

# DALIT VOICE

The Voice of the Persecuted Nationalities  
Denied Human Rights

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**Congress & its "pig philosophy" on Muslims : Thus Spake Ambedkar**

## Thus Spake Ambedkar

### Congress with its "pig philosophy" doesn't take note of Muslims & their self-respect

That the ruling community has done good to the ruled is quite beside the point and is no answer to the contention of the minority communities that they refuse to be treated as a subject people. The British have done many good things in India for the Indians. They have improved their roads, constructed canals on more scientific principles, effected their transport by rail, carried their letters by penny post, flashed their messages by lighting, improved their currency, regulated their weights and measures, corrected their notions of geography, astronomy and medicine, and stopped their internal quarrels and effected some advancement in their material conditions. Because of these acts of good government, did anybody ask the Indian people to remain grateful to the British and give up their agitation for self-government? Or because of these acts of social uplift, did the Indians give up their protest against being treated as a subject race by the British? The Indians did nothing of the kind. They refused to be satisfied with these good deeds and continued to agitate for their right to rule themselves. This is as it should be. For, as was said by Curran, the Irish patriot, no man can be grateful at the cost of his self-respect, no woman can be grateful at the cost of her chastity and no nation can be grateful at the cost of its honour. To do otherwise is to show that one's philosophy of life is just what Carlyle called 'pig philosophy'. The Congress High Command does not seem to realize that the Muslims and other minorities care more for the recognition of their self-respect at the hand of the Congress than for mere good deeds on the part of the Congress. Men, who are conscious of their being, are not pigs who care only for fattening food. They have their pride which they will not yield even for gold. In short "life is more than the meat".

It is no use saying that the Congress is not a Hindu body. A body which is Hindu in its composition is bound to reflect the Hindu mind and support Hindu aspirations. The only difference between the Congress and the Hindu Maha Sabha is that the latter is crude, in its utterances and brutal in its actions while the Congress is politic and polite. Apart from this difference of fact, there is no other difference between the Congress and the Hindu Maha Sabha. (p.47).

*(Dr. Babasaheb Ambedkar Writings & Speeches, Volume VIII, "Pakistan or Partition of India", 1990, Rs.40, Govt. of Maharashtra, Bombay). The book may be had from Director, Government Printing, Stationery and Publications, Netaji Subhash Road, Bombay - 400 004.*

## Nazies in the garb of Naxalites try to divert AP Dalits from Ambedkarism & destroy their identity

AN EYE-WITNESS REPORT FROM M.GOPINATH, GENERAL SECRETARY,  
KARNATAKA, SAMATA SAINIK DAL, BANGALORE

"Just two months ago, when they came begging for votes, they embraced us and said we were all children of the same mother and promised us to keep up the unity of Telugas. We believed them and voted them to power. Now, how did we suddenly become 'Maha-Madigas' to be kept separate from the same Telugas? Should we trust them any more?"

Yovahana of Chundur village, Guntur dt. of coastal AP, put this question before me. This, of course, is not the question of Yovahana alone. Every Dalit of Chundur has the same question to the Reddy Govt. of AP.

**Hindu Police join Hindu butchers:** "Independent India" has seen countless "caste wars" on Dalits by the Hindu barbarians. But none could be compared

to the Chundur carnage. It surpasses all other previous massacres (DV edit Sept. 1 1991). In all earlier mass murders the Hindu rulers had played a behind-the-scene game. But on the Aug 6 1991, the Chundur police wrote a new chapter in the blood-soaked Indian history that upholding the job of butchering Dalits is the part of their official duty.

Chundur carnage has convinced us that shortly the Hindu rulers would make annihilation of the Dalits and the other natives of this land as the principal official programme of their Hindu govt. Some people may say that these are angry outbursts of a sick mind. But the Chundur Dalits, who had lost over 20 of their kins because of the police brutality, are very sure that Hindu rulers will use the Hindu police to

### MARXIST-LENINISTS, GANDHIANS, HUMAN RIGHTSWALAS REMOVE MASKS & SHOW THEIR HINDU FACE

V.L. SABASTIAN, VIJAYAWADA

Chundur is a mandal headquarters village, 12 kms. away far from Tenali (Guntur dt) and 60 kms from here with a population of about 6,000 of which 2,000 are Dalits, 2,500 Reddies, 500 Kapus and the rest Backward Castes. Dalits are mostly educated and followers of Dr. Ambedkar because of the AP Dalit Maha Sabha headed by Katti Padma Rao. In the Mandal elections the Dalits elected their own members defeating the Hindu candidates.

The contradictions between Hindus and Dalits sharpened with the social boycott enforced by Hindus.

**Church as revolutionary centre:** The Salvation Army church people gave shelter to our people. Katti Padma Rao rushed to Tenali and took control of the situation. He gave them courage. As the AP representative of *Dalit Voice*, I also rushed to Tenali to share the sufferings of our brothers and

sisters.

Dalit leaders Bojja Tarakam, K.G. Satya Murthy, who was expelled from the People's War Group headed by a Reddy, and some others are leading the movement of Dalits along with Katti Padma Rao. That means Chundur has brought lot of unity among Dalits and refinement in our movement. SC/ST/BCs observed Aug. 15 as "Black Day" all over the State and hoisted black flags instead of the national flag and shouted slogans that "Dalits have not yet got freedom".

Prakash Ambedkar, Ram Vilas Paswan and R. Elumalai, Madras, M. Gopinath, General Secretary of the Samata Sainik Dal, Karnataka, Bangalore, visited the camp at Chundur and met the victims.

**Attack on Christian College:** The Hindus called for a district bandh but it was a failure except in Tenali, Repalle and Guntur. On

Aug. 17, the bandh day the Hindus attacked three Dalit hostels of the famous Andhra Christian College, Guntur, and destroyed lots of property.

Hindus have given slogans like 'Hang Katti Padma Rao', 'Hindu stand up and Save Hindu women from Dalits.' In Andhra University, Vizag, Dalit students attacked Hindu students for not observing "Black Day" on Aug. 15. Attack of Hindus on individuals, institutions are on the increase. Our people are getting ready to hit back. Contradictions are getting sharpened.

Nazis so far in disguise (as naxalites, civil rightswalas, Gandhians) are discarding their masks and are showing their true colour. We welcome caste wars. Meanwhile, Katti Padma Rao was arrested on Aug. 19 at the instance of upper castes including naxalites.

thrust their Hindu raj.

### WHAT CAUSED THE EXPLOSION?

The Chundur explosion was said to have been caused by the "provocative" sitting posture of a Dalit youth in a cinema hall. This "enraged" a Reddy youth to attack the Dalit. But this is not the only reason. This is just a pretext. The real cause is our so-called "village republics" that cause the socio-cultural divide between Dalits and Hindus.

**Aryan invasion:** All over the coastal Andhra a burning hatred is raging between Dalits and Hindus – since centuries. Some 2,000 years ago, it was the Dalits who ruled the entire South India (the original name of Hyderabad, the capital of AP, was Bhagyanagar named after a Dalit woman called Bhagya). Infiltration of Aryan hordes into the peace-loving Dalit community (who were all Buddhists) and the cultural aggressions by Adi Sankara, a Kerala Brahmin, and others made our people powerless. However, there were attempts on the part of Dalits to regain the lost power. Till the 15th century, Dalits were the rulers in parts of AP.

During the British rule, the Brahmins, who were serving the imperialists as officials and village officers (shambhog, kulkarni etc) manipulated land records and took possession of Dalit lands. Simultaneously, they consolidated their position through their exploitative religion, now called Hinduism.

**Christian Conversion:** Due to this oppression, Dalits got converted en masse into Christianity. After the "independence" (1947) Brahmins found cities more lucrative and left villages to settle in cities. The positions vacated by Brahmins were taken over by the Reddies and Khammas – shudras belonging to the fourth varna of the brahminical (Hindu) social order.

*Today, the entire coastal Andhra is notorious for nazi activities on one side and the "communist" and naxalite activities. Both are led by the Hindus.*

**The Secret of Hindu worry :** The Reddies and Khammas own the entire rich paddyfields and Dalits sweat in their fields and grow food for them. It is the coastal Hindu culture which dominates the entire AP. But our people - landless wage-earners – have a strong cultural unity and an acute awareness of their lost rights and the need to regain it. That is why in every village, they remain separate, with their churches, away from the Hindus. Even the Hindu converts' churches are different from Dalit churches.

*It is this strong bond of unity, awareness and separate identity of Dalits that worries Hindus and make them*

*always restless.* Their frequent attacks on Dalits are the outcome of this restlessness and fear. All other things are the manufactured stories to hide this real truth.

### HOW IT HAPPENED?

Last July, after the alleged altercation in the cinema hall, the Dalit youth was seriously beaten up by a group of Reddies as their "caste pride" was hurt. The Dalit victims lodged a complaint with the police. A police contingent descended on Chundur village for inquiry. This further sharpened the conflict and the Reddies resorted to total social boycott of the Dalits. If any Reddy were to engage a Dalit, he would be fined Rs.1,000. They thought such a drastic punishment would force the Dalits to come to them crawling – "repenting for their mistake" and seeking an apology. But the things went exactly the otherway.

Dalits also retaliated and started going to far off places to earn their bread instead of surrendering to the Reddies. Please note that the Reddies were never accustomed to work in their fields. The attitude of Dalits further irritated the Reddies but the fear of

losing the standing crops added fuel to their anger. Their caste pride and arrogance, however, did not allow them to reconcile with the Dalits peacefully. Hinduism does not believe in human rights. Many attempts were made to trouble Dalits on false allegations resulting in minor scuffles.

**Conspiracy:** Ultimately, a grand conspiracy was hatched in collusion with the police to

### Dalit police killed for polluting temple

**Bombay:** A police kotwal from Pintri Deshmukh village in Parbhani district was stoned to death by upper caste residents on Aug 16 for standing on the steps of the village Hanuman temple. That Ambadas Savne (30) was killed was confirmed by the DIG.

A bhajan by upper caste residents of the village was on in the temple. They questioned his entry into the temple premises in spite of his being a Mahar. (*Times of India* Aug. 29). ■

"teach a lesson to Dalits".

On Aug.6, at about 11 a.m when most of the working men and students had left their houses, a sub-Inspector with a few constables rushed towards Dalit huts. In the pretext of helping them, he asked the Dalits to run away from their houses as the Reddies were rushing to attack them. Till they confronted an armed group from Motagur on the way, Dalits did not realise that it was a false alarm and a well-planned trap. The armed Reddies and Telegas hacked the unarmed Dalits into pieces, after trapping them between Chundur and Motagur villages. When such a mass murder was going on, the police did not remain silent. They assisted the Hindus and dumped the bodies (cut into pieces) into gunny bags, stitched them and threw them into the flooded canals and drains of Tungabhadra river. The screaming women and children were also beaten up and their huts burnt. All the Dalits of Chundur deserted the village and took shelter in a church near Itanagar. Within hours the whole Dalit village turned into an ominous graveyard.

**Non-violence & tolerance:** And such actions are described in Hindu scriptures and by their spokesman, M.K. Gandhi, as Hindu tolerance and non-violence.

The same day at Tenali around 3 pm, the Dy. S.P. Ravulayya was misguiding the whole world holding a press conference and giving a totally false picture that the Chundur village was "completely peaceful and no untoward incident had taken place". The news of the killings did not reach either the District Collector or the DIG of police till the next evening. When the leaders of the Andhra Dalit Mahasabha (DMS), Bahujan Samaj Party, Kranti Sangram Parishad, SC/ST/BC federation and other Dalit organisations reached the village, the police were sincerely guarding the completely burnt Dalit village. They were so brutally inhuman that they neither answered the queries nor helped the people to fish out the dead bodies from the canals and drains.

*Is there any need for better proof that the whole social system is getting hinduised? Should we still believe that this Hindu govt. will honour the Constitution of India and protect our human rights assured in it?*

Members of the DMS said that 21 Dalits were missing but they could fish out only eight bodies. When the bodies were taken to Tenali, a Dalit doctor, who performed the postmortem, committed suicide unable to bear the pain and sufferings of his people. When the bodies were brought to the village in a procession, a Dalit youth, M. Ramesh, simply collapsed and did not wake up.

#### BOOT-LICKING PRESS

To add insult to injury the Telugu press played havoc by exploiting this issue. Though everybody knew that it was the arrogance of the Reddy rowdies that caused the blood and burning, some of the Telugu toilet papers said it was the "arrogance of the Dalits" which caused the holocaust. An English daily in an editorial bullshit wrote:

*The behaviour of the Harijan youth who allegedly rested his foot on the head of a forward class youth in a cinema hall was condemnable. (Decan Chronicle, Aug. 12).*

The Hindu press is proving more

dangerous than the Hindu nazis in spreading falsehood. The toilet papers published articles and photos "to prove" that Dalits retaliated against Reddies on the night of Aug. 10. They also manufactured a white lie that Dalits had killed a 70-year-old Malla Reddy, burnt the houses and hay-stacks of Reddies. They were about to set on fire two Reddy women, and that upper caste women were fleeing the village etc. All sorts of falsehoods were spread to inflame Hindu passions.

We only wish such a retaliation was true. We want our people to stand up and find their own solution.

Self-defence is noble. Even the laws of the land sanction murder in self-defence. We want our people to retaliate doubly for any loss or injury they suffer. But our problem is they are not doing it. They are still not able to hit back. All those cock and bull stories in the Hindu press are false and they are meant to cover the Hindu aggression and nip any possibility of our people turning militant. These false stories are also meant to instigate the Reddies of other villages to "finish Dalits".

#### THE NAXALITE NATAK

The naxalites, who are claiming to be the sole contractors of Indian revolution, played a big drama at Chundur. The Karamchedu carnage of 1985 gave birth to the powerful Andhra Dalit Maha Sabha, the biggest Dalit organisation in the State. Chundur proved a much more serious affair and created much bigger waves. Chundur had all the possibilities of giving birth to a much more militant Dalit movement, refining the existing ones and consolidating the splintered Dalits. It could have patched up the differences between the top leadership of the AP Dalit Mahasabha - particularly Katti Padma Rao and Bojja Tarakam. Such shocking possibilities unnerved the Hindu leaders and forced the Hindu nazies in the garb of naxalites to intervene and pour cold water on the burning volcano.

**Adventurist stunts:** Such alert upper caste outfits parading as naxalites quickly created a number of letterpad organisations to curb our militancy.

### Mandals & the Bandals

SMT. SRILEKHA BOSE, 11 LANDMARK,  
CARTER ROAD, BOMBAY-400 050.

At about this time last year, the media was aflame protesting against the implementation of the Mandal Commission Report and glorifying self-immolation that was supposed to be a noble protest against casteism. The then Prime Minister, V.P. Singh, was dubbed a casteist who was dividing the country on caste lines by focusing on a non-existent issue.

Today, 30 Dalits are brutally killed in the Tsundur village of Andhra Pradesh. The mode of killing is so gruesome that the doctor who was carrying out the post-mortem (and was himself Dalit) went through a trauma and committed suicide.

But I do not find loud protests renting the air. Where are those noble students who encouraged immolation and destroyed property worth millions protesting against casteism? I should not like to think that caste exists or does not exist for them to suit their convenience. Where are the ladies of the Mothers' Forum? Surely they did not protest against casteism only to protect the interest of their children? Where are the Arun Shouries, M.V. Kamaths, Mitras and Trehans of the media? Oh, certainly an editorial or a column will be written or an episode will be devoted in the cassette-magazine to shed some crocodile tears. But I am sure that no systematic campaign will be launched, no Government will fall and no one will admit that caste is a living issue in the India of 1991. After all, the ones that died such gruesome deaths were mere Dalits not really one of us. ■

Under these fake banners our boys were made to involve themselves in totally useless, irrelevant romantic programmes such as boycotting of classes, burning of the effigies, "take to guns" slogans and many other adventurist stunts to mislead our youth and bring them under Hindu leadership. Hindu stunts, which get good publicity in the Hindu press, were called impressive. But all these were meant to curb the sustained growth of Dalit movement and divert our people from the path shown by Babasaheb Ambedkar.

*These naxalite groups were all led by Brahmins, Reddies, Khammas or Kapus. They openly criticised the leadership of Katti Padma Rao, General Secretary of AP Dalit Maha Sabha, who emerged as the hero of Chundur. These Hindu naxalites were dead against Ambedkarism taking roots among Dalits and gave a call to their people to push him out of the scene and finally they succeeded in getting him arrested.*

**Naxalites more dangerous than nazis:** Chundur has taught us that Hindu marxists and naxalites are more dangerous and deadly than Hindu nazis. It is the Dalits who brought militancy to these naxalite organisations. Though the leadership is with the Reddies and Chaddies, the entire cadres are Dalits and BCs. Gaddar, the legendary singer, is a Dalit. They are afraid of, losing their base and Dalits deserting the Peoples War Group and such naxalite outfits.

Despite all the efforts of naxalites to curb Dalit movement, we found lots of welcome development.

Dalit students of Osmania University saw through the naxalite game and started rescuing the innocent Dalit students from naxalite traps. For the first time in the history of Osmania University, Dalit students were able to put up an independent banner.

**Satyamurthy liberation from PWG:** Another important development was that K.G. Satyamurthy, a prominent Dalit who recently liberated himself from the naxalite trap after serving the People's War Group sincerely for 30 years, has formed a Dalit Volunteer Force in Andhra on Aug.15 (DV Sept.1, 6). This is a very important development.

#### LESSONS OF CHUNDUR

Unlike many other incidents, Chundur has once again convinced us that there is no other salvation for Dalits except to follow the path shown by our Saviour, Dr. Ambedkar. *Dalits of Chundur are already culturally separated. But to secure total liberation, they must be geographically separated. That means they must have their own safe and secure villages, meaning separate settlement.*

Hindus want us to remain as lambs so that they can make *biriyani* out of us. We are not lambs but born tigers - but in shackles. Only if we get ourselves educated in Ambedkarism we can get rid of these shackles. *Chundur has once for all proved that Dalits*

*are not Hindus and never Hindus. We are a separate and distinct entity.*

The Constitution of India has several provisions and legislations to protect our human rights. But the Hindu rulers are not enforcing it. Because it will upset their own society.

**Separate electorate:** Why should we ask our oppressors to protect us? Will the wolf ever protect a lamb? We should protect ourselves. Those who cannot protect themselves will never get protection from anyone or anywhere. We do not need anybody's sympathy or pity.

We must assert our power independently. Our (Dalit) political leaders have failed to represent us. Because under the existing "reserved constituency", they are elected by others' mercy. We should elect our own leaders through a separate electorate. The Indian Govt., courts, police, press and the whole establishment will continue to remain Hindu which will not protect our human rights. So we must shape our own destiny. ■

#### Nazis expel Jesuit priest

**Bhopal:** The Madhya Pradesh Christian Association is distressed at the prospect of a 78-year-old missionary facing deportation from the country by the end of this month. He is Father De Raet, a Belgian-born priest who first came to India way back in 1937 and has made India his permanent home.

Having worked among the tribals of Sarguja and other places in eastern MP, he is now serving as a librarian in Bhopal's prestigious Campion School.

He faced two expulsion orders in 1984 and in 1987, against which he appealed to the Supreme Court and obtained an interim stay order.

De' Raet came to India in the prime of his youth as a Jesuit missionary and spent the best years of his life in the service of tribals of Bihar, Assam and later Sarguja district of eastern M.P. for about nine years. He established complete rapport with the people through hard work and dedication to the cause of their education and health. The aged priest is a popular figure in the school where he now works. (*Hindu Aug. 26*). ■

#### Bihar model in human rights

**Calcutta:** Bihar is going to effect 51 percent reservation in jobs in the judiciary from the rank of district judge for backward classes listed in the Mandal Commission report.

Chief Minister Laloo Prasad Yadav told reporters that similar reservations would also come in force for students from these castes in admission to technical and medical colleges in the State. Ordinances in this regard would be promulgated soon, he said. (*Hindustan Times Aug.22*) ■

DR. Z.I. KHAN, DIRECTOR, INSTITUTE OF ISLAMIC & ARABIC STUDIES, NEW DELHI.

The current media hype over the alleged 'child marriage' and 'sale' of the Hyderabad poor girl, Ameena, to a Saudi 'shaikh' is yet another example of how a section of the Indian intellectuals grabs any opportunity that presents itself in order to put the whole Muslim community on the defensive and make it feel guilty, instead of treating the matter as an individual case. Ameena is being used by people who have no sympathy for Muslims. The same section earlier blew up the Shah Bano and Babri Mosque controversies out of all proportions. Hell broke out when Syed Shahabuddin called for the boycott of the independence day celebrations in 1988.

Any opportunity to humiliate Muslims is seized. The idea of the media hype, as practised in the west, is that by focusing on the 'evils' of others ('them') you make your guys ('us') feel good about themselves,

and strengthen their unity.

Coming back to the Ameena case, we find that her age has now somehow been shifted from 10 to 11 years. But looking at her pictures in the press, this is not how a girl of 11 years from a poor family of a rickshaw-puller looks like at 11. Girls of such poor background take much more time to come to this physical stage.

Every year countless minor (Hindu) children in rural India are married. Have you ever heard of an outcry? There are millions of bonded labourers. Hindu females are killed systematically.

Ameenans and Shah Banos will not provide fig-leaves to cover our naked bodies. Media hypes of this kind will only help alienate a large segment of our population. It will turn our country into another Lebanon and Sri Lanka (if we are not already there).

## MUSLIMS SAVE SOVIET UNITY

OUR CORRESPONDENT

Muslims are in overwhelming majority in six out of the 15 Republics of the Soviet Union. After the ethnic Russians, Muslims are the second biggest population in the Soviet Union. Its 55 million Muslims compose one-fifth of the entire 280 million population of the USSR. Soviet Union today is the fifth largest Muslim country in the world after India, Indonesia, Bangladesh and Pakistan. The Muslim population is bigger than Egypt and Turkey.

In the recent referendum held all over the Soviet Union while six Christian republics – Lithuania, Latvia, Estonia, Georgia, Armenia and Moldavia – opted for total independence from the Soviet Union the six Muslim republics of Azerbaidzhan, Kazakhstan, almost the size of India, Kirgizia, Tajikistan, Turkmenia including the second biggest republic Uzbekistan had overwhelmingly voted in favour of the Soviet Union.

## State Terrorism in TN ?

OUR CORRESPONDENT

**Madras:** Reckless arrests of Tamilians to suppress the Dravidian spirit is going on under the Jayalalita rule - almost bordering on state terrorism. Countless number of Dravidians have been killed by the police in the pretext of hunting down Rajiv Gandhi killers. All this proves that TN is fast turning into another Punjab. (DV Sept. 1. p.11). Those arrested include two Dravida Kazhagam activists (Veeramani group) near Tiruchi a couple of days ago.

The arrested – Rathnaswamy (Erode) and Shanmugasundaram (Karur), the police said have links with the LTTE militants. Newspapers writing against Jayalalita are being threatened. A sort of nazi-fascism is sweeping over TN in the guise of tackling Lankan militants. The Delhi rulers are mum.

## State terrorism on Sikhs: yet another example

**New Delhi:** A suspected militant couple, Sarvan Singh and Inderjeet Kaur, arrested with much fanfare by the Delhi police barely 48 hours before Aug. 15, were on Aug. 20 discharged by a Delhi court after the prosecution submitted that "no case could be made out" against the two in the Capital.

Sarvan Singh, believed to be a resident of Hargovindpur in Batala district, was however remanded in custody of Punjab police who want him for alleged terrorist activities in the State.

The husband and wife had been arrested under Section 41(1)(a), CrPC, which permits a police officer to arrest persons without the order of a magistrate on reasonable suspicion that the person arrested may be involved or wanted in some offence.

The couple had been placed in police remand on August 3 for one week by the Metropolitan Magistrate, Rakesh Garg. The police had alleged that the newlywed couple had come to Delhi for a specific mission which had yet to be ascertained at the time of their arrest. Inderjeet Kaur, believed to be the sister of dreaded terrorist Gian Singh – convicted in the Sant Harchand Singh Longowal assassination case – reportedly married Sarvan Singh a month before coming to the Capital. (Statesman Aug. 21).

# DV proved right on Babasaheb's Three Commandments

N.K. SHARMA, NEW DELHI

It is in the fitness of things that Ambedkarite scholars vindicated the stand of DV Editor on the sequence of 'Educate, Agitate, Organise'. Buddhist scholars like Dr. D.C. Ahir now, Shankarananda Shastri earlier had traced it to the triple gem of Buddhism rightly. Vasant Moon placed the sequence beyond dispute by tracing the memorable speech of Babasaheb wherein he first gave his "Three Commandments."

In fact, these "Three Commandments" were published by DV to correct the popular misconceptions on the sequence and consequence. Will all these labours end the confusion on the "Three Commandments?" I doubt very much. There are millions outside DV's audience. Hence all that appeared in this debate along with the original DV editorial need be brought out in the form of a booklet.

Even those who trust Dhananjay Keer and read Keer's biography, momentarily come to believe the sequence as "Organise and Agitate". This distortion is normal and natural, even though they do not have any such intention to distort. They find it difficult to understand and appreciate Agitation without Organisation. Ambedkarites all over the country naturally debate this point : how agitation is possible without an organisation? Will some one elaborate this point for the guidance of Ambedkarites with a detailed article?

**Buddhism is Indian culture:** The "Three Commandments" prove that Buddhism permeated

every action and thought of our saviour, Dr. Ambedkar. Buddhism is Indian culture and also the meaning of Indian culture. Hinduism/brahminism/sanatam dharma has nothing to do with Indian culture.

Dr. Ambedkar's inspiration for democracy was not from Edmund Burke or any western thinker, but from Buddhist *Janapadas* (popular republics where the king was elected under a banyan tree by the whole mass of population). Dr. Ambedkar reiterated this in the Constituent Assembly.

If you want to become 5% as great as Dr. Ambedkar, become a Buddhist and follow Buddhism.

**Mission of "Dalit Voice":** Our people, I mean the SC/ST/BCs, have taken the first commandment of Babasaheb, "Educate", very, very seriously. Lakhs of them are becoming graduates every year and matriculation in millions. The whole purpose of the *Dalit Voice* is to fulfill the message, "Educate". They are greatly inspired by Babasaheb and they aim at MA, Ph.D., D.Sc, LL.D. Bar-at-law etc. There is no need to put more inspiration in them by recalling the dismal atmosphere. Babasaheb achieved eminence and prominence. Babasaheb was a prodigy and prophet.

Dr. Ambedkar advised us to forget our past humiliations and harassment. Did we? Did we try to build our future on a positive foundation of Buddhism? I mean projections, and no conversions? ■

## Who twisted the three commandments? Book the Culprits

Er. S.D. SINGH, ENGINEER, BHEL, RUDRAPUR, UP

There seems to be going on a hot debate over the sequence of the "Three Commandments" of Babasaheb Ambedkar in the *Dalit Voice* ever since DV first published the views of Shankarananda Shastri (DV Feb.1 1989). The sequence of the "Three Commandments" as reported by Dhananjay Keer in his book, *Dr. Ambedkar: Life and Mission*, appears to be quite logical and this order conforms to the philosophy of Babasaheb. The order of the Commandments being followed currently by the Ambedkarites has proved totally ineffective in the process of social change desperately needed in our country. The 'educated' or rather literate people who form some sort off organisations find themselves unable to perform any "agitation" worth taking note of; and their organisations remain just on paper. All this has happened due to disorderly following of the "Three Commandments" by the Ambedkarites.

Those who have no faith in Dhananjay Keer's book should see page 357 of Volume 1 of the series *Dr.*

*Babasaheb Ambedkar : Writings and Speeches* published by the Govt. of Maharashtra where the "Three Commandments" appear in the same order as reported by Keer. Vasant Moon (DV July 16-31 1991) also supports this stand. Now the task before the Ambedkarites remains to find out those who were the very first to twist the sequence of the Commandments thereby misguiding the people and de-accelerating the process of socio-cultural change as envisaged in the philosophy of Babasaheb Ambedkar. Responsibility should be fixed on such persons, however big they may be, and a wide scale campaign should be launched throughout the length and breadth of India to enlighten the public of the correct sequence of the "Three Commandments" of Babasaheb. I hope this will accelerate the process of socio-cultural change among the persecuted nationalities of India who are continued to be denied human rights. This may act as a catalyst for revolution, if these Commandments are explained to the masses in the correct order. ■

# Goodbye to economic reforms?

OUR CORRESPONDENT

**Bangalore:** Dr. Manmohan Singh, the Khatri Sikh, praised and paraded as the "best Finance Minister that India had so far seen" has started becoming "unpopular" within two months ("New Finance Minister, DV July 16 p.4 and "PVN Govt in danger", DV Aug. 16 p.6). We will not be surprised if he is out. What a fickle-minded rulers we have.

What happened to the "economic Miracles" that the Sardarji promised? He threatened so many things armed by American dictates:- denationalisation of public sector units, privatisation, drastic fiscal reforms and umpteen things? What happened to all these reforms?

The poor sardarji did not know that capitalism too needs basic honesty. Indian rulers being essentially dishonest, the fake socialism of Nehru suits them better. The upper caste rulers – the tiger turned into Maneater during the regime of Indira and her son – threatened PVN and his sardarji that if their privileges,

## WILL THE ARYANS' ANSWER?

OUR CORRESPONDENT

**Bangalore:** Forty-five years of "merited" Aryan/upper caste rule of India has brought us the current gravest economic mess and bankruptcy. But only the Aryans ruled India – the Kashmiri Brahmins, Gujarati Nagar Brahmin, Kayasths, Thakurs and Neogi Brahmins were our Prime Ministers. From top to bottom only Aryans were packed because they claimed that they only had the monopoly of merit. Every Union Finance Minister, every Reserve Bank Governor, every financial wizard and lizard was an Aryan. Then how come all this mess? During the 1990-end anti-Mandal war and violence these Aryan/upper caste/Hindus said SC/ST/BCs and other non-Hindus had no "merit and no brains" and hence job reservation was violently opposed. The "merit" argument is put forward by the Supreme Court judges downwards to the lowest luminary to maintain the hegemony of the less than 15% Aryans. Yes, they succeeded and enforced their meritocratic rule. Now the Neogi Brahmin PM and his Khatri (Kshatriya convert) Finance Minister together with other Aryan hordes say that country is on the brink of collapse. Who is responsible for this except the Aryan merit-mongers?

## NAZI CHIEF CAUGHT RED-HANDED

**Lucknow:** BJP president Murli Manohar Joshi had some embarrassing moments when reporters asked him about a report that he has been collecting salary as professor from Allahabad University without holding classes. Initially, Dr Joshi refused to either confirm or deny the report. After persistent questioning, he

perks, pleasures, positions and unearned incomes are touched they will finish him.

Maneaters are capable of that because they have the press. Bank employees and other Trade union leaders threatened violence. Farmers were furious. The rulers are up in arms against the Sardarji.

So those who "have" not only refused to part with their illgotten wealth but threatened violence, if they are not allowed to go ahead with their blood-sucking game.

With sure death staring at his face, PVN has started saying goodbye to all the so-called reforms. Poor khatri Sikh will be blamed for all the mess and shown the door.

Fake socialism ideally suits our idle rulers. With heart in capitalism and soul in socialism our rulers want to swallow the World Bank loans and grow fatter at our cost.

said; "Only yesterday I conducted the examinations there." He, however, evaded supplementaries on whether he could take classes regularly in view of his preoccupation that took him around the country almost every day. But Dr Joshi's cryptic reply about conducting examinations yesterday seemed to indirectly confirm that he was still on the university's payroll. *Telegraph* Aug. 28).

## Jewish general in action

OUR CORRESPONDENT

**Bangalore:** After finishing Soviet Union, its super power status and making it a satellite, the racist-zionist-sponsored New World Order (NWO) is racing into India. And the zionist agents in India are getting ready to welcome the big brother to help India's upper caste rulers in their game of keeping the natives as slaves.

Every "foreign" invasion on India had taken place at the invitation of native rulers only. So too the NWO "invasion" of India will take place at the invitation of Indian rulers only.

In DV, we had already hinted that Aryans having failed to impose their nazi dictatorship over the unwilling non-Hindus, they are trying to do it with the help of zionists and racists outside.

For this they have already selected an Indian Jew to head the reception committee to welcome the NWO. ("A Jew as Nazi MP DV, Aug.16, p.7). And this Jew is getting into the limelight with the help of India's nazi press. Lt. Gen. Jacob has just returned from Israel and his demand to recognise the country is gaining momentum.

## Thoughts on the death of Illustrated Weekly of India

OUR CORRESPONDENT

**Bangalore:** The English-knowing people of India, described as the "cream" of the country's 850-million population, are going mad. What else can be our verdict except this on the death of India's oldest English magazine, *Illustrated Weekly*, a Times of India publication? Nobody else can be blamed for this demise of the over 100-year old institution.

A Bengali Christian, Pritish Nandy, pretending to know everything converted the 111-year old country's once most prestigious English journal into a silly sheet of rubbish stuff and naturally the circulation had a sharp fall. Thinking that its English-knowing clientele is like him, he went on packing more puff, more muck and turned the whole journal gaudy and also bawdy. He wanted to whet the appetite of the well-fed and gave them more than what they wanted: sex, religion, crime, entertainment and petty politics - the five elements that blend and makeup the "cream" of the Indian society. In the process he forgot that there are some saner elements still left in the English-knowing cream. And this section felt ashamed to be seen with the *Weekly* turned into a yellow journal.

**Five elements in the cream:** This English-knowing "cream" is not even 2% of the country's population. And it is this "cream" which calls itself the brain of India's ruling class comprising about 10 to 15% of the population. What is this corrupt cream made of? The five elements: sex, crime, religion, eternal entertainment and petty politics. Pritish Nandy supplied more and more of the five elements. And the over - hungry "cream" grew more and more hungry and wanted more and more of it. To satisfy the hungry, he separated the "serious stuff" and dumped it into the black and white broadsheet and reserved the all-colour *Weekly* for the hungry "cream". But the hungry lot wanted more. When Nandy could not supply the hungry, the tiger-turned maneater started leaving. By then the serious-minded have already left. Caught between the two, Nandy was sandwiched and he decided to call it a day.

Nandy, a crony of its Marwadi Jain owners, collapsed and closed down the *Weekly*. The Pritish PRO with no journalistic background represents the new breed of editors that is rising in this intellectual wasteland that is India.

**Collective killing:** C.R. Mandy was the last of the great British editors who husbanded this old Boribunder madam. Then came the first Indian, the silly Sai Baba fan, A.S. Raman, a Tamil *papan*, who was the first to start slaughtering the *Weekly* with his mantras and tantras. Then came Khushawant Singh, the whiskey and sexy sardarji who combined his cheap humour with some intellectual stuff, and jacked up the circulation. Then came M.V. Kamath, the Gowda Saraswat Brahmin now flirting with the Hindu Nazis.

All these editors collectively killed a great institution

and the Bengali Babu struck the last nail on the old Dame's coffin. They may claim the *Weekly* is not yet dead and it is coming out as a broadsheet. That is true. But that is not how the *Weekly* used to appear in the past 111 years. The *Weekly* died because the English-speakers are going crazy. And the new breed of editors are driving them more crazy.

**Naked girl:** The death of the *Weekly* also is a warning to the English magazine world, which is witnessing a temporary boom today. We find all sorts of garish and stupid journals on the news-stand. One thing that is common to all these journals is a coloured picture of a naked girl - without which it will not sell. If you open the inside pages you find all garbage. The mortality rate of such journals is also high. They die young - say two or three years.

If this is the stuff the "cream" of the country reads, god save this country from this "cream".

But look at *Dalit Voice*. it is now crossing ten years and going strong into 11. It publishes no pictures, not to speak of naked pictures. It is not even in colour. And yet it sells and sells well. Why? Because there is a section of English-knowing population in India which does not go by the standards of this corrupt "cream". It is this section which is growing - and also thinking how to save India from this "cream".

### COMMUNICATION

## The game the Muslim elites play

MISS MEHRUNNISSA, HYDERABAD

After reading (DV Aug. 1 p.6) about the new English Muslim journal, *Nation and the World*, I got hold of a copy here with difficulty. But I was disappointed. My father and brother also. There is nothing of interest to Muslims in it. This reminded your comments in DV on the closure of the *One Nation Chronicle*. A praise for Mrs. Madhu Kishwar in the new journal is surprising because it was this woman who was leading the Muslim-baiters during the anti-Muslim Personal Law campaign.

We have nothing to add to our comments made last year on the death of the *One Nation Chronicle* and its new incarnation. This is the venture of a group of Muslim elites from UP and elsewhere. They have not learnt any lesson from the closure of the *One Nation Chronicle* and the huge loss of money. The second venture will go the same way because they have enough money to lose. India's Muslim leadership is facing a serious crisis. And the different aspects of this crisis were elaborately discussed in our three articles on the subject in DV of Aug. 16 1991 (p.3, p.7, and p.11). The ruling Muslim elite, which does not comprise even 5% of the total Muslim population of India, has plenty of money and property. To preserve it they are indulging in all such useless ventures to please India's upper caste rulers - EDITOR.

# "Naxalite" party (IPF) dying for opposing Mandal

OUR CORRESPONDENT

**Bangalore:** Indian Peoples Front (IPF) once impressed us so much that we even wrote an editorial praising it. But when it opposed the Mandal Commission report at its Boat Club rally last year, we knew that the upper castes/Aryans heading this "naxalite" party was doomed to death. And our predictions proved right.

The marxist-leninist explanation of "class struggle" is not suitable to India. Because there are no "classes" in India. There are any amount of "poor" Brahmins but they all voted against the Janata Dal because it stood by the Mandal. "Poor Brahmins" went with the BJP, the party of the "rich". This is the dilemma of India. SC/ST/BCs and Muslims are persecuted in India not because they are "poor" but because they are opposed to Aryan values. "Poor Brahmins" voted for the BJP not because they are poor but because they are Aryans.

The IPF headed by Aryans used marxism to fool Bihar's SC/ST/BCs who refused to be fooled and

voted for Janata Dal headed by Laloo Prasad Yadav. Mandal turned caste alliances and equations forged by the IPF upside down. Besides failing to retain the lone Arrah seat in Parliament, there has been a general decline in the IPF votes by nearly 30 to 40%.

In 1989, the IPF had fielded 11 candidate and succeeded in capturing the lone Arrah seat. In six constituencies, namely Arrah, Jehanabad, Bikramganj, Patna, Aurangabad and Nalanda, its candidates polled between 50,000 and over 1,50,000 votes. This time, the IPF fielded 16 candidates apparently to make its presence more visible. But except for a marginal increase in votes polled by IPF candidates in Nalanda, Hazaribagh and Kodarma, its share of votes has decreased by one-third. In Arrah, the sitting MP was placed third receiving 62,000 votes less than in 1989. Except for Sahar, in all the other six Assembly segments of Arrah, the IPF's share of votes has come down. In Jehanabad also the Front lost nearly 50,000 votes. In Bikramganj and Aurangabad the story is the same.

## Warning against calling India a nation

RAVINDER KUMAR, DIRECTOR, NEHRU  
MUSEUM AND LIBRARY, NEW DELHI.

Today, social communities within a number of the states of the Indian Union harbour secessionist notions and others are calling for a new relationship between the Centre and the regions.

We would be much more at peace with ourselves, politically speaking, if we frankly accepted the fact that we are not a nation but a civilisation.

Our survival as a unified polity shall also call for a liberal interpretation of the pluralist moral systems which endowed our society, in the past, with a catholicity and resilience rare in the history of humankind.

Yet the crowning arch of such an edifice can only be provided by redefining ourselves as a civilisation-state. For such a redefinition fully captures, no less than it concretely articulates, our historical identity. More to the point, it provides our leaders with the freedom of manoeuvre so necessary to the business of drawing the constituents of our diverse society into a creative political union. (*Times of India* Aug. 26)

## RACISM IN INDIAN AIRLINES

**Bombay:** The Akhil Bharatiya Valmiki Samaj Vikas Parishad has expressed surprise at the Indian Commercial Pilots' Association (ICPA) recent opposition to the reappointment of Captain B.C. Khadtale.

The parishad has been championing the cause of

scheduled castes and scheduled tribes. The ICPA is the representative body of Indian Airline pilots.

The parishad said ICPA's directive to its members "not to fly with Capt Khadtale" was an act of practising "untouchability in flying".

Capt Khadtale was SC and was the only pilot in the country who had logged a record 24,000 flying hours, apart from holding a senior position.

"Therefore singling out the pilot attracts penal action under the protection of the Civil Rights Act," the parishad said. (*Times of India* Aug. 22).

## Gita manufactured to save Hinduism from Buddhism

**Bombay:** The Bhagwat Gita helped consolidation of brahminism and the caste hierarchy by its philosophical defence of *chaturvarnya*.

This conclusion drawn by Dr B. R. Ambedkar was indisputable, said Prof Nalini Pandit.

According to Dr Ambedkar the Gita sought to defend the system against the attack of Buddhism. People had accepted Buddha's preaching of non-violence. Buddha also allowed shudras and women to become sanyasins. He condemned rituals and the Yajna on the ground that they were rooted in violence and selfish motives of obtaining boons.

According to Dr. Ambedkar the Buddha ushered in a social revolution while the Gita represented a counter-revolution. (*Times of India* Aug. 21).

# World Famous revolutionary Black

We have received two packets containing a treasurehouse of revolutionary Black literature from the noted Black American historian, Runoko Rashidi, also our representative in US. Each book with a brief summary is listed below since such a Black literature will be the literature of the future. As the white racism forcing the New World Order upon us will collapse soon, we call upon our readers to make full use of this explosive commodity that shook the world. The American Blacks and India's Untouchables had a common origin (DV. Sept. 16, 1985 and DV July 1 1991 p.8) and under the able leadership of Dr. Velu Annamalai and Runoko Rashidi, Indian Dalit Support Group has been set up in US. SC/ST/BCs and the Muslims carefully study the Black literature so that we may learn from the great successes of the Black liberation struggle and evolve a common front to liberate the world from white (Aryan) racism and all other forms of oppression. Every book is relevant to us and hence the need for their close study. Those interested may order xerox copies of the books - EDITOR.

## 1. THE DESTRUCTION OF BLACK CIVILISATION

(Great issues of race from 4500 BC to 2000 AD)

Chancellor Williams

Fruit of 16-year research which will be the basis for all future Black studies to prove how the white racists destroyed the Blacks' great civilisation of the world.

1991 pp. 400 price not mentioned (PNM)

Third World Press

No. 7524 South, Cottage Grove Ave, Chicago, ILL -60 619, USA.

## 2. THE CULTURAL UNITY OF BLACK AFRICA

The domains of patriarchy and matriarchy in classical antiquity

Dr. Cheikh Anta Diop

who upset white scholars the world over and challenged their interpretation of world history, comes out with another sensational study

1990 pp.250 PNM

Third World Press

## 4. BLACK MAN : OBSOLETE, SINGLE, DANGEROUS ?

(African-American families in transition:

Essays in discovery and hope )

Haki R. Madhubuti

1990 pp.275 \$ 14.95

Third World Press

## 3. THE ISIS PAPERS

(The keys to the colours)

Dr.(Mrs.) Frances Cress Welsing

A brilliant Washington DC psychiatrist changes the course of world history by her discovery that white racists hate Black skin.

Racism aims at a system to prevent genetic annihilation of whites on earth where majority of the people are classified as whites by the whites because the non-whites are genetically dominant.

1991 pp.300 \$ 14.95

Third World Press

## 5. THE PSYCHOPATHETIC RACIAL PERSONALITY

Dr. Bobby E. Wright

Stresses the need for a Black social theory which can't be accomplished by brahminised Blacks. A major contribution to the endless search for definition and ideas that speak directly to the Black experience.

1990 pp.45 \$ 5.95

Third World Press

## 26. THE NAZI DOCTOR

Medical Killing & The Psychology of Genocide

Nazi technique of healing through killing

Robert Jay Lifton

1986 pp.560 \$ 7

Basic Books, New York

## 6. MALCOM X

(The Man and His time)

Editor: John Henrik Clarke

An anthology of the writings and speeches of America's most famous Black leader who became a Muslim.

Also writings on him by an international group of Black scholars.

1990 pp.360 \$ 14.95

African World Press

PO Box 1892, Trenton

New Jersey, 08607, USA

## 7. MARCUS GARVEY: His Work and Impact

Editors: Rupert Lewis and Patrick Bryan

Over 20 articles by an international panel dealing with the historical background of Garvey and Garveyism.

No facet of Jamaican life escaped the imprint of Garvey.

1991 pp.340 \$ 14.95

African World Press

## 8. THE MIS-EDUCATION OF THE NEGRO

Carter Godwin Woodson

Noted Black historian and author of over 16 books.

When you control a man's brain, you don't have to worry about his actions. He will do what you want him to do without being told. The "educated" Black (red Dalit) deserts his people because he got the White man's (read Aryan) "education". That means we need a different type of education. The oppressor need not use violence to have his way. His education system makes the slaves enjoy their slavery.

1990 pp.215 \$ 10

African World Press

## 10. Patrice Lumumba

Biography of a great Black leader of Zaire and his contribution to African revolution

1978 pp.215 PNM

PANAF

243, Regent St

London W1R 8 PN, UK

# Books on racism come to India

## 9. SAMORA MACHEL

(A Biography of Revolutionary)

Iain Christie

For millions of South Africans, Machel was a vibrant symbol of liberation struggles' inevitable victory. The first major biography of Michel who died in 1986 in white engineered air crash.

1989 pp.200 PNM

Panaf: Zed Press  
No.57, Caledonian Road  
London N1 9 BU, UK

## 11. GOD, THE BIBLE AND THE BLACK MAN'S DESTINY

(A treasury of biblical, historical and scientific facts)

The Rev. Ishakamusa Barashango

It was the Black (African) who was the first to start the greatest world civilisation ever known to history - the Nile Valley Civilisation of Egypt. The Black person was the creator of everything worthy in this world. So, the Blacks are destined to rule again - only when they come to know the correct knowledge of self and kind. This book was written to correct the distorted world history on Blacks and tell the world that "God is Black" and Jesus was a Black messiah

1982 pp.160 \$ 15

The IV Dynasty Publishers  
8401 Colesville Road, Suit 208 1A  
Silver Spring, MD 20910, USA

## 12. AFRICAN PEOPLE AND EUROPEAN HOLIDAYS:

A mental genocide

Book-I

Rev. Ishakamusa Barashango

Deals with the Thanksgiving Day which means celebrating the whiteman's extermination of Red Indians, natives of USA

1983 pp.106 \$ 8

## 14. AFRICAN WOMAN, THE ORIGINAL GUARDIAN

same author

Writings on the Black womans' creation and her ongoing contribution to world civilisation

Black is not only beautiful but the Black woman is the epitome of beauty and wisdom in the ancient world. The Black woman was the Mother Creator and the ruler of the Earth

1989 pp.100 \$ 8

IV Dynasty Publishers

## 15. AFRICAN AND CARRIBEAN POLITICS

(From Kwame Nkrumah to Maurice Bishop)

Manning Marable

Professor of American Studies, Purdue University, Indiana, USA

America's leading Black scholar assesses the forces that have undermined democracy in Africa.

1987 pp.315 \$ 22

Versa, 6 Meard St.  
London, W1V 3 HR, UKd

## 16. THE WRETCHED OF THE EARTH

The handbook for the Black Revolution that is changing the shape of the Earth

Frantz Fanon

Born in 1925 and died at the age of 36 in Washington. Written in anger, this book by a distinguished Black psychiatrist and leading spokesman of revolution, which won revolution for Algeria, is no mere diatribe against the whiteman or the west. It is a brilliant examination of the role of violence in changing history. The book is an explosion.

Jean Paul Sartre in his preface says: "Have the courage to read this book".

1963 pp.320 \$ 9

Grove Weidenfield

841-Broadway  
New York - NY 10003-4793, USA

Important Book for Indians

## 17. AGES OF GOLD AND SILVER

John G. Jackson

Civilisation has African roots. Original race was Black. Deals with the Golden age of Islam and dark age of Christianiy. Before the Aryan barbarians drifted into India, the original inhabitants of India, the Blacks, had built the Indus Valley Civilisation which created the Golden Age of India. Buddhist Ashoka created the second Golden Age of India.

1990 350 \$ 13

American Atheist Press

PO Box 140195, Austin, Texas-78714-0195, USA

## 22. FROM MIS-EDUCATION TO EDUCATION

Dr. Naim Akbar

The white (Aryan) educators are training students only to become status-quoists. It is time we think for ourselves.

1984 pp.26 PNM

New Mind Productions

PO Box 5185, Jersey city, NJ 07305,  
USA

## 18. THE END OF WHITE WORLD SUPREMACY.

From speeches by Malcolm X

Edited with an introduction by Imam Benjamin Karim

Malcom X gave the Black Americans not only their consciousness but their history, dignity, new pride. In 1965, he was gunned down. Deals with Black history, Black revolution.

1990 pp.150 \$ 10

Arcade Publishers

## 19. THOMAS SANKARA SPEAKS

The Brakina Faso Revolution 1983-87

President Sankara (37) fought for the West African Burakinabe people and against Apartheid and was finally assassinated in a military coup and his four-year old revolutionary govt. overthrown.

1988 pp.260 \$ 10

Pathfinder

410, West St. New York NY- 10014, USA

## 13. BOOK-II - Same author

Deals with the American

Independence Day (July 4) when 54 white "land-grabbing thieves" unsurped America from the Blacks

1983 pp.140 \$ 9

IV Dynasty Publishers, USA

## 21. HISTORICAL LIES & MYTHS THAT MIS-EDUCATE BLACK PEOPLE

Baba Zak A Kondo

Historical myths are good but it can't be fulfilled at somebody else's expense.

Very relevant to India where the Aryan rulers say that Untouchables have no brain which is only their monopoly and hence they only are fit to rule. The rulers use these myths to rule by an appropriate education system to popularise these myths and make the victims of the myth to believe these myths. This is done "non-violently" because once the slaves start enjoying their slavery, there is no need for violence. M.K. Gandhi's non-violence means exactly this. Hence, we Dalits, like the Blacks, have to use the same history, de-mystify it and separate myths from history. Once the truth is known to our people, truth itself will liberate them. The booklet identifies 15 common terms the historians use to promote racism and promote white (Aryan) supremacy.

1991 pp.25 \$ 4

Nubia Press, PO Box 41184  
Washington DC-20018 USA

# Why Constitution doesn't say India is a nation but a "Union of States"?

*This is the third and the last of the historic speeches delivered by Babasaheb Ambedkar in the Constituent Assembly, being published in Dalit Voice. On 26.11.1948, Baba Saheb Dr. B.R. Ambedkar gave this historic speech in the Constituent Assembly while debating on third reading of the Draft Constitution of free India. While accepting the compliments and words of appreciation he admitted that he had joined the Constituent Assembly with no greater aspiration than to safeguard the interests of the Scheduled Castes and had not remotest idea of shouldering the responsibility of heading the Drafting Committee. While narrating the infidelity and treachery of some of former rulers, he forewarned the present and future generations to protect the freedom of the country above their creed and defend it with their last drop of blood.*

**Mr. President:** I think we shall now proceed with the discussion. I call upon the Honourable Dr. Ambedkar to move his motion.

**The Honourable Dr. B.R. Ambedkar** (Bombay : General): Mr. President, Sir, I introduce the Draft Constitution and move that it be taken into consideration.

The Drafting Committee was appointed by a Resolution passed by the Constituent Assembly on August 29, 1947.

The Drafting Committee was in effect charged with the duty of preparing a Constitution in accordance with the decisions of the Constituent Assembly on the reports made by the various Committees appointed by it such as the Union Powers Committee, the Union Constitution Committee and the Advisory Committee on Fundamental Rights, Minorities, Tribal Areas, etc. The Constituent Assembly had also directed that in certain matters the provisions contained in the Government of India Act, 1935, should be followed. Except on points which are referred to in my letter of the 21st February 1948 in which I have referred to the departures made and alternatives suggested by the Drafting Committee, I hope the

Drafting Committees will be found to have faithfully carried out the directions given to it.

## FORMIDABLE DOCUMENT

The Draft Constitution as it has emerged from the Drafting Committee is a formidable document. It contains 315 Articles and 8 Schedules. It must be admitted that the Constitution of no country could be found to be so bulky as the Draft Constitution. It would be difficult for those who have not been through it to realize its salient and special features.

The Draft Constitution has been before the public for eight months. During this long time friends, critics and adversaries have had more than sufficient time to express their reactions to the provisions contained in it. I dare say that some of them are based on misunderstanding and inadequate understanding of the Articles. But there the criticism are and they have to be answered.

For both these reasons it is necessary that on a motion for consideration I should draw your attention to the special features of the Constitution and also meet the criticism that has been levelled against it.

Before I proceed to do so I would like to place on the table of the House Reports of three Committees appointed by the Constituent Assembly (1) Report of the Committee on Chief Commissioners' Provinces (2) Report of the Expert Committee on Financial Relations between the Union and the States, and (3) Report of the Advisory Committee on Tribal Areas, which came too late to be considered by that Assembly though copies of them have been circulated to Members of the Assembly. As these reports and the recommendations made therein have been considered by the Drafting Committee it is only proper that the House should formally be placed in possession of them.

## TWO QUESTIONS

Turning to the main question. A student of Constitutional Law if a copy of a Constitution is placed in his hands is sure to ask two questions. Firstly what is the form of Government that is envisaged in the Constitution; and secondly what is the form of the Constitution? For these are the two crucial matters which every Constitution has to deal with. I will begin with the first of the two questions.

In the Draft Constitution there is placed at the head of the Indian Union a functionary who is called the President of the Union. The title of this functionary reminds one of the President of the United States. But beyond identity of names there is nothing in common between the forms of Government prevalent in America and the form of Government proposed under the Draft Constitution. The American form of Government is called the

Presidential system of Government. What the Draft Constitution proposes is the Parliamentary system. The two are fundamentally different.

#### ROLE OF PRESIDENT

Under the Presidential system of America, the President is the Chief head of the Executive. The administration is vested in him. Under the Draft Constitution the President occupies the same position as the King under the English Constitution. He is the head of the State but not of the Executive. He represents the Nation but does not rule the Nation. He is the symbol of the nation. His place in the administration is that of a ceremonial device on a seal by which the nation's decisions are made known. Under the American Constitution the President has under him Secretaries in charge of different Departments. In like manner the President of the Indian Union will have under him Ministers in charge of different Departments of administration. Here again there is a fundamental difference between the two. The President of the United States is not bound to accept any advice tendered to him by any of his Secretaries. The President of the Indian Union will be generally bound by the advice of his Ministers. He can do nothing contrary to their advice nor can he do anything without their advice. The President of the United States can dismiss any Secretary at any time. The President of the Indian Union has no power to do so so long as his Ministers command a majority in Parliament..

The Presidential system of American is based upon the separation of the Executive and the Legislature. So that the President and his Secretaries cannot be members of the Congress. The Draft Constitution does not recognise this doctrine. The Ministers under the Indian Union are members of Parliament. *Only members of Parliament can become Ministers.* Ministers have the same right as other members of Parliament, namely that they can

*Dalit Voice*

sit in Parliament, take part in debates and vote in its proceedings. Both systems of Government are of course democratic and the choice between the two is not very easy.

#### BRITISH SYSTEM

A democratic executive must satisfy two conditions – (1) It must be a stable executive (2) it must be a responsible executive. Unfortunately it has not been possible so far to devise a system which can ensure both in equal degree. You can have a system which can give you more stability but less responsibility or you can have a system which gives you more responsibility but less stability.

The American and the Swiss systems give more stability but less responsibility. The British system on the other hand gives you more responsibility but less stability. The reason for this is obvious. The American Executive is a non-Parliamentary Executive which means that it is not dependent for its existence upon a majority in the Congress, while the British system is a Parliamentary Executive which means that it is dependent upon a majority in Parliament. Being a non-Parliamentary Executive, the Congress of the United States cannot dismiss the Executive. A Parliamentary Government must resign the moment it loses the confidence of a majority of the members of Parliament. Looking at it from the point of view of responsibility, a non-Parliamentary Executive being independent of Parliament tends to be less responsible to the Legislature, while a Parliamentary Executive being more dependent upon a majority in Parliament become more responsible.

The Parliamentary system differs from a non-Parliamentary system in as much as the former is more responsible than the latter but they also differ as to the time and agency for assessment of their responsibility. Under the non-Parliamentary system, such as the one that exists in the USA, the assessment of the responsibility of

the Executive is periodic. It takes place once in two years. It is done by the Electorate. In England, where the Parliamentary system prevails, the assessment of responsibility of the Executive is both daily and periodic. The daily assessment is done by members of Parliament, through questions, Resolutions, No-confidence motions, Adjournment motions and Debates on Addresses. Periodic assessment is done by the Electorate at the time of the election which may take place every five years or earlier. The Daily assessment of responsibility which is not available under the American system is it is felt far more effective than the periodic assessment and far more necessary in a country like India. The Draft Constitution in recommending the Parliamentary system of Executive has preferred more responsibility to more stability.

#### FORM OF THE GOVT.

So far I have explained the form of Government under the Draft Constitution. I will now turn to the other question, namely, the form of the Constitution.

Two principal forms of the Constitution are known to history – one is called Unitary and other Federal. The two essential characteristics of a Unitary Constitution are : (1) the supremacy of the Central Polity and (2) the absence of subsidiary Sovereign polities. Contrarywise, a Federal Constitution is marked: (1) by the existence of a Central polity and subsidiary polities side by side, and (2) by each being sovereign in the field assigned to it. In other words. Federation means the establishment of a Dual Polity. This Dual Polity under the proposed Constitution will consist of the Union at the Centre and the States at the periphery each endowed with sovereign powers to be exercised in the field assigned to them respectively by the Constitution. The dual polity resembles the American Constitution. The American polity is also a dual polity, one of it is known as the Federal Government and the other States

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which correspond respectively to the Union Government and the States Government of the Draft Constitution. Under the American Constitution the Federal Government is not a mere league of the States nor are the States administrative units or agencies of the Federal Government.

In the same way the Indian Constitution proposed in the Draft Constitution is not a league of States nor are the States administrative units or agencies of the Union Government. Here, however, the similarities between the Indian and the American Constitution come to an end. The differences that distinguish them are more fundamental and glaring than the similarities between the two.

#### AMERICAN CONSTITUTION

The points of differences between the American Federation and the Indian Federation are mainly two. In the USA this dual polity is followed by a dual citizenship. In the USA there is a citizenship of the USA. But there is also a citizenship of the State. No doubt the rigours of this double citizenship are much assuaged by the fourteenth amendment to the Constitution of the United States which prohibits the States from taking away the rights, privileges and immunities of the citizen of the United States. At the same time, as pointed out by Mr. William Anderson, in certain political matters, including the right to vote and to hold public office, States may and do discriminate in favour of their own citizens. This favouritism goes even farther in many cases. Thus to obtain employment in the service of a State or local Government one is in most places required to be a local resident or citizen. Similarly in the licensing of persons for the practice of such public professions as law and medicine, residence or citizenship in the State is frequently required; and in business where public regulation must necessarily be strict, as in the sale of liquor, and of stocks and bonds, similar requirements have been upheld.

Each State has also certain rights in its own domain that it holds for the special advantage of its own citizens. Thus wild game and fish in a sense belong to the State. It is customary for the States to charge higher hunting and fishing license fees to non-residents than to its own citizens. The States also charge non-residents higher tuition in State Colleges and Universities, and permit only residents to be admitted to their hospitals and asylums except in emergencies.

#### DIFFERENT BETWEEN INDIA & US

In short, there are a number of rights that a State can grant to its own citizens or residents that it may and does legally deny to non-residents, or grant to non-residents only on more difficult terms than those imposed on residents. These advantages, given to the citizen in his own State, constitute the special rights of State citizenship. Taken all together, they amount to a considerable difference in rights between citizens and non-citizens of the States. The transient and the temporary sojourner is everywhere under some special handicaps.

The proposed Indian Constitution is a dual polity with a single citizenship. There is only one citizenship for the whole in India. It is Indian citizenship. There is no State citizenship. Every Indian has the same rights of citizenship, no matter in what State he resides.

The dual polity of the proposed Indian Constitution differs from the dual polity of the USA in another respect. In the USA, the Constitutions of the Federal and the States Governments are closely connected. In describing the relationship between the Federal and State Government in the USA, Bryce has said :

The Central or national Government and the State Government may be compared to a large building and a set of smaller buildings standing on the same ground, yet distinct from each other.

Distinct they are, but how distinct are the State Governments in the

USA from the Federal Government? Some idea of this distinctness may be obtained from the following facts:

1. Subject to the maintenance of the republican form of Government, each State in America is free to make its own Constitution.
2. The people of a State retain for ever in their hands, altogether independent of the National Government, the power of altering their Constitution.

To put it again in the words of Bryce :

A State (in America) exists as a commonwealth by virtue of its own Constitution, and all State Authorities, legislative, executive and judicial are the creatures of, and subject to the Constitution.

This is not true of the proposed Indian Constitution. No States (at any rate those in Part I) have a right to frame its own Constitution. The Constitution of the Union and of the States is a single frame from which neither can get out and within which they must work.

#### FEDERAL & UNITARY

So far I have drawn attention to the differences between the American Federation and the proposed Indian Federation. But there are some other special features of the proposed Indian Federation which mark it off not only from the American Federation but from all other Federations. All federal systems including the American are placed in a tight mould of federalism. No matter what the circumstances, it cannot change its form and shape. It can never be unitary. On the other hand the Draft Constitution can be both unitary, as well as federal according to the requirements of time and circumstances. *In normal times, it is framed to work as a federal system. But in times of war it is so designed as to make it work as through it was a unitary system.*

Once the President issues a Proclamation which he is authorised to do under the Provisions of Article 275, the whole scene can become transformed and the State becomes a unitary state. The Union under

the Proclamation can claim if it wants (1) the power to legislate upon any subject even though it may be in the State list, (2) the power to give directions to the States as to how they should exercise their executive authority in matters which are within their charge, (3) the power to vest authority for any purpose in any officer, and (4) the power to suspend the financial provisions of the Constitution.

*Such a power of converting itself into a unitary State no federation possesses. This is one point of difference between the Federation proposed in the Draft Constitution, and all other Federations we know of.*

#### AUSTRALIAN EXAMPLE

This is not the only difference between the proposed Indian Federation and other federations. Federalism is described as a weak if not an effete form of Government. There are two weaknesses from which Federation is alleged to suffer. One is rigidity and the other is legalism. That these faults are inherent in Federalism, there can be no dispute. A Federal Constitution cannot but be a written Constitution and a written Constitution must necessarily be a rigid Constitution. A Federal Constitution means division of Sovereignty by no less a sanction than that of the law of the Constitution between the Federal Government and the States, with two necessary consequences (1) that any invasion by the Federal Government in the field assigned to the States and vice versa is a breach of the Constitution and (2) such breach is a justiciable matter to be determined by the Judiciary only. This being the nature of federalism, a federal Constitution have been found in a pronounced form in the Constitution of the United States of America.

Countries which have adopted Federalism at a later date have attempted to reduce the disadvantages following from the rigidity and legalism which are

inherent therein. The example of Australia may well be referred to in this matter. The Australian Constitution has adopted the following means to make its federation less rigid:

(1) By conferring upon the Parliament of the Commonwealth large powers of concurrent Legislation and few powers of exclusive Legislation.

(2) By making some of the Articles of the Constitution of a temporary duration to remain in force only "until Parliament otherwise provides"

It is obvious that under the Australian Constitution, the Australian Parliament can do many things, which are not within the competence of the American Congress and for doing which the American Government will have to resort to the Supreme Court and depend upon its ability, ingenuity and willingness to invent a doctrine to justify it the exercise of authority.

In assuaging the rigour of rigidity and legalism the Draft Constitution follows the Australian plan on a far more extensive scale than has been done in Australia. Like the Australian Constitution, it has a long list of subjects for concurrent powers of legislation. Under the Australian Constitution, concurrent subjects are 39. Under the Draft Constitution they are 37. Following the Australian Constitution there are as many as six Articles in the Draft Constitution, where the provision are of a temporary duration and which could be replaced by Parliament at any time by provisions suitable for the occasion. *The biggest advance made by the Draft Constitution over the Australian Constitution is in the matter of exclusive powers of legislation vested in Parliament.* While the exclusive authority of the Australian Parliament to legislate extends only to about 3 matters, the authority of the Indian Parliament as proposed in the Draft Constitution will extend to 91 matters. In this way the *Draft Constitution has secured the greatest possible elasticity in its federalism which is supposed to be rigid by nature.*

It is not enough to say that the Draft Constitution follows the Australian Constitution or follows it on a more extensive scale. What is to be noted is that it has added new ways of overcoming the rigidity and legalism inherent in federalism which are special to it and which are not to be found elsewhere.

#### AMENDING THE CONSTITUTION

First is the power given to Parliament to legislate on exclusively provincial subjects in normal times. I refer to Articles 226, 227 and 229. Under Article 226 Parliament can legislate when a subject becomes a matter of national concern as distinguished from purely Provincial concern, though the subject is in the State list, provided a resolution is passed by the upper Chamber by 2/3rd majority in favour of such exercise of the power by the Centre. Article 227 gives the similar power to Parliament in a national emergency. Under Article 229 Parliament can exercise the same power if Provinces consent to such exercise. Though the last provision also exists in the Australian Constitution the first two are a special feature of the Draft Constitution.

The second means adopted to avoid rigidity and legalism is the provision for facility with which the Constitution could be amended. The provisions of the Constitution relating to the amendment of the Constitution divide the Articles of the Constitution into two groups. In the one group are placed Articles relating to (a) the distribution of legislative powers between the Centre and the States, (b) the representation of the States in Parliament, and (c) the powers of the Courts. All other Articles are placed in another group. Articles placed in the second group cover a very large part of the Constitution and can be amended by Parliament by a double majority, namely, a majority of not less than two-thirds of the members of each House present and voting and by a majority of the total membership of each House. The amendment of

these Articles does not require ratification by the States. It is only in those Articles which are placed in group one that an additional safeguard of ratification by the states is introduced.

#### INDIA CALLED A FEDERATION

*One can therefore safely say that the Indian Federation will not suffer from the faults of rigidity or legalism. Its distinguishing feature is that it is a flexible federation.*

There is another special feature of the proposed Indian Federation which distinguishes it from other federations. A Federation being a dual polity based on divided authority with separate legislative, executive and judicial powers for each of the two polities is bound to produce diversity in laws, in administration and in judicial protection. Upto a certain point this diversity does not matter. It may be welcomed as being an attempt to accommodate the powers of Government to local needs and local circumstances.

#### UNIFORMITY ON BASICS

But this very diversity when it goes beyond a certain point is capable of producing chaos and has produced chaos in many federal States. One has only to imagine twenty different laws – if we have twenty States in the Union – of marriage, of divorce, of inheritance of property, family relations, contracts, torts, crimes, weights and measures of bills and cheques, banking and commerce, of procedures for obtaining justice and in the standards and methods of administration. Such a state of affairs not only weakens the State but becomes intolerant to the citizen who moves from State to State only to find that what is lawful in one State is not lawful in another.

The Draft Constitution has sought to forge means and methods whereby India will have Federation and at the same time will have uniformity in all the basic matters which are essential to maintain the unity of the country. The means adopted by the Draft Constitution

are three :-

- (1) a single judiciary,
- (2) uniformity in fundamental laws, civil and criminal, and
- (3) a common All-India Civil Service to man important posts.

A dual judiciary, a duality of legal codes and a duality of civil services, as I said, are the logical consequences of a dual polity which is inherent in a federation. In the USA, the Federal Judiciary and the State Judiciary are separate and independent of each other. The Indian Federation though a Dual Polity has no Dual Judiciary at all. The High Courts and the Supreme Court form one single integrated Judiciary having jurisdiction and providing remedies in all cases arising under the constitutional law, the civil law or the criminal law. This is done to eliminate all diversity in all remedial procedures. Canada is the only country which furnishes a close parallel. The Australian system is only an approximation.

Care is taken to eliminate all diversity from laws which are at the basis of civic and corporate life. The great Codes of Civil & Criminal Laws, such as the Civil Procedure Code, Penal Code, the Criminal Procedure Code, the Evidence Act, Transfer of Property Act, Laws of Marriage Divorce, and Inheritance, are either placed in the Concurrent List so that the necessary uniformity can always be preserved without impairing the federal system.

#### CIVIL SERVANTS

The dual polity which is inherent in a federal system as I said is followed in all federations by a dual service. In all Federations there is a Federal Civil Service and a State Civil Service. The Indian Federation though a Dual Polity will have a Dual Service but with one exception. It is recognized that in every country there are certain posts in its administrative setup which might be called strategic from the point of view of maintaining the standard of administration. It may not be easy to spot such posts in a large and complicated machinery of administration. *But there can be no*

*doubt that the standard of administration depends upon the calibre of the Civil Servants who are appointed to these strategic posts. Fortunately for us we have inherited from the past system of administration which is common to the whole of the country and we know what are these strategic posts. The Constitution provides that without depriving the States of their right to form their own Civil Services there shall be an All India Service recruited on an All-India basis with common qualifications, with uniform scale of pay and the members of which alone could be appointed to these strategic posts throughout the Union.*

Such are the special features of the proposed Federation. I will now turn to what the critics have had to say about it.

It is said that there is nothing new in the Draft Constitution, that about half of it has been copied from the Government of India Act of 1935 and that the rest of it has been borrowed from the Constitution of other countries. Very little of it can claim originality.

#### BLIND COPY

One likes to ask whether there can be anything new in a Constitution framed at this hour in the history of the world. More than hundred years have rolled over when the first written Constitution was drafted. It has been followed by many countries reducing their Constitutions to writing. What the scope of a Constitution should be has long been settled. Similarly what are the fundamentals of a Constitution are recognized all over the world. *Given these facts, all Constitutions in their main provisions must look similar.* The only new things, if there can be any, in a Constitution framed so late in the day are the variations made to remove the faults and to accommodate it to the needs of the country. The charge of producing a blind copy of the Constitutions of other countries is based, I am sure, on an inadequate study of the Constitution. I have shown what is

new in the Draft Constitution and I am sure that those who have studied other Constitutions and who are prepared to consider the matter dispassionately will agree that the Drafting Committee in performing its duty has not been guilty of such blind and slavish imitation as it is represented to be.

As to the accusation that the Draft Constitution has produced a good part of the provisions of the Government of India Act, 1935, I make no apologies. There is nothing to be ashamed of in borrowing. It involves no plagiarism. Nobody holds any patent rights in the fundamental ideas of a Constitution. What I am sorry about is that the provisions taken from the Government of India Act, 1935, relate mostly to the details of administration. I agree that administrative details should have no place in the Constitution. I wish very much that the Drafting Committee could see its way to avoid their inclusion in the Constitution. But this is to be said on the necessity which justifies their inclusion. Grote, the historian of Greece, has said that:

The diffusion of constitutional morality, not merely among the majority of any community but throughout the whole, is the indispensable condition of government at once free and peaceable; since even any powerful and obstinate minority may render the working of a free institution impracticable without being strong enough to conquer ascendancy for themselves.

By constitutional morality Grote moant:

A paramount reverence for the forms of the Constitution, enforcing obedience to authority acting under and within these forms yet combined with the habit of open speech, of action subject only to definite legal control, and unrestrained censure of those very authorities as to all their public acts combined too with a perfect confidence in the bosom of every citizen amidst the bitterness of party contest that the forms of the Constitution will not be less sacred in the eyes of his opponents than in his own. (Hear, hear).

### INDIANS ARE ANTI-DEMOCRATIC

While everybody recognizes the necessity of the diffusion of Constitutional morality for the peaceful working of a democratic Constitution, there are two things interconnected with it, which are not, unfortunately, generally recognized. One is that the form of administration has a close connection with the form of the Constitution. The form of the administration must be appropriate to and in the same sense as the form of the Constitution. The other is that it is perfectly possible to prevent the Constitution, without changing its form by merely changing the form of the administration and to make it inconsistent and opposed to the spirit of the Constitution. It follows that it is only where people are saturated with Constitutional morality such as the one described by Grote the historian that one can take the risk of omitting from the Constitution details of administration and leaving it for the Legislature to prescribe them. The question is, can we presume such a diffusion of Constitutional morality? *Constitutional morality is not a natural sentiment. It has to be cultivated. We must realize that our people have yet to learn it. Democracy in India is only a top-dressing on an Indian soil which is essentially undemocratic.*

In these circumstances it is wiser not to trust the Legislature to prescribe forms of administration. This is the justification for incorporating them in the Constitution.

### HINDU MODEL REJECTED

Another criticism against the Draft Constitution is that no part of it represents the ancient polity of India. It is said that the new Constitution should have been drafted on the ancient Hindu model of a State and that instead of incorporating Western theories the new Constitution should have been raised and built upon village

panchayats and District Panchayats. There are others who have taken a more extreme view. They do not want any Central or Provincial Governments. They just want India to contain so many village Governments.

*The love of the intellectual Indians for the village community is of course infinite if not pathetic (laughter). It is largely due to the fulsome praise bestowed upon it by Metcalfe who described them as little republics having nearly everything that they want within themselves, and almost independent of any foreign relations.* The existence of these village communities each one forming a separate little State in itself has according to Metcalfe contributed more than any other cause to the preservation of the people of India, through all the revolutions and changes which they have suffered, and is in a high degree conducive to their happiness and to the enjoyment of a great portion of the freedom and independence.

No doubt the village communities have lasted where nothing else lasts. But those who take pride in the village communities do not care to consider what little part they have played in the affairs and the destiny of the country; and why? Their part in the destiny of the country has been well described by Metcalfe himself who says:

Dynasty after dynasty tumbles down. Revolution succeeds to revolution. Hindoo, Pathan, Mogul, Maharatha, Sikh, English, are all masters in turn but the village communities remain the same. In times of trouble they arm and fortify themselves. A hostile army passes through the country. The village communities collect their little cattle within their walls and let the enemy pass unprovoked.

Such is the part the village communities have played in the history of their country. *Knowing this, what pride can one feel in them? That they have survived through all vicissitudes may be a fact. But mere survival has no value. The question is on what plane they have survived. Surely on*

a low, on a selfish level.

### STINKING VILLAGE REPUBLICS

I hold that these village republics have been the ruination of India. I am therefore surprised that those who condemn Provincialism and communalism should come forward as champions of the village. What is the village but a sink of localism, a den of ignorance, narrow-mindedness and communalism? I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit.

The Draft Constitution is also criticised because of the safeguards it provides for minorities. In this, the Drafting Committee has no responsibility. It follows the decisions of the Constituent Assembly. Speaking for myself, I have no doubt that the Constituent Assembly has done wisely in providing such safeguards for minorities as it has done.

*In this country both the minorities and the majorities have followed a wrong path. It is wrong for the majority to deny the existence of minorities. It is equally wrong for the minorities to perpetuate themselves. A solution must be found which will serve a double purpose. It must recognize the existence of the minorities to start with. It must also be such that it will enable majorities and minorities to merge someday into one. The solution proposed by the Constituent Assembly is to be welcomed because it is a solution which serves this twofold purpose.*

### WARNING ON MUSLIMS

To diehards who have developed a kind of fanaticism against minority protection I would like to say two things. One is that *minorities are an explosive force which, if it erupts, can blow up the whole fabric of the State.*

The history of Europe bears ample and appalling testimony to this fact. The other is that the minorities in India have agreed to place their existence in the hands of the majority.

In the history of negotiations for preventing the partition of Ireland, Redmond said to Carson "ask for any safeguard you like for the Protestant minority but let us have a United Ireland". Carson's reply was "Damn your safeguards, we don't want to be ruled by you."

No minority in India has taken this stand. They have loyally accepted the rule of the majority which is basically a communal majority and not a political majority. It is for the majority to realize its duty not to discriminate against minorities. Whether the minorities will continue or will vanish must depend upon this habit of the majority. *The moment the majority loses the habit of discriminating against the minority, the minorities can have no ground to exist. They will vanish.*

### FUNDAMENTAL RIGHTS

The most criticized part of the Draft Constitution is that which relates to Fundamental Rights. It is said that Article 13 which defines fundamental rights is riddled with so many exceptions that the exceptions have eaten up the rights altogether. It is condemned as a kind of deception. In the opinion of the critics fundamental rights are not fundamental rights unless they are also absolute rights. The critics rely on the Constitution of the United States and to the Bill of Rights embodied in the first ten Amendments to that Constitution in support of their contention. It is said that the fundamental rights in the American Bill of Rights are real because they are not subjected to limitations or exceptions.

I am sorry to say that the whole of the criticism about fundamental rights is based upon a misconception. In the first place, the criticism in so far as it seeks to distinguish fundamental rights from non-fundamental rights is not sound. It is incorrect to say that fundamental rights are absolute while non-fundamental rights are not absolute. The real distinction between the two is that *non-fundamental rights are created by*

*agreement between parties while fundamental rights are the gift of the law. Because fundamental rights are the gift of the State it does not follow that the State cannot qualify them.*

In the second place, it is wrong to say that fundamental rights in America are absolute. The difference between the position under the American Constitution and the Draft Constitution is one of form and not of substance. That the fundamental rights in America are not absolute rights is beyond dispute. In support of every exception to the fundamental rights set out in the Draft Constitution one can refer to at least one judgment of the United States Supreme Court. It would be sufficient to quote one such judgment of the Supreme Court in justification of the limitation on the right of free speech contained in Article 13 of the Draft Constitution. In *Gitlow Vs. New York* in which the issue was the constitutionality of a New York "criminal anarchy", law which purported to punish utterances calculated to bring about violent change, the Supreme Court said:

It is a fundamental principle, long established, that the freedom of speech and of the press, which is secured by the Constitution, does not confer an absolute right to speak or publish, without responsibility, whatever one may choose, or an unrestricted and unbridled license that gives immunity for every possible use of language and prevents the punishment of those who abuse this freedom.

It is therefore wrong to say that the fundamental rights in America are absolute, while those in the Draft Constitution are not.

### POLICE POWER

It is argued that if any fundamental rights require qualification, it is for the Constitution itself to qualify them as is done in the Constitution of the United States and where it does not do so it should be left to be determined by the Judiciary upon a consideration of all the relevant considerations. All this, I am sorry to say, is a complete misrepresent-

tation if not a misunderstanding of the American Constitution. The American Constitution does nothing of the kind. Except in one matter, namely the right of assembly, the American Constitution does not itself impose any limitations upon the fundamental rights guaranteed to the American citizens. Nor is it correct to say that the American Constitution leaves it to the judiciary to impose limitations on fundamental rights. The right to impose limitations belongs to the Congress. The real position is different from what is assumed by the critics. In America, the fundamental rights as enacted by the Constitution were no doubt absolute. Congress, however, soon found that it was absolutely essential to qualify these fundamental rights by limitations. When the question arose as to the constitutionality of these limitations before the Supreme Court. It was contended that the Constitution gave no power to the United States Congress to impose such limitation, the Supreme Court invented the doctrine of police power and refuted the advocates of absolute fundamental rights by the argument that every State has inherent in its police power which is not required to be conferred on it expressly by the Constitution. To use the language of the Supreme Court in the case I have already referred to, it said:

That a State in the exercise of its police power may punish those who abuse this freedom by utterances inimical to the public welfare, tending to corrupt public morals, incite to crime or disturb the public peace, is not open to question.....

What the Draft Constitution has done is that instead of formulating fundamental rights in absolute terms and depending upon our Supreme Court to come to the rescue of Parliament by inventing the doctrine of police power, it permits the State directly to impose limitations upon the fundamental rights. There is really no difference in the result. What one does directly the other does indirectly. In both cases, the fundamental rights are not absolute.

### DIRECTIVE PRINCIPLES

In the Draft Constitution the Fundamental Rights are followed by what are called "Directive Principles". It is a novel feature in a Constitution framed for Parliamentary Democracy. The only other constitution framed for Parliamentary Democracy which embodies such principles is that of the Irish Free State. *These Directive Principles have also come up for criticism. It is said that they are only pious declarations. They have no binding force.* This criticism is of course superfluous. The Constitution itself says so in so many words.

If it is said that the Directive Principles have no legal force behind them, I am prepared to admit it. But I am not prepared to admit that they have no sort of binding force at all. Nor am I prepared to concede that they are useless because they have no binding force in law.

The Directive Principles are like the Instrument of Instructions which were issued to the Governor-General and to the Governors of the Colonies and to those of India by the British Government under the 1935 Act. Under the Draft Constitution it is proposed to issue such instruments to the President and to the Governors. The texts of these Instruments of Instructions will be found in Schedule IV of the Constitution.

### WARNING TO POLITICAL PARTIES

What are called Directive Principles is merely another name for Instrument of instructions. The only difference is that they are instructions to the Legislature and the Executive. Such a thing is to my mind to be welcomed. Wherever there is grant of power in general terms for peace, order and good government, it is necessary that it should be accompanied by instructions regulating its exercise.

The inclusion of such instructions in a Constitution such as is proposed in the Draft becomes

justifiable for another reason. The Draft Constitution as framed only provides a machinery for the government of the country. It is not a contrivance to install any particular party in power as has been done in some countries. Who should be in power is left to be determined by the people as it must be if the system is to satisfy the tests of democracy. *But whoever captures power will not be free to do what he likes with it.* In the exercise of it, he will have to respect these instruments of instructions which are called Directive Principles. He cannot ignore them. He may not have to answer for their breach in a Court of Law. But he will certainly have to answer for them before the electorate at election time. What great value these directive principles possess will be realized better when the forces of right contrive to capture power.

This it has no binding force is no argument against their inclusion in the Constitution. There may be a difference of opinion as to the exact place they should be given in the Constitution. I agree that it is somewhat odd that provisions which do not carry positive obligations should be placed in the midst of provisions which do carry positive obligations. In my judgment their proper place is in Schedules III A & IV which contain Instrument of Instructions to the President and the Governors. For, as I have said, they are really Instruments of Instructions to the Executive and the Legislatures as to how they should exercise their powers. But that is only a matter of arrangement.

Some critics have said that the Centre is too strong. Others have said that it must be made stronger. The Draft Constitution has struck a balance. However much you may deny powers to the Centre, it is difficult to prevent the Centre from becoming strong. Conditions in modern world are such that centralization of powers is inevitable. One has only to consider the growth of the Federal Government in the U.S.A. which, notwithstanding the very limited

powers given to it by the Constitution, has out-grown its former self and has overshadowed and eclipsed the State Governments. This is due to modern conditions. The same conditions are sure to operate on the Government of India and nothing that one can do will help to prevent from being strong. On the other hand, we must resist the tendency to make it stronger. It cannot chew more than it can digest. Its strength must be commensurate with its weight. It would be a folly to make it so strong that it may fall by its own weight.

The Draft Constitution is criticized for having one sort of constitutional relations between the Centre and the Provinces and another sort of constitutional relations between the Centre and the Indian States. The Indian States are not bound to accept the whole list of subjects included in the Union List but only those which come under Defence, Foreign Affairs and Communications. They are not bound to accept subjects included in the Concurrent List. They are not bound to accept the State List contained in the Draft Constitution. They are free to create their own Constituent Assemblies and to frame their own constitutions. All this, of course, is very unfortunate and, I submit quite indefensible. This disparity may even prove dangerous to the efficiency of the State. So long as the disparity exists, the Centre's authority over all-India matters may lose its efficacy. For, power is no power if it cannot be exercised in all cases and in all places. In a situation such as may be created by war, such limitations on the exercise of vital powers in some areas may bring the whole life of the State in complete jeopardy.

What is worse is that the Indian States under the Draft Constitution are permitted to maintain their own armies. I regard this as a most retrograde and harmful provision which may lead to the break-up of the unity of India and the overthrow of the Central Government. The Drafting Committee, if I am not

misrepresenting its mind, was not at all happy over this matter. They wished very much that there was uniformity between the Provinces and the Indian States in their constitutional relationship with the Centre. Unfortunately, they could do nothing to improve matters. They were bound by the decisions of the Constituent Assembly, and the Constituent Assembly in its turn was bound by the agreement arrived at between the two negotiating Committee.

#### GERMAN EXAMPLE

But we may take courage from what happened in Germany. The German Empire as founded by Bismark in 1870 was a composite State, consisting of 25 units. Of these 25 units, 22 were monarchical States and 3 were republican city States. This distinction, as we all know, disappeared in the course of time and Germany became one land with one people living under one Constitution. The process of the amalgamation of the Indian States is going to be much quicker than it has been in Germany. On the 15th August 1947 we had 600 Indian States in existence. Today by the integration of the Indian States with Indian Provinces or merger among themselves or by the Centre having taken them as Centrally Administered Areas there have remained some 20/30 States as viable States. This is a very rapid process and progress. I appeal to those States that remain to fall in line with the Indian Provinces and to become full units of the Indian Union on the same terms as the Indian Provinces. They will thereby give the Indian Union the strength it needs. They will save themselves the bother of starting their own Constitutional Assemblies and drafting their own separate Constitution and they will lose nothing that is of value to them. I feel hopeful that my appeal will not go in vain and that before the Constitution is passed, we will be able to wipe off the differences between the Provinces and the Indian States.

#### INDIA NOT A NATION BUT UNION OF STATES

Some critics have taken objection to the description of India in Article I of the Draft Constitution as a Union of States. It is said that the correct phraseology should be a Federation of States. It is true that South Africa which is a unitary State is described as a Union. But Canada which is a Federation is also called a Union. Thus the description of India as a Union, though its constitution is Federal, does no violence to usage. But what is important is that the use of the word Union is deliberate. I do not know why the word Union was used in the Canadian Constitution. But I can tell you why the Drafting Committee has used.

The Drafting Committee wanted to make it clear that though India was to be a federation, the Federation was not the result of an agreement by the States to join in a Federation and that the Federation not being the result of an agreement no State has the right to secede from it.

The Federation is a Union because it is indestructible. *Though the country and the people may be divided into different States for convenience of administration the country is one integral whole, its people a single people living under a single imperium derived from a single source.* The Americans had to wage a civil war to establish that the States have no right of secession and that their Federation was indestructible. The Drafting Committee thought that it was better to make it clear at the outset rather than to leave it to speculation or to dispute.

#### HOW TO AMEND THE CONSTITUTION

The provisions relating to amendment of the Constitution have come in for a virulent attack at the hands of the critics of the Draft Constitution. It is said that the provisions contained in the Draft make amendment difficult. It is proposed that the Constitution should be amendable by a simple

majority at least for some years. The argument is subtle and ingenious. It is said that this Constituent Assembly is not elected on adult suffrage while the future Parliament will be elected on adult suffrage and yet the former has been given the right to pass the Constitution by a simple majority while the latter has been denied the same right. It is paraded as one of the absurdities of the Draft Constitution.

I must repudiate the charge because it is without foundation. To know how simple are the provisions of the Draft Constitution in respect of amending the Constitution one has only to study the provisions for amendment contained in the American and Australian constitutions. Compared to them those contained in the Draft Constitution will be found to be the simplest. The Draft Constitution has eliminated the elaborate and difficult procedures such as a decision by a convention or a referendum. The Powers of amendment are left with the Legislatures, Central and Provincial. It is only for amendments of specific matters – and they are only few – that the ratification of the State legislatures is required. All other Articles of the Constitution are left to be amended by Parliament. The only limitation is that it shall be done by a majority of not less than two-thirds membership of each House. It is difficult to conceive a simpler method of amending the Constitution.

#### UN-ELECTED ASSEMBLY

What is said to be the absurdity of the amendment provisions is founded upon a misconception of the Constituent Assembly and of the future Parliament elected under the Constitution. The Constituent Assembly in making a Constitution has no partisan motive. Beyond securing a good and workable constitution it has no axe to grind. In considering the Articles of the Constitution it has no eye on getting through a particular measure. The future Parliament if it met as a Constituent Assembly, its members

will be acting as partisans seeking to carry amendments to the Constitution to facilitate the passing of party measures which they have failed to get through Parliament by reason of some Article of the Constitution which has acted as an obstacle in their way. Parliament will have an axe to grind while the Constituent Assembly has none. That is the difference between the Constituent Assembly and the future Parliament. That explains why the Constituent Assembly though elected on limited franchise can be trusted to pass the Constitution by simple majority and why the Parliament though elected on adult suffrage cannot be trusted with the same power to amend it.

I believe I have dealt with all the adverse criticisms that have been levelled against the Draft Constitution as settled by the Drafting Committee. I don't think that I have left out any important comment of criticism that has been made during the last eight months during which the Constitution has been before the public. It is for the Constituent Assembly to decide whether they will accept the constitution as settled by the Drafting Committee or whether they shall alter it before passing it.

But this I would like to say. The Constitution has been discussed in some of the Provincial Assemblies of India. It was discussed in Bombay, C.P., West Bengal, Bihar, Madras and East Punjab. It is true that in some provincial Assemblies serious objections were taken to the financial provisions of the constitution and in Madras to Article 226. But excepting this, in no Provincial Assembly was any serious objection taken to the Articles of the Constitution. No Constitution is perfect and the Drafting Committee itself is suggesting certain amendments to improve the Draft Constitution. But the debates in the Provincial Assemblies give me courage to say that the Constitution as settled by the Drafting Committee is good enough to make in this country a start with. I feel that it is workable, it is flexible and it is strong enough

to hold the country together both in peace time and in war time.

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 was vile. Sir, I move.

*Reproduced from the Constituent Assembly Debates Dated Nov. 26 1948, with permission of the Hon'ble Speaker". By courtesy of R.L. Kain, General Secretary, Dr. B.R. Ambedkar Vichar Manch, 1-66-B, Dilshad Garden, Delhi - 110 095.*

#### Nazi party proves India is not a nation

##### OUR CORRESPONDENT

Bangalore: If India is a single, solid and fully integrated "nation" as claimed by our Hindu nazis, why their chief political party, BJP, got divided on the river of sorrow - that is Cauvery - and fought as if Tamil Nadu and Karnataka are two separate nations? Babasaheb Ambedkar said India is not yet a nation and called upon the upper caste rulers to strive to forge it into a nation. But these rulers did not listen and are continuing to fight and break each other's head. TN rulers declared a war on Karnataka. And in this war even the Brahmin-Bania BJP got divided proving Babasaheb prophetic words. The *Statesman* (Aug. 3) reports from Madras: The Tamil Nadu and Karnataka units of the Bharatiya Janata Party have taken diametrically opposite positions on the vexed Cauvery waters dispute, adding fuel to the fire instead of trying to put it out. The Tamil Nadu unit of the BJP has decided to launch a Statewide agitation demanding that the Karnataka Government implement the interim award of the Cauvery Water Disputes Tribunal and to condemn the indifferent attitude of the Centre in resolving the issue. The Karnataka unit of the BJP, meanwhile, had threatened to launch an "unprecedented Statewide strike" if the Centre gazetted the interim award and the Congress (I) Government of Bangarappa implemented it. The Executive Committee of the TN BJP, adopted a resolution to launch the agitation to force Karnataka to implement the awards.

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