

## Code for Minorities

While I may not agree with many details in Madhu Kishwar's article "Need for a Power Sharing Pact – Hindu-Muslim Relations in Post-Independence India" (MANUSHI, Issue 138), I appreciate your basic points that:

i) the emotional-sentimental approach, in a humanist or national context, has its limits in a multi-religious, multi-cultural or, more broadly, multi-ethnic society; and  
ii) that what is needed for social harmony, national integration and peaceful coexistence is a constitutional-legal-administrative accommodation which will safeguard the religious, cultural or ethnic identity of the minority groups concerned and give them their due place in the power-structure.

In 1937, Jinnah, in perhaps his last speech in the Central Assembly, claimed that the Hindu-Muslim problem was not a religious but a political problem. He was not heeded in the euphoria of power and Nehru's economic determination. So, post-1937, he played on Muslim fears of religious assimilation and cultural submergence, particularly in Muslim-minority provinces, and, in my view, demanded Pakistan as a tactical ploy which paid off when, in March 1947, the Congress itself demanded the partition of Punjab and Bengal and virtually conceded Pakistan.

Jinnah was not an Islamist or a pan-Islamist. He was basically a nationalist and, as you say, he wanted to create a power-sharing regime for the Muslim minority within the national framework.

Today, many new identities have crystallised under democracy and with education. They are all demanding the same recognition and share in power. Even at the *panchayat* level, one sees this power game, even though the contestants have almost everything in common except the *jati* or the *baradari*. Today, every self-conscious and identifiable group wants its share of the cake, its

## Responses to MANUSHI



place in the sun. I would, therefore, enlarge your thesis to take in all the emergent identities and plead for a reconstruction of the Indian polity in such a manner that, freed from majoritarianism at every functional level, it ensures a proportionate share of power, development and welfare benefits to every social group.

What we need, therefore, is not just a Hindu-Muslim Pact, but a National Pact in which every discrete group wins and no one loses. For many years, I have been proposing a National Code for Minorities (defining minorities in the broadest possible sense: religious, linguistic, caste, race, place of origin), under which they all uniformly enjoy the same political, economic and socio-cultural rights at a particular level, to the extent relevant to that level. So minority rights laid down in the National Code shall be enjoyed not only by Hindus as minorities in J&K, Punjab and the North East, but by Brahmins and Rajputs in a Yadav-dominated area (and vice versa) and by linguistic

minorities at various levels, even if they form majorities elsewhere.

Internationally recognised minority rights and our Constitution can easily provide the bedrock for the formulation of the Code and define the content for each level: Union, State, District, Block and *Panchayat*. We have to evolve a model of our own and we cannot import it. No other national model can work in India, a country of continental dimensions. But given political will and commitment to social justice and given our intellectual capacity, this is not an impossible task.

**Syed Shahabuddin, New Delhi**

*I find the idea of a National Code for all minorities interesting and urge you to send us a concrete draft of what you think a feasible version should look like.*

*However, I differ with your assessment of Jinnah. I believe Jinnah created a stalemate in negotiations with Gandhi and the Congress because he wanted veto-power over major decisions, rather than adequate safeguards for the Muslim minority. He was not*

comfortable with the fundamental principles of democracy based on the one-person-one-vote principle because that restricted his own power and influence. To quote Ayesha Jalal, he wanted to be "the sole spokesman" for the entire Muslim community. He could not stomach the idea that Gandhi, Nehru and other Congress leaders had a much larger following among Muslims on an all-India basis than Jinnah ever managed to obtain. He also wanted to keep the Indian polity forever polarised along religious lines, and was not satisfied unless the Muslims subsumed their regional, linguistic and other important ethnic identities, and voted and acted as a mindless monolith, placing all decision-making powers in his hands.

Jinnah did not hesitate to encourage the outbreak of violence, massacres and other criminal means to achieve his political ends. Had it not been for his call for "Direct Action" – a euphemism for large-scale massacres of Hindus and Sikhs – Partition might either never have taken place or, even if it had, it would not have acquired such a murderous form. If Pakistan had not been cleansed of Hindus, Sikhs and other minorities, it would not have produced such an anti-democratic and militarised polity as has come to be the hallmark of Jinnah's Islamic Republic.

Finally, Jinnah showed a cynical disregard for the fate of millions of Muslims who remained in India as a mistrusted and vulnerable minority after Partition. Millions of Muslim families got divided across the hostile borders.

Therefore, for me, the deciding criterion to evaluate the role of any politician is not whether she/he is secular or non-secular, but whether the person has scruples about using criminal violence to achieve political ends. Jinnah, for all his secularism, failed on this account. Gandhi, Nehru or Patel, for all their faults, came out shining on this score.

- Madhu Kishwar

### **Stress on Environmental Issues**

I have been reading MANUSHI for a while now. I appreciate the magazine for focusing on various important social issues, and for analysing them with the specificities of the Indian context in view, in a manner which I find very factual and informative.

However, I feel concerned that so far you have not given adequate coverage to environmental issues. We are facing serious environmental degradation at all levels, be it national, international, regional or local. Moreover, women have very little say in all these issues, especially when it comes to the decision-making process.

Do you have any agenda for addressing such subjects in any of the forthcoming issues of your magazine?

Shakti Prakash, New Delhi

We have had many articles covering environmental issues right from the early years of MANUSHI. In fact, you could even say that MANUSHI pioneered the coverage of these issues at a time when very few publications paid appropriate attention to them. Within the very first two years, MANUSHI dealt with concerns ranging from famines, drought and water pollution to efforts at saving forests, rain-water harvesting and the difficulties for women in procuring basic necessities such as fuel and fodder as well. We will soon have an index of back issues on our website, so readers can access old articles from MANUSHI dealing with many themes. -Editor



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