re-unification may be quicker, burying the atmosphere of war. Even if this does not happen, the atmosphere of trust, peace and harmony will prevail. This is because an elite which renounces the chance of domination internally, will have little appetite for domination over others. By setting up a new model, India will be able to throw light and hope for solving the problems of autonomy-hungry provinces in countries to the north of India (i.e. China and the USSR).

Incidentally, this kind of widest sharing of power is utmost plurality conceivable. This will dispense with the need for plurality of parties with vested interest in political power at the national level and in the states—parties which have little to do with principles. In their place will grow discussion clubs, non-formal associations, and issue-based and idea-based movements in response to needs of the times and spaces.

With this political vision, it will be possible to usher in a New Technological Order, in fact, a new Civilizational Order—namely, solar civilisation, whose vistas are even more interesting. Many people erroneously feel that the philosophy of technology is subsidiary to the political philosophy. Karl Marx was profound when he, explaining the significance of a new genre of technology, said: “you give a handmill, you will get society of independent artisans. You give a steam-mill, you will get capitalist entrepreneurs”. Here Gandhi and Marx had common ground. Gandhi also talked about the distinction between dehumanising technology and the technology that serves man. Once the crucial importance of this difference is grasped, the urge will be irresistible for developing new techniques—based mostly on biological resources and low-concentration, renewable forms of energy. These new “productive forces” will then keep maturing within the womb of this exploitative society to burst it asunder, for people’s freedom.

This means, the vision of a truly democratic political order will be realizable only when there are supportive visions of a new socio-economic order and a new technological order—for a new civilisation, for cosmic humanism.

Position of Women

The root of the evil lies much deeper than most people realize. It lies in man’s greed of power and fame and deeper still in mutual lust. Man has always desired power. Ownership of property gives this power. Man hankers also after posthumous fame based on power. This cannot be had, if property is progressively cut up in pieces as it must be if all the posterity become equal co-sharers. Hence the descent of property for the most part on the eldest male issue. Most women are married. And they are co-sharers, in spite of the law being against them, in their husbands’ power and privileges. They delight in being ladies, this and what not, simply for the fact of being the wives of particular lords. Though therefore they may vote for radical reform in academic discussions over inequalities, when it comes to acting up to their vote, they will be found to be unwilling to part with the privileges.

—Mohandas Karamchand Gandhi in “Young India”, on 17-10-1929.

With Best Compliments

From

.....

THE DIMAKUSI TEA COMPANY LIMITED

4 Mangoe Lane Calcutta 700 001
(A Member of the Macneill & Magor
Group of Companies)



Today, a large cross section of industries depends on Citurgia quality

Besides the traditional usage of citric acid in food, soft drinks, confectionery and drugs, today the uses of citric acid extend to new areas:

- * In the textile printing and dyeing industry, it provides 'STABLE pH' conditions for polyester and nylon. As also for Acrylic prints curing and cotton-resist printing. Citric acid has successfully replaced imported tartaric acid because of its excellent quality, low costs and easy availability. Also, it is a very safe acid compared to other organic and inorganic acid salts.

- * Citric acid prevents flavour deterioration, rancidity and discoloration in edible oils.

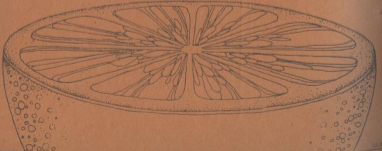
- * It imparts an acidic taste to dry powdered drinks.

- * It is also used as a descaling solution.

Citurgia Biochemicals Ltd., is the largest producer of high quality citric acid in India. Besides catering to the domestic demand, Citurgia's citric acid is exported to USA, Japan, Germany, Australia, Iran, Malaysia, Sri Lanka and other countries.

CITURGIA BIOCHEMICALS LIMITED

Regd. Off: Neville House, J. N. Heredia Marg, Ballard Estate, Bombay 400 038
Tel: 268071, Gms: CITURGIA BOMBAY, TLX: 11-2572 BDM IN



Punjab Chemicals & Pharmaceuticals Limited
Punjab Chemicals & Pharmaceuticals Limited
Punjab Chemicals & Pharmaceuticals Limited

Manufacturers and Exporters of
OXALIC ACID
&
DI-ETHYL OXALATE



Regd. & H. Office : S.C.O 371-372, SECTOR 35-B
HIMALAYA MARG, CHANDIGARH 160036

Phones : (0172) 24955, 33121, Grams : PUNJXEL,
Telex O395 288 PXEL IN

Works : Milestone 18, Ambala Kalka Road, P O
BHANKHARPUR-140201,

Dist : Patiala Punjab, Phones : Derabassi 70, 82, 86.

New Delhi Office : 107 Ansal Bhawan, K G Marg,
NEW DELHI-110 001. Ph. : 3314867

Bombay Office : EXCEL ESTATE, S.V. ROAD, GOREGAON
(WEST) BOMBAY 400 062

Phones : 672-3865, 672-3866 672-3021,
672-708, 672-5117, 672-5119

Telex : 11 78223 STS IN