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IS THE CHINA - U.S. COLD WAR A THREAT TO WORLD PEACE?

‘Will the third world war break out?’ is the burning topic being frequently raised as the likelihood of the ‘cold war’ between China and the United States turning ‘hot’ appears more likely than before, in view of the provocative utterances by Xi Jinping, President of the People’s Republic of China and the counter moves by the American government. In the September/October 2021 issue of *Foreign Affairs*, Matt Pottinger analysed with clinical precision ‘How Chinese Grand Strategy exploits U.S. Power and how the United States must create counter strategy and ‘convert its vulnerabilities into strengths and mitigate the harmful effects of Beijing’s political warfare.’ The Americans must be heaving a sigh of relief after the exit of the volatile Donald Trump from the White House and the election of Joe Biden, the mild-mannered and less aggressive in demeanour than his predecessor, as the 46th President of the world’s most powerful democracy.

The twist in the tale is the escalation of tension between China and America following Xi Jinping’s highly provocative utterances against the United States. Several experts interpret the Chinese strategy as much wider in scope and American President Joe Biden’s stern warning on May 23, against attempt by any country to grab Taiwan would be seriously dealt with confirms the growing American concern about the recent Chinese military exercises around Taiwan. It is too serious a situation to be ignored and like in most major conflicts it is shrouded in strict secrecy. According to Audrye Wong (*Foreign Affairs*, May-June, 2021) China had begun to expand its market and business interests far and wide almost ten years ago and has overtaken the United States in capturing foreign markets through ‘high quality and reasonably priced products’, especially in the neighbouring countries of Asia. In fact, there is some force in the allegations that China has adopted both ‘subversive’ and ‘coercive’ measures in controlling the market forces. At the same time, China shrewdly continues to maintain cordial relations with the neighbouring and small countries. Audrye Wong writes that ‘China is sharpening its economic tools, the United States has led its own grow dull, forgetting how it turned economic power into strategic gains’.

The post cold war world is witnessing some new and worrisome developments from the point of view of global peace and stability. Michael Beckley (*Foreign Affairs*, March-April 2022) opines that ‘the international order is falling apart’ and the United States ‘needs to rededicate itself to leading the liberal order it helped found some 75 years ago’. The message emanating from China’s growing belligerence towards the United States is that liberal democracies have to be cautious about ‘the hostile nations that have overtly and covertly contributed to the recent cold war rivalry accentuated by trade wars. Adam S. Posen (*Foreign Affairs*, May-June 2021) cautions against America’s ‘self-defeating economic retreat and suggests that the United States should show the way in building a constructive international economic policy. Other experts too seem to agree with the author that global economy’s future is dependent on the vision and caution with which advanced countries like United States strive towards integration of global economic policies, keeping ‘hostile nations’ away from the process. Let us not forget that more than a hundred years ago commercial competition and trade rivalry, besides political differences led to the outbreak of the First World War.

War, it is said, begins in the minds of men and the minds of men today are influenced by commercial rivalry and trade wars. History tells us that 20 million people, many of them innocent, perished in the First World War and 85 million people lost their lives in the Second World War that rocked the last century. China’s Xi Jinping and America’s Joe Biden can and should explore ways for stemming the present ‘cold war’ between China and United States to avert a serious threat to world peace and stability. Creating a global climate of peace and stability in the turbulent world is too daunting a task for today’s leaders of mediocre stature. This is not the age of great leaders like Franklin Roosevelt, Winston Churchill and Jawaharlal Nehru.

- The Editor

The United States bears the responsibility to retain its competitiveness and its world role.
It should do this for its own traditional convictions, rather than as a contest with China.

- Henry Kissinger

INDIA'S ASPIRATION TO 'GREAT-POWER' STATUS

Admiral Arun Prakash (Retd.)

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As we finish celebrating the 50th anniversary of India's historic victory in the 1971 Bangladesh War, there is a strong urge to use this conflict as a benchmark, for extrapolating India's future trajectory as a putative 'great-power.' A great power is, by definition, a sovereign state that possesses the ability to exert influence on a global or regional scale, by virtue of its economic, technological and military strengths, as well as its diplomatic adroitness and cultural (or soft) power.

Therefore, without detracting, in any way, from the brilliant success of Indian arms, and the gallantry of our soldiers, sailors and airmen, in the 1971 war, we need to reflect whether a single military victory by itself, is enough for a nation to anoint itself as a significant or great power.

While analysing this conflict, two factors need to be kept in mind. Firstly, it was the breathing-spell, from March to September 1971, granted by PM Indira Gandhi at Gen. Manekshaw's urging, that enabled the armed forces to remedy serious equipment voids through a massive airlift from the USSR. Secondly, even though 'jointness,' as a concept, had not been formally introduced, the tri-service military leadership of the day showed enormous sagacity, which enabled close cooperation and coordination and ensured success of operations. However, the military operations undertaken, with the exception of the navy's missile attack on Karachi, were rooted in WW II doctrines, and would have little relevance in the 21st century, high-tech battlespace.

Moving on from the triumphalism of this conflict, we also need to take note of the lack of doctrinal clarity, diffidence and self-imposed constraints, that have, traditionally, marked the manner in which the Indian state has wielded force. A few examples, before and after 1971, bear mention in this context.

The inconclusive 1947 Indo-Pak conflict and the disastrous 1962 encounter with the Chinese were a preview of, what was to become a trade-mark of independent India's tentative approach to national security issues; earning for it, the pejorative label of a 'soft state.' In 1987, a large Indian Peace-keeping Force, was hastily, despatched to Sri Lanka, without adequate forethought or planning, both at the political and military levels. The flawed political rationale that had underpinned 'Operation Pawan' collapsed with a Sri Lankan 'volte face' and the venture ended up, as much a political disaster, as a military failure, with considerable loss of lives.

In more recent times, the Kargil conflict of 1999 brought us face to face with loss of vital territory, nuclear blackmail and national dishonour. This grave situation could only be retrieved by the sacrifices of our gallant soldiers in suicidal uphill assaults. Two years later, in 2001, India mobilized a million men in response to a terrorist attack on Parliament; only to de-mobilize them after eleven months, with significant loss of life, but without tangible gains; political or military. The June 2020, border intrusions by the Chinese PLA, in eastern Ladakh, again took us by surprise, and while the army responded with alacrity, there persists a complete lack of clarity, in New Delhi, about the nature and extent of Chinese incursions as well as the motives behind their actions.

The story in the asymmetric-warfare domain is not much different. The poorly handled hijacking of IC-814, in 1999, the 2008 attack by seaborne terrorists who held Mumbai hostage for 96 hours, and the 2016 penetration of military units in Pathankot, Uri and Nagrota, exposed the lack of crisis-management expertise in India's security establishment. The September 2016 cross-border commando raids and the 2019 post-Pulwama air-raid, into Pakistan, marked a welcome change that would have conveyed strong signals of national resolve and retribution. Regrettably, the absence of a policy underpinning, to these actions, and their exploitation for political gains, trivialized them; diluting their deterrent value.

Having undertaken this rapid scan of systemic security shortcomings, let me pinpoint four critical

The inner voice is something that cannot be described in words. The time I learnt to recognize the voice was, I may say, the time when I started praying regularly. That is, it was 1906.

- Mahatma Gandhi

factors, which need to be addressed, by decision-makers, before India can respond effectively to security challenges and stake a claim to great power status.

Firstly, it is the responsibility of statesmen and diplomats to ensure that nations resort to application of force, only as a measure of last resort, and after they have exhausted all other avenues of dispute-resolution. In this regard, India is in a most un-enviable situation; being sandwiched between two hostile nuclear-armed neighbours, with both of whom we have fought wars, over territorial disputes. It should be a matter for reflection, for our diplomats, that they have failed, for decades, 'post-bellum,' to negotiate *ad-hoc* boundaries into stable, mutually agreed upon international borders. They must also reflect on the fact that India has rarely been able to dissuade any neighbour –Pakistan, Bangladesh, Nepal Sri Lanka or even tiny Maldives – from undertaking actions inimical to Indian interests. The loss of all friends in our close neighbourhood should weigh, heavily, on the minds of our statesmen and diplomats.

Secondly, a term heard consistently in India's national security discourse is 'surprise,' used in the context of the 1947, 1962, 1965 and Kargil conflicts, as well as the latest Chinese incursions in Ladakh and episodes like the IC-814 hijacking and the 26/11 Mumbai terror strike. The phrase implies 'intelligence failures,' on account of flaws in collection, collation and analysis, as well as timely dissemination of crucial information. Consequent to the 1999 Kargil Review Committee Report, India's intelligence system has been overhauled and received an infusion of technical wherewithal of great sophistication. However, if the armed forces are still not receiving timely and actionable inputs, there is need for government to exercise greater oversight in this domain.

Thirdly, we should be under no illusions that India's claim of 'strategic autonomy' will remain a meaningless slogan, as long as we are dependent on external sources for military hardware and systems. We must, also, be extremely wary of a false sense of confidence that can be induced by incorrect claims of 'indigenous production.' In their rush to seek credit for 'atma-nirbharta,' organizations and individuals

are not above passing off licence-produced and even assembled items as indigenous. Here again, oversight and close monitoring of scientific projects would yield better results. While banning of imports may sound like a good idea, what we actually need is a '50-year technology road-map for India's defence industry,' and a whole-hearted embrace of the private sector.

Finally, two vital steps, on the path to great-power status, are: the conceptualization of a vision for the nation, and the formulation of a Grand Strategy to attain it. Both lie in the purview of statesmen, but soldiers and diplomats can lend a hand.

(Courtesy : *Deccan Herald* of 26 Dec, 2021)

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CAN QUAD SUSTAIN ITS INDO-PACIFIC MOMENTUM WITHOUT BECOMING A MILITARY ALLIANCE?

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Director of the Society for Policy Studies and
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Getting democracies to act in sync against a common threat without a military alliance is like herding cats.

The Tokyo summit of the Quad nations (Australia, India, Japan and the US) that concluded on Tuesday is the second in-person meeting of the leaders of these four nations. It took place against the ongoing war in Ukraine triggered by the Russian invasion on 24 February. Tokyo marks the fourth summit-level deliberations since US President Joe Biden assumed office in January 2020. Two of these meetings were in virtual mode, thereby signalling the priority being accorded to the Quad and the Indo-Pacific by the US and its partners to this relatively nascent platform.

The biggest takeaway from Tokyo, as reflected in the joint statement, is that the Quad, which was earlier disparaged for being neither fish nor fowl (not a security-led group or a trade block), is gradually acquiring focus and cohesion despite its relatively wide-spectrum set of objectives and divergences over major issues, such as Russia's Ukraine invasion. India,

Life is a challenge; meet it! Life is a dream; realise it! Life is a game; play it! Life is Love; enjoy it!

- Sri Sathya Sai Baba

for example, has not joined the US and other Quad members in castigating Russian President Vladimir Putin.

Snapshot

- The Quad, despite its wide-spectrum set of objectives and divergences over major issues, such as the Russian invasion of Ukraine, is gradually acquiring focus and cohesion.
- There is consensus with regards to the salience of the Indo-Pacific as a strategic construct and the anxiety over China.
- The Quad plus IPEF can evolve into a significant presence in the Indo-Pacific if the collective political resolve is sustained. But can democracies act in sync against a common security threat without becoming a military alliance?

Quad Is Careful Not to Pitch Itself as Anti-China

Where there *is* consensus is with regards to the salience of the Indo-Pacific as a strategic construct and the anxiety over China. Japan, with former Prime Minister Shinzo Abe at the helm, was the prime mover of the concept of the Indo-Pacific, and he had envisioned a confluence of the two oceans (the Indian and the Pacific) in his address to the Indian parliament in 2007.

After a chequered trajectory, buffeted as it was by the domestic political compulsions of individual members, Quad was infused with high-level political resolve under Biden's watch; the strategic subtext is instructive. The primary concern for the Quad members in relation to the Indo-Pacific was the rise of China and its combination of assertiveness veering towards inflexible belligerence in the transition from Hu Jintao to Xi Jinping.

Yet, the Quad, in all its statements, takes great care not to pitch the platform as being anti-China, though in a dialectical manner it highlights issues where Beijing has been a transgressor – whether in relation to the South China Sea dispute, illegal fishing, or the Chinese rejection of international law and customary domain norms. Concurrently, the Quad has sought to be an inclusive, add-on grouping, and defers to the centrality of ASEAN as a block in

relation to the Indo-Pacific; it has also cast the net wide to bring onboard European Union (EU) nations in appropriate sectors of engagement.

Not Just 'Sea Foam' Anymore For China

In keeping with this approach, China is not explicitly mentioned in the 3,019-word joint statement issued in Tokyo. But the allusion is more than evident. In its opening section, the statement pledges that the four democratic leaders “renew our steadfast commitment to a free and open Indo-Pacific that is inclusive and resilient”.

Noting the challenges posed by both the COVID-19 pandemic and the war in Ukraine, the operative part of the document by way of shared objectives is spelt out in some detail. And it's here that the unstated references that correlate with the actions and orientation of Beijing can be discerned:

“We strongly support the principles of freedom, rule of law, democratic values, sovereignty and territorial integrity, peaceful settlement of disputes without resorting to threat or use of force, any unilateral attempt to change the status quo, and freedom of navigation and overflight, all of which are essential to the peace, stability and prosperity of the Indo-Pacific region and to the world. We will continue to act decisively together to advance these principles in the region and beyond. We reaffirm our resolve to uphold the international rules-based order where countries are free from all forms of military, economic and political coercion.”

Predictably, China, which initially scoffed at the Quad as ‘sea foam’ that would soon dissipate, has criticised the Tokyo summit, calling it an attempt to create an Asian NATO and arguing that the emergence of military blocks would be detrimental to regional peace and stability. Thus, the second major takeaway from Tokyo is that despite its wide-spectrum agenda and cautious movement from intent to action, Beijing sees the grouping as a source of concern. The political resolve demonstrated by the Quad-plus has the potential to shape the current geopolitical template that has been jolted by the Russian invasion of Ukraine.

Synthesis is a dominant trait of India's civilization and history.

- Jawaharlal Nehru

Eight Policy Baskets

The statement contains eight specific policy baskets: peace and stability, COVID and public health, infrastructure, climate change, cyber security, critical and emerging technologies, space, and maritime domain awareness, including humanitarian assistance and disaster relief (MDA & HADR). These may be termed by and large as ‘motherhood’ and ‘apple pie’ issues, meaning that if realised – including a \$50 billion commitment for infrastructure – the credibility of the Quad as an entity that can deliver will be enhanced.

The focus on technology is welcome and together, the Quad-plus cluster (that could bring in South Korea, Taiwan and some ASEAN states) could be an alternative to states that are currently over-dependent on China. That the Tokyo summit has ruffled certain feathers was also evident in the display of military might by China and Russia, when their fighter aircraft closed in on Japanese airspace even as the Quad leaders were in session on Tuesday.

Will the Political Resolve Last?

The next Quad summit will be held in Australia in 2023, and if some of the boxes that have been ticked are translated into sustainable action, say, for instance, MDA and HADR, the credibility and buoyancy of the democratic cluster will be burnished. The Quad will also be complemented by the US-led Indo-Pacific Economic Forum (IPEF), which plans to bring together the Quad and nine other nations (Brunei, Indonesia, Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Thailand and Vietnam). But this is still a work in progress.

On current evidence, the Quad plus IPEF can evolve into a significant presence in the Indo-Pacific if the collective political resolve is sustained. But getting democracies to act in sync against a common security challenge, absent a formal military alliance, is akin to herding cats. So, it is a case of wait-and-watch till the next summit in 2023.

(This is an opinion piece and the views expressed above are the author's own.)

(Courtesy: *The Quint*, 25 May 2022)

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BLESSINGS FROM MY ACHARYA AND ACHARYA PATNI

Dr. (Mrs.) Prema Nandakumar

Dr.K.R. SrinivasaIyengar was my father, my music teacher and also my Professor in the Andhra University and my guide when I took up doctoral studies. My mother, Srimati Padmasani, was my teacher of Tamil and Kannada languages. Both of them instilled in me a deep devotion for the Guru-ideal of India. When I received the doctoral degree for my study of Sri Aurobindo's epic, I was already married to Nandakumar who belonged to the Thathachariar family of Sri Vaishnava Acharyas in Srirangam. My father commanded me that I should not think of taking up a job but spend all the time I could spare from household chores to studying Sri Vaishnavism deeply. Since I was travelling to different places where my husband was employed, this advice did me good. I became a happy and busy housewife and also a writer of articles and later author of books as well.

The first decade of the twenty-first century was a difficult period for me as I lost my parents; the loss of my brother Dr.Ambirajan was a great shock. We had grown up together, studied in the same school, college and university and received our doctoral degrees at about the same time. Nandakumar and my children gave me all the support I needed, and I continued to be a busy writer on subjects that fascinated me, particularly temple culture, philosophy and ancient Tamil literature. It was now that a phone call from Prof.R. Balasubramanian made me accept, however diffidently, the challenge to write on the three great Acharyas of India's philosophical and cultural discourse.

When I accepted Professor R. Balasubramanian's invitation to write a book on Adi Sankara, he told me that it was his dream to have an author draw close to all the Acharyas, get involved in their life and writings with total dedication to bring out the significance of their presence for our culture. Meanwhile, he did not emphasize the idea of a trilogy but merely said I must take up Adi Sankara first, study his works as well as I could and boldly choose my own angle of vision to understand this young seeker from distant Kerala.

Everything is easy when you are busy; but nothing is easy when you are lazy

- Swami Vivekananda

For this teenage seeker has touched the entire Indian peninsula and become part of Indian life.

By now I had worked under Professor RB's guidance for two decades and knew of my brother's tremendous respect for this Advaitic scholar. I suspended all my work under preparation and no withdrawal. I was now firmly drawn to focus my studies on the contribution of Adi Sankara. The book was published in 2013. Dr. RB was jubilant and spoke of his dream that the same author write on the three great proponents of Advaita, Visishtadvaita and Dvaita philosophy. Then came my book on Sri Ramanuja which was released on the 1000th birthday of Sri Ramanuja (1st May, 2017) and was also well-received. Dr. RB was by then ailing, but received the copies of Sri Ramanuja with joy and commanded me to complete the trilogy for it was his dream that the same author write on the three great acharyas. With the release of the book, **Sri Madhva: the Hero as Acharya**, I am glad I was able to fulfil the dream of my mentor, for three decades and more.

Working on these biographies has made me enter the vast zones of their philosophy and literature. I have been able to study the immortal realms of their poetic creations, critical studies and novel roads they tread in their interpretations. If Adi Sankara drew our attention to the prayer of Bhishma to Vishnu in the Santhi Prava in the very presence of the supreme as Krishna standing in front, Sri Ramanuja helps us study the same Bhagavad Gita as Saranagati Sastra. As for Sri Madhva, by writing a Bhashya for the first forty Riks of Rig Veda, he brought back the entire Veda to the centre of our cultural discourse. His in-depth study of certain parts in the Mahabharata is as fascinating as Adi Sankara's commentary, Sanat Sujaateeyam on an episode in the Mahabharata.

These fifteen years of intense studies in the writings of these three great Acharyas have been wonderful and I now realise my father's love that helped me wander in these great groves grown by our ancestors in the sunbelts of the Acharya literature and moonlight of our own seeking for Bhagavad Kripa. I thank Swami Advayanandaji, Chairman, Chinmaya International Foundation for supporting this project and strengthening me with his advice all through.

Now it is time to thank Sri Nandakumar and my children for their constant support in every way, and turn to the loads of files in my bureaus and filing cabinets that have remained silent all these years and to begin work again. That was always the KRS-way!

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NEED TO MAKE ARCHAEOLOGICAL IMPACT ASSESSMENT (AIA) PRECONDITION TO LAND RELATED DEVELOPMENTAL PROJECTS

**Shri N. Aditya Madhav
Smt. Rani Sarma Emami**

Abstract: The abundant archaeological evidence in the country is under threat due to rapid urbanization and the fast pace of land related developmental activity. Apart from the archaeological sites that have already been identified and excavated and those that are identified but are yet to be excavated, there are many more sites that lie buried under ground and, have gone unnoticed. Hence, it is imperative that land is explored and investigated as a precondition to development, to identify the hitherto undocumented ancient remains to save the valuable archaeological wealth of the country. Such a measure should, in fact, be made a part of the Ancient Monuments and Archaeological Sites and Remains Act 2010. Using a combination of methods, ranging from using satellite imagery, surveying the literature and analysing place names, it is possible to do so both quickly and exhaustively, with minimum resources. The authors have taken up the exploration of the archaeology-rich region earmarked for Petroleum, Chemicals and Petrochemical Investment region, between Visakhapatnam and Kakinada, as a case study to validate that assumption.

In modern India, archaeology has become a casualty to development and industrialisation. In the light of unbridled development and the frenzy for urbanization, many historical remains have vanished without a trace. Whenever large tracts of land are alienated for irrigation, industrial, or even housing projects, unless we take up systematic exploration

Wars begin in the minds of men, and in those minds,
love and compassion would have built the defenses of peace.

– U Thant

to ascertain what lay buried underneath the ground that is earmarked for such developmental activity, and hence will be unavailable for future exploration, vast stretches of India's archaeology will stand in imminent danger of getting lost to its people.

The East Coast of India, with particular reference to the coast between Visakhapatnam and Kakinada, (which is the focus of the present paper) is significantly rich in early historical remains. The fact that the area in question lies right on the trade route that connected the fertile Gangetic plains of the north with the spice marts of the south on the one hand, and the triangular trade that took place between India, Sri Lanka, and Suvannabhumi on the other, led to the rise of many trading ports along the coast. A third dimension to that trade was the link with the ports of the Mediterranean coast, as indicated by the discovery of Roman coins all along the coast of Andhra Pradesh. Since trade and Buddhism had a symbiotic relationship, where there were ports, there were Buddhist establishments. Over the millennia, with the change of the coastline and the silting up of the rivers, all traces of the ancient trade have disappeared and so have the urban agglomerates, while the Buddhist establishments have survived in a relatively good state of repair. As a result, beginning with Kalingapatnam in the district of Srikakulam, all the way to the River Godavari, one finds a Buddhist site of early historic period almost every twenty kilometres, in a continuous chain, as it were. In addition, there are the numerous temples of the medieval times running parallel to the coast. Appikonda, Panchadharla, Upmaka, and the temples of Ratnakara Swamy and Nageswar Swamy of Dimili, all of them lying in the District of Visakhapatnam alone, may be mentioned as examples.

It is hard to overemphasise the importance of conserving the archaeological remains of the country, be they of the early historic period or the medieval period. Needless to say that archaeology is the all important primary source for writing history and it forms the basis for the country's rich heritage. It is imperative that we conserve the archaeological remains to the extent possible.

Hence, when vast stretches of land are earmarked for any public purpose, the minimum precaution the government must take is to order a thorough

exploration, identification and documentation of the archaeological remains in the area, so that such data is available with the Department of Archaeology for future studies and research. It was a common practice in the fifties, to explore the land for potential archaeological sites when land was in the danger of being flooded by irrigation dams. It is because of such thorough exploration that the antiquities of the Nagarjunakonda Buddhist establishment were salvaged. Similar is the case of Alampur temples. Such an excellent practice has apparently been abandoned in the recent years. A case in point is the proposed PCPIR Project, which is dense with archaeological remains.

What is PCPIR?

PCPIR is the Petroleum, Chemicals and Petrochemical Investment Region, running along the coast of Andhra Pradesh, from Visakhapatnam to Kakinada, a distance of 157 kilometres. The extent of the land earmarked for the project is 640 sq kms, comprising of 97 villages over 10 mandals, in the districts of Visakhapatnam and East Godavari.

There are many Buddhist sites of early historic period in the PCPIR core area, most of which have been partially excavated and documented by the government, pending future investigation.

They are as follows:

Kottura, (Visakhapatnam Dt). : This site is situated on the banks of the River Sarada. The stupa alone is investigated thoroughly but the other appurtenances like the Viharas, chaityagrihas or the votive stupas have so far not been touched. The excavated spoked Stupa was conserved by ASI at considerable cost. A relic casket bearing an inscription (in Telugu?) was discovered in the stupa.

Gopalapatnam, (Visakhapatnam Dt): The site, located on the banks of Thandava, was partially investigated by ASI. It revealed the Buddhist nature of the settlement and, apart from NBP, Knobbed and Rouletted ware much stucco ware was brought to light.

Lingarajupalem or Pandavulametta, (Visakhapatnam Dt) : This ancient mound lying on the banks of Murikanagedda, a tributary of the River Varaha, was

Jawaharlal Nehru saw foreign policy as an emanation of national values as he understood and articulated them, derived from Hindu precepts and Buddhist ethics. (There was no cold war, he once said in Ashoka's heart.)

- Shashi Tharoor

excavated partially; it yielded abundant early historic artefacts, including Roman and Satavahana coins.

Veeralamettha or Veerulametta (Visakhapatnam Dt.): The Department of Archaeology, AP had identified this as a very large site. The site is situated on elevated ground, and is spread along gentle slopes. A large sized stupa, viharas and chaitya grihas were clearly discernible.

Seethammakonda, (Visakhapatnam Dt.): It is a large hill with the ancient remains spread over a large area. It has rock cut water cisterns, caves and rock cut steps leading to the top of the hill. A Hindu temple is built on the foundations of a large sized stupa and the Shivalinga in the sanctumsanctorum looks like the broken stump of a pillar. Large sized padas, being venerated today might have been intended to be Buddha padas. It is at present a popular Hindu pilgrimage centre. ASI investigated the site.

Bubhikonda or Bhuvikonda, (Visakhapatnam Dt.): On a peak 400 ft high, in Payakarao Mandal were found brick structures of veneered stupas, votive stupas and Viharas, apart from rock cut cisterns. A few remains of limestone patches inside the chatussala viharas located on different terraces were also noticed. ASI investigated the site.

Amalapuram (Visakhapatnam Dt.): Trial trenches were dug on the stupa proper and it was identified as a stepped stupa. The Department of Archaeology, AP apparently believes that the stepped stupas of Myanmar drew inspiration from the Amalapuram stupa. Significantly, the stupa lies very close to the sea and Pedda Uppalam, which is a Buddhist site as well.

Thimmapuram(East Godavari): Lying close to Pithapuram, the site is totally destroyed by brick robbing. There is evidence of a large stupa. Several relic caskets came to light during the pillage of the bricks. Apart from the above sites identified by the Government, all of which lie in the PCPIR core area, two more early historic Buddhist sites were identified by amateur archaeologists.

Nemam, (East Godavari): During the course of survey at a distance of 20 kms from Kakinada, Buddhist/Jain sites were discovered at Nemam, by the Department of Archaeology and Museums, in the

year 2003. A mound was seen with a temple complex nearby. A linga had been installed in a circular hollow stupa in a ten acre land.

Two totally new sites were discovered by free lance archaeologists, in the district of Visakhapatnam.

Pedda Uppalam : Adjacent to the Lingarajupalem cheruvu, three kilometres from Revupolavaram a local landlord found a large sized image of a seated Buddha in dhyana mudra in Khondolite stone, while digging for a well in his fields. The image bears a heavily abraded label inscription in late Brahmi script. The adjoining fields are full of pottery and brickbats. The site looks promising.

Gudivada : On the hilltop on the outskirts of the village, where there is now a modern water tower (17°23'45.05N / 82°47'20.88E), the authors came across a previously unknown early Buddhist site, identifiable through fired bricks scattered across the hilltop for a distance of tens of meters in each direction. Close to the water tank a few fired bricks, still in place on the surface formed a curve, seemingly the remains of a stupa. Among the scattered fired bricks down the hill slope was found a fragment of a decorated stone. Also to be found was a small water cistern, typical of the early historic Buddhist sites.

Thus, a large number of important ancient sites are located in the core area of PCPIR. The authors were not sure if the PCPIR authority had taken cognizance of their presence while planning large scale industrial activity. Worried that all such important archaeological sites might get damaged in the process of industrialisation if, a. the land on which they stand is not secured, and b. future studies/ research will not be possible if the access to the sites is not made available to scholars and researchers, the authors wrote several letters to the PCPIR Authority drawing their attention to the above mentioned sites and, requested protection for all of them. When there was no response to their letters, the authors addressed applications under Right to Information Act to both the PCPIR Authority and the Department of archaeology to provide information regarding the precautions taken to protect them. The replies received from both the authorities revealed that neither had plans to protect the valuable archaeological sites. The PCPIR

Don't do all things which your teachers do; whatever blameless acts they do, follow them but not others.

- S. Radhakrishnan

authorities were not even aware of the existence of any archaeological sites within the notified area. In the Environment Impact Assessment report (EIA) submitted to the state, no mention of either the archaeological sites or of the medieval temples was made. On the contrary, the EIA Report categorically stated that “No cultural and aesthetically important places are disturbed within the study area.”

It was then that the authors, along with Sri M Narayana Rao, a school teacher from Tuni, decided to conduct an exhaustive exploration of the notified area, with their own resources, to identify and to document the potential archaeological sites in the PCPIR area.

That briefly is the background for the exploration work that the authors took up in the PCPIR area. The methodology that they adopted was a combination of several approaches.

It is as follows: 1. By using Google Earth Mapping: Taking advantage of the fact that valuable surface data may be obtained from Google Earth, the coast was scanned, particularly the hillocks and the hill slopes in the PCPIR region. During that process some patterns emerged, which were helpful in locating manmade features. a) For example, special attention was paid to low hillocks located both on river banks and the sea. The river banks were ideal for human settlements and the low hillocks were found to be convenient to locate the Buddhist retreats. Mouths of rivulets were found to be potential ports. b) It was realised that a bald and level ground on hill tops could yield results. Such a surface indicates that there must have been some building activity underneath the soil, like a brick platform, or a plastered surface, thereby preventing heavy foliage from growing and rendering the area barren. c) At times a single and rudimentary shrine, or a cluster of small shrines on an otherwise barren hillock indicates the presence of a sacred/religious space. It is interesting that it remained as such in the people’s collective memory and hence they built modern shrines to the local village deities on that very spot. Thus, the presence of such shrines, particularly on low hillocks, in itself is an indication of an ancient site.

By analysing village/place names:

Very often village names like Buddhaam,

Buddhavaram, Bodhimetta palem, Boddavalasa Boddhamooru or Budamuru indicate that there is an association with ancient Buddhism. The word Buddha has been corrupted to sound different. At times the names alone did not lead to any substantive remains. For example, at a village called Bodhimetta palem near Vijayanagarram, a whole hill has been removed by quarrying and now just the name remains and, historical evidence if any, has long since disappeared. • Then there are names like Gudivada, a village name that occurs frequently and every time throws up a Buddhist site.

By involving the local people and the Press:

Enquiries made with the local people often yielded rich primary as well as collaborative data. Publicising the information regarding the antiquities already identified and sensitising the locals to the value of the local heritage and historical remains encouraged the people to report the occurrence of brickbats, statuary and/or pottery scatters.

By cross referencing site locations with historical journals: We scrutinised the abundant reference material that is available in the archaeological journals. References to antiquities were noted and marked against the place names. Cross referencing the sites we had marked as ‘potential’ with the journals helped in confirming the assumptions we made.

By going on field trips: The final validation of our findings was to actually visit the sites and to physically verify the existence of the archaeological remains on the ground. That in fact, was the last verification to check if all the tentative clues would add up and lead to an ancient site. To the gratification of the authors, many archaeological sites were located by that method. True, some of the sites were heavily disturbed and yielded very scanty evidence.

What did the search yield?

The sites identified in the PCPIR core area, using the above mentioned methodology are given in the following annexures:

1A Map of official sites, 1B List of sites with co-ordinates, 2A Map of Sites identified and Confirmed between 2013-15, 2B List of sites with co-ordinates, 3A Map of all sites including potential sites with co-

The whole universe is friendly to us and conspires to give the best to those who dream and work.

- A.P.J. Abdul Kalam

ordinates, yet to be confirmed, 3B List of potential sites.

Emboldened by the near accuracy of our methods, we expanded our search to other areas, for example the Gosthani River Valley. Here too the methodology yielded results but exploration is by no means complete. On the right bank of the River Gosthani, very close to the sea and Bhimunipatnam, (which also has a large sized Buddhist establishment dating back to the early historic times) the first author discovered two sites in the district of Vijayanagaram.

1. Gudivada metta or Gudivada dibba and 2. Cherukupalli.

Gudivada Dibba, Vijayanagaram Dt. : Going by the surface finds, Gudivada appears to be a promising site before it was disturbed due to road building. The top of the hillock revealed the foundations of a stupa and an apsidal chaitya griha. A part of the hill where Viharas might have once stood is sliced away to accommodate a road being built. Steps carved in the bedrock, leading to such structures are still visible. At present there are three small shrines on top of the hill, built for the village deities. It is interesting to note that the sanctity of the hill, as a religious space remained intact in people's mind over the millennia.

Cherukupalli, Vijayanagaram Dt : Close to the Gudivada hill is the Cherukupalli village. On a low hill in the village, the foundations of a large sized stupa were noticed. The surface finds do not reveal any further structures. We feel confident that the experiment can be replicated. The method outlined above is meant to be exploratory, at best. The results are by no means conclusive. Once a site is identified, an expert from the Department of Archaeology must visit the site and carry out an in depth investigation, and authenticate the information obtained.

Conclusion: India's rich heritage of archaeological sites belong to the future generations. We owe it to the posterity to conserve as much of the archaeological remains as possible. Apart from serving as an invaluable asset base, such heritage is essential for promoting tourism and the consequent economic benefits. Hence, it is important that the value of this asset is not allowed to be eroded.

In its anxiety to implement industrial projects expeditiously, the authorities often lose sight of the existence of valuable archaeological sites, either already identified and explored or yet to be detected. In this process, several ancient sites have already been lost and many more have come under the threat of obliteration.

Therefore, in conclusion, the authors are of a firm view that it is desirable to amend the Ancient Monuments and Archaeological Sites and Remains Act 2010, to incorporate a mandatory provision for "Archaeological Impact Assessment" as a precondition to project clearance, just as Environment Impact Assessment (EIA) process is mandated as a precondition to project clearance under the Environment (Protection) Act, for development projects.

Most developed countries in the world, with far less history and therefore far fewer archaeological remains than India have enacted laws to explore the land earmarked for 'development' for ancient remains. Even in those countries until recently, commercial developers paid little or no attention to the historical remains under their feet. But today, most countries are required by their own laws to survey the land before development. Such an exercise has been referred to by different terms, such as rescue archaeology, salvage archaeology, or crisis archaeology, depending on at what stage the development is, and how late the archaeological remains have been discovered. A broader term currently in circulation in referring to predevelopmental archaeology is, "Cultural Resource Management." Countries which have enacted laws in this area are North and South America, United Kingdom, Eastern Europe, West Asia, Korea and Japan. All these countries take up survey work before heavy machinery moves in to clear the area. Private developers, Municipalities and local self governments are employing professional archaeologists to survey the land before the developmental activity begins. That really means that even the cost of exploration is being borne by the private company.

In the Indian context, it is very important to make a quick and comprehensive assessment of the existence of all archaeological sites by adopting cost effective, time saving methods such as the one adopted

Today more than ever we need to strengthen our autonomy while working with all the major powers and cooperating harmoniously with our neighbours.

- Shivshankar Menon

by the authors in the case of PCPIR. The Central and State authorities should, at the earliest, adopt the use of satellite imagery in archaeological exploration as a preliminary step to conduct comprehensive exploration studies.

(Aditya Madhav and Smt. Rani Sarma Emani are freelance archaeologists.)

* * *

ROLE OF JUDICIARY IN DEVELOPMENT OF LEGAL EDUCATION IN INDIA

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The interaction between the Bar and the Bench in a country is often, and rightly, seen as an index of the legal system's development in that country. What is sometimes overlooked though is an equally important question – the nexus between the judiciary and aspiring lawyers. In short, some of the greatest minds of today must have the opportunity to shape some of the greatest minds of tomorrow. There is no doubt, then, that a close and vibrant interaction between the judiciary and legal education is indispensable for the continued health of the legal system.

This is especially so in India. I believe two reasons distinguish India from the rest of the world. For one, legal education in India is imparted at a younger age than it is in many other common law jurisdictions – it is not uncommon to see 17 or 18 years old in first year in law school. Thus, the onus on the legal system is not only to equip students with necessary skills and capabilities to understand the complex process of enactment, enforcement and interpretation of law with a view to secure equitable justice to all citizens irrespective of their caste, creed, religion or sex, but to do this for students who are younger than most of their counterparts in other countries. As the content and quality of legal education have a direct bearing on the legal profession, a sound and pragmatic legal education policy is *sine qua non* for prestige and performance of the legal profession. Consequently, this interaction between the legal education system

and the legal profession cannot be a one-way system.

A situation in which the legal education system is providing talent and resources to the legal profession cannot continue unless there is some reverse flow of contribution from the legal profession. The process necessarily has to be symbiotic, and it has been, to a considerable degree. The second reason is historical – many of India's leading legal education institutions have been graced with the presence of pre-eminent members of India's legal professional community, and this has now become firmly part of Indian legal tradition, and is of its greatest pedagogic strengths.

India's perhaps two greatest lawyers provide eloquent testimony to the truth of this statement. Mr HM Seervai and Mr. NA Palkhivala were involved with Government Law College, Bombay, for a considerable time, and it is perhaps no coincidence that some of India's best legal talent has emerged from Bombay. Indeed, the hallowed chambers of Sir Jamshedji Kanga offer compelling evidence to this – it has produced stalwart after stalwart, right from Mr. Seervai, Mr. Palkhivala to Mr. Ashok Desai and Mr. Anil Diwan. Memoirs published after Mr. Seervai's death reveal his close association with the Elphinstone College, Bombay. Similarly, in a tribute paid to Mr. Palkhivala, the author Mr. Feroza Seervai mentions that he entered the portals of the Government Law College, Bombay, not knowing whether he had made the right decision to study law, and left that day with a unshakeable conviction that it was the correct decision, having heard Mr. Palkhivala and Justice DY Chandrachud.

Similarly, the story of the National Law School of India University, Bangalore, is also evidence that the interaction between the judiciary and law students is an enriching one. Created by statute, and unquestionably the best law school in India today, the NLSIU has produced alumni who are already making a mark in various fields, and in various countries. Created by statute, the NLSIU Chancellor is the Chief Justice of India, and its Chair Professors included several retired judges, such as the late Justice Venkataramaiah and Justice Rajendra Babu. Mr. Soli Sorabjee and Mr. Ram Jethmalani, among others, regularly delivered lectures on Constitutional Law and Law of Evidence to the student community.

Good economics may not seem to be good politics in the short run, but wise political leaders will realize that it is almost always the best politics in the long run. How to marry the two is, in some sense, the real test of political leadership.

- Montek Singh Ahluwalia

11

These interactions, on issues of great contemporary significance, go a long way in sharpening the minds of contemporary law students. In addition to the value of learning from the best, it also serves as an inspiration to many young students.

At this stage, one may notice that I have so far discussed mainly the contribution of the Bar, not the judiciary. I do so to first emphasise the general advantages that flow from a practice education interaction. Now I turn to specific issues that we must address in shaping the judiciary-education interaction. Before embarking on this discussion, I will briefly survey the Indian legal education system, as it currently exists in India, and the reforms that have been proposed.

Historical Overview

Ever since the Supreme Court was established in Calcutta in 1774, the need was felt for training native lawyers. The Asiatic Society, established in January 1774, was a landmark in the educational and cultural history of India. The Hindu College, later renamed as the Presidency College, was established in 1817 in Calcutta, to take law classes, followed by the University of Calcutta in 1857. In 1841 a barrister of the Supreme Court was appointed to take law classes in the Hindu College.

The origins of the Indian legal system can be traced back to almost 150 years. In 1868, in the Punjab province, the law classes were started by the *Anjuman-I-Punjab*, to be replaced by the Punjab University in 1870. It was a non-competitive process, and the college examination had no value at the Bar, with the governing examination being the one held by the Punjab Chief Court. The concept of an entrance examination came into force only in 1873, following which the bar examination was also delegated by the Punjab Chief Court to the Punjab University. Thus, the initial role played by the judiciary in the legal education system was given up in favour of purely academic institutions. Success in the first examination qualified the candidate for *mukhtarship* and success in the second examination qualified him for pleadership of the subordinate courts. Pleader of 5-years standing was admitted to the Bar of the Chief Court. From 1885 to 1906 the course instruction extended to three

years. In 1887, passing the intermediate examination was made prerequisite for admission. The attendance requirement was also enacted. The candidates were, however, permitted to pursue law and arts studies simultaneously.

Although this legal education system was in place till independence, there was no uniform pattern of legal education in the country. The main purpose of university legal education was not to teach law as a science or as a branch of learning, but merely to impart knowledge of certain principles and provisions of law. This meant that legal education was not taken very seriously, and part-time institutions could also suffice. Most students who attended morning and evening classes conducted by the institutions were in employment somewhere or pursued other post graduate study, whereas teachers in law were generally practicing lawyers who had to attend their professional business during the office hours. Most well-educated lawyers were those who had studied abroad, and true knowledge was gained only from hands-on experience.

For the first two decades after independence, there was a sudden proliferation of law schools, followed by the Advocates Act, passed in 1961, which marked a watershed in Indian legal education. The Act constituted the Bar Council of India, which was conferred the power to prescribe standards of legal education and recognize law degrees for enrolment of persons as advocates. Consequently, some uniformity and structural changes were brought about throughout the country in early 1960s. After March 12, 1967 certain minimum criteria were laid down for a degree in law, like regular attendance at the requisite number of lectures, tutorials and moot courts in a college recognised by a University. Duration of the law course became three years and practical training schemes were sought to be incorporated into legal education. After 1979, the BCI took control over legal education in India. A working group was constituted by the Ministry of Education to examine the status of legal education in the country and to suggest measures for improvement of the structure and quality of legal education. In 1983, the major change introduced by the BCI was 5 year integrated course, which was started in some of the universities and later after

I think most creative people want to express appreciation for being able to take advantage of the work that's been done by others before us.

- Steve Jobs

the establishment of NLSIU, Bangalore by NLSIU, Bangalore. This concept has been replicated at many other Institutions across India, and has proved to be a resounding success.

New Imperatives

In his work on the 'Implications of Globalisation for Law as a Discipline', Professor William Twining identifies five developments in law which are changing with globalization:

Increased emphasis on established transnational fields, such as public international law, regional law, international trade and finance, including *lex mercatoria* and Islamic banking and finance, and environmental law, new transnational fields are emerging, such as internet law, procurement, and transitional justice; international criminal law and law and development;

1. Legal dimensions of global issues, such as environmental issues, radical poverty, the Common heritage of mankind, migration, war, international crime, terrorism, pandemics and the media;
2. Transnational dimensions of core subjects such as contracts, criminal law, family law, Intellectual property and labour law;
3. Diffusion of law through migration and the interface of religious and customary practices with law;
- 5 The need for practitioners to look beyond the law of jurisdiction in which they practice

Based on these imperatives, Jane E. Schukoske, in an enlightening piece in the Jindal Global Law Review comments the law teachers in India should consider the effect of four intersecting trends in legal education reform in India. These are (1) reframing of curricular content to integrate cross-border and international dimensions of practice; (2) greater emphasis on problem-solving, negotiation, and transactional practice to balance the traditional focus on litigation; (3) connection of theory and practice through clinical legal education; and (4) use of new technologies for learning. There have now been calls for the law schools to take leading role in the development of India's legal system. The view is that

they should create greater opportunities for faculty and students to undertake original and serious research on issues relating to law and justice that affect Indian society, and provide a proper research environment that enables scholars to identify issues that serve as an impediment to the efficient and effective administration of justice. This could make available recommendations for the social and economic needs of the people. Comparative research is another option that could help, with the development of institutional partnerships, both within the country and also with developing and developed countries. As a recent Hindu Editorial observes,

"[e]xperiences from other jurisdictions should be thoroughly examined by legal scholars and independently assessed with regard to their suitability and appropriateness to Indian conditions. Reforming the administration of justice and of law in India is a tall order. It involves a concerted effort by various factors, including the members of the Bar and the Bench, parliamentarians, members of civil society at large, academics, and many others".

It is this last line which is of particular significance, i.e. this development of India's legal education system needs an 'all hands to the pump' approach, which means a greater degree of participation by the Indian judiciary, to which I now turn.

The Role of the Judiciary

In my opinion, the biggest contribution that the Indian judiciary can make to India's legal education system is by cultivating a culture of legal scholarship and promoting intelligent and thought provoking legal research and writing. Some have argued that the easiest way to this is for the judiciary itself to adopt, as some English courts have done, a more academic approach to its decision-making. For example, in a piece in the 2009 edition of the *Law Quarterly Review*, Lord Buxton points out that deciding case only on the facts before it has led to difficulties and ambiguities in the common law. He cites *Hedley Byrne, Pepper v. Hart* and *A-G v. Blake* as examples of this tendency. In my opinion, this concern is an important one, and should guide judicial decision-making in India too. When deciding matters before it, if the Indian judiciary

Cricket's life lessons have made me the person I am, warts and all. I will be eternally indebted to the sport I love for giving me my identity, and to the Almighty for giving me cricket, above all else.

- Gundappa Vishwanath

provides an academic or theoretical backdrop to the issue, it would help make good and clear law. Also, it would provide an avenue in which legal scholarship could thrive and prosper.

The judiciary has done so on many occasions. There is no better example than *Kesavananda Bharati v. State of Kerala* and *Indira Gandhi v. Raj Narain*. In *Kesavananda*, the opinion of the court drew from sources as wide-ranging as Dr. Conrad's influential piece about the West German Constitution, Lane on the Australian federal system, US decisions, such as *West Virginia Board of Education v. Barnette*, English decisions, such as *Ridge v. Baldwin*, and deep and complicated propositions on Indian constitutional law. Similarly, in *Indira Gandhi v. Raj Narain*, four of the five judges had been in the minority in *Kesavananda*, and were called upon to apply the basic structure doctrine. The Court was also required to consider the exact import of the phrase "constituent power" found in Art. 368 of the Constitution. In what is seen as one of the finest decisions of the Supreme Court for its legal reasoning, the Court exhaustively expounded on the history and origin of "constituent power" right from Dicey's days to the modern era. No account of the Indian judiciary's academic prowess would be complete without a mention of what will surely go down in the annals of world legal history as one of the best argued cases in the highest court of a country – *In re Keshav Singh*. Argued by Mr. MC Setalvad and Mr. HM Seervai, before some of the best judges India's Supreme Court has had, on fundamental and complex questions of constitutional law, and privileges, the decision is instructive for every law student, not just because it is a rich repository of law, but because it teaches one how to approach the law.

Another way in which the Indian judiciary can contribute is by discussing foreign jurisprudence, which would again cultivate an interest in legal academia, and a comparative perspective, which is essential in today's globalised world. This has proved, however to be one of the most controversial questions across the world, and I can do no more here than give a brief account of this.

The contours of the debate over propriety of relying on foreign jurisprudence are most visible in

the US Supreme Court. At one end of spectrum – supporting the application of foreign law – is Justice Stephen Breyer, and at the other end is Justice Antonin Scalia.

A variety of arguments has been advanced against relying on foreign jurisprudence. One of the main arguments is that an "originalist" approach to constitutional interpretation precludes reference to foreign law. Originalism is the school of constitutional interpretation that holds that a Constitution must be construed as per the meaning its text bore at the time it was drafted. However, there is no doubt that this view represents a minority in modern constitutional literature. Today, leading constitutional scholars believe that constitutional law "invites us, and our judges to expand on freedoms that are uniquely our heritage" (Lawrence Tribe) and that "the practice of constitutional decision making should enforce those values that are fundamental to our society" (Dean Brest). So it can be argued that treating the constitution as a 'living document' is an, if not the only, acceptable technique of constitutional interpretation. Secondly, even assuming that a court is originalist, it does not affect the application of foreign law, for provisions are often inspired by certain aspects of foreign law. For example, the founding fathers of our Constitution were greatly influenced by the Equal Protection clause in the Fourteenth Amendment to the US Constitution. Under this view of originalism, reference to United States law might even be necessary. The Supreme Court has addressed these questions in *Ashoka Kumar Thakur v. Union of India*, (2008) 6SCC 1.

Another example of the value of the Bench-student interaction is International Law. This is especially so in Public International Law, where the writings of jurists, of whom judges are automatically a part, provide evidence of law. There is no better example than the case of Article 2(4) of the Charter of the United Nations. This is one of the most important provisions of the Charter, and Judge Elaraby called it the "bedrock" of modern international law. It is also, however, the most controversial. Art. 2(4) of the Charter requires members to refrain from the "threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the

Gandhi made it impossible for the British to go on ruling India, but at the same time he made it possible for the British to abdicate without rancour and without dishonour.

- Arnold Toynbee

United Nations”. This provision has been construed in two ways. One is that the use of force violating the ‘sovereignty’ of a State does not automatically violate its ‘territorial integrity or political independence’ – the State using force must do so with ‘hostile intent’ directed at territorial integrity or political independence. The contrary view is that motivation is irrelevant since Art. 2(4) proscribes any unilateral use of force outside the limited exception created by Art. 51. There is substantial support for both views. The role of the International Court in such situations becomes crucial, and is often discharged through a process that proves instructive for students. For example, the Philip C Jessup International Law Moot Court Competition is always judged by at least one sitting member of the International Court, and provides a wonderful opportunity for students.

Moot courts are thus an important component of learning in law school.

Writing in the *Vindobona Journal of International Commercial Arbitration*, Professor Jeff Waincymer makes an important point about the value of diversity:

“The suggested distinction between the practical and the scientific is seen as explaining the common law’s development of interactive techniques such as the case method approach in the US and the expository or magisterial style of civilian legal education. While these distinctions are all accurate to some degree and are certainly important, they do not provide a clear and dynamic picture of legal education in the two systems. Most importantly, they forget that each system has a common aim. As has been suggested, “(w)hile these two systems may differ in the respective emphases they place upon abstract principles and concrete factual observation as systems, they share the same problem-solving epistemology which combines abstract and concrete forms of reasoning.” Each system aims at solving real life problems and must therefore consider the relationship between the abstract and the concrete.”

In short, I see the modern era as potentially a crucial phase in Indian legal history – presently, law is seen as one of the most attractive career options in India, and the number of world class legal institutions

in India is also rapidly growing. If we add to this already potent mix a close relationship with the judiciary, I have no doubt at all that Indian legal education will have taken a giant step forward.

(Revised version of the paper presented at two day seminar on “Legal Education in India: Challenges Ahead” Organised by National Law university, Delhi and Lexis Nexis)

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A CENTURY’S SALUTATIONS TO SWADESHI AND SWARAJ - I

Prof. Manoj Das

Keynote address by the author at the Centenary Celebration of the Anti-Partition Movement, convened by the Asiatic Society, Kolkata, at the Sri Aurobindo Bhavan Auditorium, Kolkata, on 7 August 2004. Courtesy: The Statesman Annual 2004.

Repression comes, reform lingers, And we linger on the shore, And the Moderates wither And the Nationalist is more and more! -A doggerel popular in the first decade of the 20th Century, cited by historian R. C. Majumdar. We celebrate a historic event for two reasons: (a) to ascertain its contribution to the society or humanity; to see how far the experience distilled from the sequence of incidents preceding and following the main event has been well-utilised (even though experience is often like a comb that falls into our hands when we had already grown bald); and (b) to pay tribute to those who championed the cause that went with the event and made exemplary sacrifices for it so that their spirit continues to inspire us.

Partition of Bengal: the Motive and the Move Lord Curzon planned and gave effect to the partition of Bengal in 1905, ostentatiously to facilitate administration. In the post-independence period, when India had created several smaller states out of some big ones, we can very well ask what was terribly wrong with Curzon’s policy.

What appears worse retrospectively and extremely ironical, East Bengal, of which Curzon made only a separate state, became a wing of a new nation carved out of India and later a sovereign nation by itself!

My father taught me compassion and kindness for the less privileged. I have always treasured that lesson. It has proved far more important than any legacy of land or wealth he may have left me. That day the seeds of charity were sown.

- Nani Palkhivala

15

It is not easy to enter the spirit of a period in the past - and particularly that of a situation prevailing 100 years ago - because the events and ideas dominating the 20th century, after its first two decades, have radically changed our attitudes, outlooks and philosophies to an extent that no other century in recorded history had ever done. It is also unfair to measure the values and idealism behind a movement through a mind conditioned by developments that were unthought-of, even though the forces moulding our outlook today may have been prepared by the very values of a time past that appears almost alien to us now.

At the dawn of the 20th Century administration did not mean what it is today. The people's expectations from their rulers were humble. Queen Victoria died in January 1901 and the people of Kolkata were entertained to 25 booms from canons at Fort William to announce Edward VII's ascension to the throne. It was not an announcement of any change, but that of continuity - of a rule that desired to carry on its business quietly, but ready to flex muscles when and wherever any unrest was noticed.

But there were individuals among the ruling class who never accepted Joseph Chamberlain's merry announcement in 1904: "The day of Empire had come!"

In fact, even though the Sepoy Mutiny had ended happily for the rulers, it had left several British thinkers in a state of gloom. One of them was John Bright believed to be the most powerful orator of his time who, on the 4th of June 1858, asked the House of Commons: "How long does Literature and Education propose to govern India? Nobody can answer that question. But be it 50 or 100 or 500 years, does any man with the smallest glimmering of common sense believe that so great a country, with its 20 different nationalities and its 20 different languages, can ever be bound up and consolidated into one compact and enduring empire's confine? I believe such a thing to be utterly impossible." (Beverley Nichols: Verdict on India.)

There is a reason for my referring to this passage that would grow obvious if we study the following dialogue between Jinnah and Beverley Nichols in December 1943, after the former had read out the passage to the latter:

JINNAH: What Bright said then is true today... In fact, it's far more true - though, of course, the emphasis is not so much on the 20 nationalities as on the two, the Muslim and the Hindu. And why is it more true? Why hasn't time brought us together? Because the Muslims are awake... because they've learnt, through bitter experience, the sort of treatment they may expect from the Hindus in a "United India". A "United India" means a Hindu-dominated India. It means that and nothing else. Any other meaning you attempt to impose on it is mythical. 'India' is a British creation... it is merely a single administrative unit governed by a bureaucracy under the sanction of the sword. That is all. It is a paper creation; it has no basis in flesh and blood.

NICHOLS: The ironical thing is that your critics say that Pakistan itself is a British creation - that it is an example of our genius for applying the principle of divide and rule'.

JINNAH (with some heat): The man who makes such a suggestion must have a very poor opinion of British intelligence, apart from his opinion of my own integrity. The one thing which keeps the British in India is the false idea of a United India, as preached by Gandhi. A United India, I repeat, is a British creation - a myth, and a very dangerous myth, which will cause endless strife. As long as the strife exists, the British have an excuse for remaining. For once in a way, "divide and rule" does not apply.

NICHOLS: What you want is "divide and quit"? JINNAH: You have put it very neatly.

The years that had passed between the Mutiny and the emergence of Jinnah had been the period when the idea that the key to a lasting British rule in India lay in a society divided - and nothing could be more powerful and deadly as a means to perpetuate this division than religion, had been brewing in many a brain. For, the most remarkable characteristic of the Mutiny had been the unity among the Hindus and the Muslims, an articulate aristocrat Azimullah pleading the case of Nana Sahib in London and Hindu rulers depending on Muslim generals, and vice versa. Examples can be multiplied.

Curzon did nothing more than apply this simple

Great saints have performed miracles; greater saints have railed at them; the greatest have both railed at them and performed them.

- Sri Aurobindo

divisive strategy in practice in a different pretext. In fact, whenever convenient, he did not hesitate to hammer the point home, as he did in Dacca in the course of his tour of Eastern Bengal in 1904, before the Partition had been notified: "...the proposed transfer would make Dacca the centre, and possibly the capital of a new and self-sufficing administration... which would invest the Mohammedans in Eastern Bengal with a unity which they have not enjoyed since the days of the old Mussalman Viceroys and Kings..." (Ajit K. Neogy: Partition of Bengal.)

But there were voices among the British who totally disapproved of the move. The Statesman wrote in July 1904. "...objects of the scheme are, briefly, first, to destroy the collective power of the Bengali people, secondly, to overthrow the political ascendancy of Calcutta, and thirdly, to foster in East Bengal the growth of a Mohammedan power which it is hoped will have the effect of keeping in check the rapidly growing strength of the educated Hindu community."

A big obstacle for Curzon was the attitude of the Nawab Salimullah of Dacca, who at first branded the Governor General's proposal a "Beastly arrangement" but, surprisingly, became its staunch champion before long. The key to the mystery probably lay in the government sanctioning him a loan of £100,000. However, his brother, Nawabzada Khwaja Artikullah, declared at the 1906 Congress session that the Muslims in East Bengal did not want partition and "the real fact is that it is only a few leading Mohammedans who for their own purpose supported the measure".

In fact, most of the Muslim leaders who were respected by both the communities, opposed the Partition. Among them were Moulvi Abul Hossain, Abul Kasem, A. Rasool, Liyakat Hossain, and Ismail Hossain Sirazi.

An Undeclared War In order to appreciate the value of the public participation in the movement against the partition we must visualise the Kolkata of 1905. A dozen politicians could not just stage a rasta roko and in a few minutes find an audience of thousands stranded on both sides of the road in numerous automobiles to be obliged to bear with a

leader's harangue broadcast through a microphone. There were no public transport buses, cabs, three-wheelers or motorcycles to be paralysed by a roko. There was no microphone. Radio was still a dream. The first tram had begun its magic voyage, covering a small distance. People had to walk miles to attend a public meeting and those from the suburbs and villages would often spend the night on the pavements. Even then, largely attended meetings were held daily, the biggest of these being on 8 August 1905, at the Town Hall, where a sea of people thronged in and around it.

Workers and the clerical staff of numerous factories and jute mills observed a strike on the very day after the Partition was officially announced on the 1st of September 1905. Muslim and Hindu workers exchanged rakhis in several industrial establishments, to the chagrin of their British management.

As R. C. Majumdar stated, "... it was incipient rebellion an undeclared war between Government and the people."

The right moment for Swadeshi had arrived, for the government would not undo Partition unless the gross interest of the British commerce was affected. The boycott of British goods, as an ideal, caught the people's fascination. At certain places, such as Barisal, the fervour for boycott was total – so much so that the cobblers refused to mend shoes of foreign make and washermen refused to wash Lancashire linen.

But vested interests succeeded in creating chasms between the communities, as is obvious from the following letter written by G. K. Gokhale to Sir William Wedderburn, a great friend of India who, after retiring from the ICS, presided over two sessions of the Indian National Congress:

"The anti-Partition agitation which is confined mostly to the Hindus is naturally resented by the officials... The wild talk in which some of the more irresponsible speakers on the Hindu side have been indulging on the subject of independence or Swarajya without British control as they call it, is also naturally setting the officials against the Hindu community. Then the denunciations in the Calcutta press, often based on inaccurate information or unfair inferences, are a further source of irritation to the officials.

Any profound view of the world is mysticism. It has, of course, to deal with life and the world, both, of which, are non-rationalities.

- Albert Schweitzer

Lastly, the aggressive preaching of the boycott and the resort to picketing in some districts have been provoking for the last year and more the silent wrath of the Government. All these things have combined to create a bitterly anti-Hindu atmosphere in official regions and there is no doubt that the officials have allowed the impression to spread (and have even openly encouraged it) that the Hindus were in their bad books and that the Mohammedan community was the special object of their favour and patronage. There is also no doubt that when the present disturbances first began, there was a marked tendency to wink at Mohammedan rowdiness and leave the Hindus more or less to their own fate. I think these facts could be established before a Commission of Inquiry if one were granted. The supineness of the Executive in dealing with the situation even when it became clear that Mohammedan rowdies were getting altogether out of hand on all sides has made a painful impression in the country and unless a searching inquiry is made into how this temporary breakdown of the Government machinery took place, the harm that has been done will not be remedied. Mr. Morley stated the other day in the House that these disturbances were due to Mohammedan resentment of the boycott preached by Hindus. I am sorry to say that this is on the whole a very unfair statement of the case. It is true that the boycott campaign of the Anti-Partitionists has contributed its share to the difficulties of the present situation, though that campaign has given far more offence to the Government and the European community than to the Mohammedans, who, so far as the weaving class is concerned, have even gained to some extent by it. The boycott of Liverpool salt has no doubt inflicted a serious hardship on poor people and as the bulk of the Mohammedans in the Eastern Province are very poor, they have in my opinion a just grievance there. But this by itself would never have led to a breach of the peace if the impression had not prevailed in the Province, especially among the more ignorant and fanatical sections of the Mohammedans, that the Government would be behind them in any injury they might inflict upon the Hindus.” (Gokhale Papers, File No.203, National Archives.)

The divisive forces worked determinedly. Sir

Bampfylde Fuller, the first and the last Lt. Governor of East Bengal, could not check his temptation to go down as a master of prosody when he tried to present a serious political agenda through a bit of uncanny simile. He announced that he had two wives, the Hindu and the Muslim. But the Muslim was his favourite!

As Sir Surendranath Banerjea observed in his *A Nation in the Making*, “The Civil Service took their cue from him; and his administration was conducted upon lines in the closest conformity with the policy which he had so facetiously announced.”

Along with a nationwide awakening against subjugation to a foreign power, some sort of a jinx, too, seemed to be operating, the evil influence of which made well-meaning efforts to appear communal. Bal Gangadhar Tilak organised festivities highlighting the greatness of national heritage. But the reaction was not always happy.

“By nature and temperament, Tilak was never an anti-Muslim and the entire idea of celebrating the Shivaji Festival was not to alienate or even to irritate the Mohammedans. He strongly believed that with the change of time the Mohammedans and Hindus were in the same boat as far as the political condition was concerned. But the very mention of the name of Shivaji, who had fought against the Mughal Emperor Aurangzeb, was bound to have an adverse effect on the minds of the Muslims... Instead of interpreting the deeds of Shivaji in the modern light in order to exploit his name for future political gains, the politically unconscious and illiterate Muslim was bound to read the proceedings of Shivaji Festival along communal lines. This was an opportunity for the alien regime to colour Tilak’s endeavours for national independence as a deliberate attempt to foster communal animosity and raise a bogey of separate nationhood.” (Dr Sukhbir Caudhary: *Growth of Nationalism in India*.)

From Swadeshi to Swaraj : ‘We have seen Gokhale’s observations on the Anti-Partition movement and Swadeshi. Among those who were directing the movement, there were two distinct schools of thought. For the first, reuniting Bengal was the end; for the other, the movement was only the means for a far greater goal.’

Although ‘corruption’ has always existed in some form or other, and its intensity has varied from time to time, I believe that we have now reached a point where it poses a serious threat to the security, freedom and well-being of the ordinary citizen in our country and our cherished democratic values.

- Bimal Jalan

One was represented by Sir Surendranath. This is how he saw the *raison d'être* of the movement: "We felt that we had been insulted, humiliated and tricked. We felt that the whole of our future was at stake, and that it was a deliberate blow aimed at the growing solidarity and self-consciousness of the Bengalee-speaking population. Originally intended to meet administrative requirements, we felt that it had drawn to itself a political flavour and complexion, and, if allowed to be passed, it would be fatal to our political progress and to that close union between Hindus and Mohammedans upon which the prospects of Indian advancement so largely depended. For it was openly and officially given out that Eastern Bengal and Assam was to be a Mohammedan province, and that credal distinctions were to be recognised as the basis of the new policy to be adopted in the new province. (A Nation in Making.)

While saying so, Banerjea made it clear that the only purpose of the movement was to unify Bengal again and that there was nothing anti-British beyond this limited goal.

The other view originated from Sri Aurobindo (then Aurobindo Ghosh). Even while he was the Professor of English and French at the Maharaja's College, Baroda, he greatly influenced the movement paying visits to Bengal and through his faithful and powerful emissaries. Hence no wonder that he should become the paramount leader of the radical elements among the nationalists in a short time after his shifting to Kolkata, in 1906. As the eminent Bengali author Prabhat Kumar Mukhopadhyay, who had been a witness to the eventful time, wrote: "It can be asserted without any doubt that Aurobindo was the Brahma of the movement - detached and silent! But the sparks fanning out of his pen initiated to the fiery cause whomsoever they touched." (Translated from the Bengali, *Bharater Jatiya Andoloner Prabhab*.)

Sri Aurobindo came over to Kolkata to head the National College, founded with resources donated by Raja Subodh Mullick- a project of the Swadeshi agenda. (In fact, a large crowd hailed Subodh Mullick as "Raja" when his munificence was announced and the appellation stuck to his name forever - probably the only case of its kind.) But at Bipin Chandra Pal's request Sri Aurobindo took charge of the *Bande*

Mataram, a newspaper that was, in the words of S. K. Ratcliffe who was then Editor of *The Statesman*, "full of leading and special articles written in English with brilliance and pungency not hitherto attained in the Indian Press...the most effective voice of what we then called national extremism."

For Sri Aurobindo, the Partition was an opportunity to mobilise the people against colonial rule. In the 1 May 1908 issue of the *Bande Mataram*, he was unambiguous about it. "It is time that the nation rose above *Swadeshi* to *Swaraj*. It is time that it left the path of self-realisation through disguises and side-issues and lung itself frankly and wholly into the attempt to win *Swaraj*."

The first leader to demand unqualified freedom, "...to Aurobindo is due the chief credit for the triumphal emergence of Extremist Party, and the virtual extinction of the Moderate Party which was to follow," says the renowned historian, R. C. Majumdar. With an array of facts, the other eminent historian Tara Chand asserts: "His love of India was for him the utterly unreserved abandonment of the worshipper to God...He had a lofty sense of national dignity and reacted strongly against unmanly conduct. His courage was magnificent. He could attack fearlessly his own countrymen when he considered them wrong and he was ruthless, almost fierce, in his denunciation of the anti-Indian measures of the government. But he did not allow his indignation to betray him into saying anything unbecoming or vulgar, or overstep the bounds of law, as distinguished from the executive decrees of haughty administration." (*History of the Freedom Movement in India*, Vol.III)

No wonder that with the Partition of Bengal as the background, the Calcutta Congress of 1906, under Dadabhai Naoroji's presidentship, would be obliged to pass for the first time the drastic resolutions demanding *Swaraj* and upholding the ideas of *Swadeshi*, Boycott and national Education. This was possible because of the untiring efforts of Sri Aurobindo, supported by other leaders of the Nationalist group - Tilak, Lajpat Rai, Khaparde and Khare. The leaders of the Conservative group, known as Moderates, Sir Firozeshah Mehta, Gokhale and Surendranath Banarjea, were all opposed to the resolution. Naoroji was first undecided. But he was,

There is a compelling need in the contemporary world to ask questions not only about the economics and politics of globalization, but also about the values, ethics, and sense of belonging that shape our conception of the global world.

for the time being, won over by the Nationalists and he influenced the dissenters to veer round to the new spirit.

The Momentous Split Desperate Moderates planned a powerful scheme to thwart the programme of the Nationalists at the next Congress, the venue of which was shifted from Nagpur to Surat - because Surat, the old guard believed, had a sizeable number of their supporters.

Which group would command the majority was uncertain. But in this city dominated by the Moderates, they could mobilize delegates numbering 1,300. while the Nationalists could manage up to 1,100. It was known that the Moderate leaders had prepared a new constitution for the Congress that would render it practically impossible for the Nationalists to command a majority for any annual session for years to come. The younger Nationalists, especially from Maharashtra, were determined to prevent this by any means.

The session began before an audience numbering more than 10,000. The president-elect, Dr. Rash Behari Ghose, followed by other celebrities, ascended the platform amid cheers from a section. Dewan Bahadur Ambalal Desai formally proposed Dr. Ghose for the chair. At first, what was heard was only a murmur of dissent. But no sooner had Sir Surendranath stood up to second the proposal than a thundering chorus of protest broke out. His words were drowned in the ear-splitting din. The greatest orator of the then Bengal, the Pied Piper of many a mammoth rally, had the jolt of his life.

(From: Manoj Das *Of Mystics and Miracles and other Essays* Edited by Supriyo Bhattacharya 2018)

(to be concluded)

* * *

GOPAL KRISHNA GOKHALE

(Late) **Shri K. Iswara Dutt**

It is now a little over 50 years since GOPAL KRISHNA GOKHALE died ere he was fifty. On his death, K. Natarajan, his great friend and the great Editor of the Indian Social Reformer said: "It is not too much to say that never before in the history of this country, have intellect and character such as those of Gokhale, been devoted to the furtherance

of secular aims in a spirit of renunciation." This still holds true after half a century. Indeed, according to another great friend of his, Mrs. Sarojini Naidu, there has seldom been in our annals so rare a combination of "the practical, strenuous worker and the mystic dreamer of dreams"

Born on 9th May, 1866, in a village in Ratnagiri district of Maharashtra, Gopal Krishna belonged to the family of the Gokhales who were well known for their character and iron will. If his father had these tigerly qualities, his mother was endowed with the humane ones of piety, tenderness and devotion. Gopal's early years were those of genteel poverty and noble self-denial. He owed much to his elder brother, Govind who, on the father's death in 1879, made himself responsible for his education, despite the privations it meant for him. Little wonder that for years later Gopal's anxiety was to lighten his brother's burdens in life.

Though he acquitted himself with credit, there was nothing remarkable about Gopal as a pupil. He passed his Matriculation at 15 and took his degree at 18. What, however, distinguished him in the Elphinstone College was his exceptional zeal to study the English classics and acquire an easy command of the English language. Of especial advantage to him in the achievement of this objective was his excellent memory.

For a while young Gopal thought of I.C.S., of Engineering, and also of Law but by force of circumstances had to abandon all such plans and take to school-mastering for a living. The noble example of the men in Maharashtra who thought of dedicated service to the nation of Tilak, Apte and Adarkar, for example—was not wasted on him though the idea of giving relief to his brother weighed with him heavily. However, his brother having been won over by his friends to the cause of dedication, Gopal, ere he completed twenty, joined the Education Society as a member. It made a difference to him in life but he made his choice; not for him a life of ease and comfort but that of "a poor pedestrian".

Soon he became a lecturer in English but one who could also teach Mathematics and Economics.

But whatever he taught, he did after considerable preparation. And happy for long years were the young

The kingdom of joy lies within all of us. Heaven is not somewhere yonder; it is HERE AND NOW, Happiness and sorrow are both within us. To the extent we learn and live the principles of right living, as enunciated in the *Geeta*, to that extent, we shall come to gain a cultural eminence within ourselves and live an ampler life of greater achievements.

- Swami Chinmayananda

men who sat at his feet and did their Burke. Gopal Krishna had already been giving indication of his rise to fame as a speaker. As chairman at a public meeting addressed by him at Kolhapur, on India under the British rule, the British Resident William Lee Warner bore testimony to his command of the English language and captivating eloquence.

A momentous year in India as that of the birth of the Congress, 1885 was equally eventful in Gopal Rao's life. There was, it seemed, a heavenly conjunction above when Gopal Rao (as he was called), the rising star of the Deccan, swam into the orbit of Mahadeo Govind Ranade, who in India occupied a position of pre-eminence, next only to that of Dadabhai Naoroji, and in Maharashtra was accepted and adored as a Socrates or a Greek Oracle. Never were two souls so instinctively drawn towards one another, with solicitude on the part of the teacher and gratitude on that of the pupil, with mutual love and a common devotion to the cause of the Motherland. Inestimable were the blessings of that spiritual kinship and consecrated collaboration in worthy causes, to Maharashtra and India, till Death parted them. On the death of Ranade in 1901, Gopal Rao felt that a sudden darkness had fallen upon his life, but being yet more determined to serve the country in the tradition of Ranade, turned to G.V. Joshi (who, next to Ranade, played a great role in shaping him), for solace and support. The old task-master was not there to chide or cheer him and to guide him in every way, but to Gopal Rao, the memory of his guru remained the fountain source of inspiration to all his creative endeavour in life.

It was in the nature of things that under the friendly and inspiring auspices of Ranade, who, from behind the scenes, assisted, in the birth of the Congress, Gokhale (as Gopal Rao was known outside Maharashtra) should have been drawn to it, with a sense of inevitability. It was at the Allahabad Congress of 1889 that he made his first appearance. The tremendous impression he created on that occasion made him as attractive as familiar a figure at the successive sessions. He raised his voice on all burning questions of the day and never did he raise it without compelling far-flung attention. He was always so well-informed, lucid and vigorous, and an example of purposeful speaking and persuasive eloquence.

He had some interesting experiences too. If in 1895 he read the Welcome Speech on behalf of the Chairman of the Reception Committee who because of advanced years could not stand the strain, in 1906 he had the privilege of reading for the venerable Dadabhai the Presidential Address. He had already held the stage as "the coming man". It was an exciting experience to have at 31 appeared before the Welby Commission as a witness and come out of the ordeal with flying colours.

Nor was he spared some bitter and humiliating experiences which put him to severest test in life. Impulsive by nature but in good faith, he publicised in England about the violation of two women by soldiers during the plague relief operations in Poona, on the strength of private reports. It led to sensational results, the Government having thrown out a challenge and Gokhale not been able to get evidence to substantiate his statement. As an honourable man, he had to offer an unconditional apology. It was a stunning blow to his prestige and reputation-and for a time he reeled under it.

On the domestic front too, he had his trials and tribulations. Having lost his wife he married for a second time in 1887, but 12 years later, lost his second wife too. Earlier his mother died in 1893. And what completely shattered him and left him disconsolate was the passing of Ranade in the middle of January 1901. All the solace he needed, he found only in service. Even as early as in 1898, he desired to become "a perfect instrument for India's welfare", and lead a dedicated life" in the cause of the Motherland. If he slowly recovered from his recent eclipse and could reestablish himself in the public bosom, it was because of his personal probity and the missionary spirit of his public service.

Two years' experience in the Bombay Legislative Council where he easily distinguished himself as an outstanding Legislator, encouraged him to seek wider avenues. After eighteen years of strenuous service as an educationist, he desired to become wholetime public worker. On having heard of the approaching retirement from the Supreme Council of Pherozeshah Mehta (to whom he had owed so much in public life), Gokhale wrote to him for a chance to succeed him—and wrote not in vain. In a moving utterance he bade his adieu to the Fergusson College which he

In short, the struggle against corruption needs to be waged in parallel with a larger democratic and progressive political struggle.

- N. Ram

loved so deeply and laboured for so devotedly, and he embarked on the stormy and uncertain sea of public life” “purely from a sense of duty to the best interests of country” and “in a spirit of hope and faith”.

It was in 1902 that Gokhale entered the Supreme Council. He was fully conscious of having succeeded a veritable giant who had, by his debating prowess, dazzling eloquence and dynamic personality, left an indelible impress on its proceedings. Yet Gokhale remained not only to maintain the high standard set by the indomitable Pherozeshah Mehta, but, as a Parliamentarian, reach heights unattained to, earlier or later in our Parliamentary annals. With a rare combination of strength of conviction and sense of restraint, he set a tone which brought a breath of fresh life to the Indian Councils. He soon became the most distinguished member of the Supreme Council while, as “Leader of His Majesty’s Opposition” he was recognised by the ‘Superior Curzon’ himself as a foeman worthy of his steel.

Gokhale was but 36 when he became the leading Indian spokesman in the Supreme Council. He made history by his Budget speeches which were listened to with rapt attention by the entire House and, received far beyond, as models of parliamentary eloquence, full of substance and clothed in a language at once lucid and terse. They were an annual intellectual treat and they provided the pabulum for serious political discussion in the country. They evoked the admiration, even when they did not win the approbation, of Minto, Meston and Montagu, not to speak of Curzon. During the entire period of his career in the Supreme Council—and he remained there till his very end --Gokhale stood on a pinnacle of his own, with none above him or even anywhere near him.

For crowded achievements and multiplying laurels there was seldom in the life of any politician in India a period comparable to Gokale’s last decade—1905-15. In more than one sense, the year 1905, was Gokhale’s most glorious year. For, it was the year when he founded the Servants of India Society, for organising, on however limited a scale, dedicated service to the Motherland, and also when he presided over the Congress on the holy banks of the Ganga in Banaras. It must have been particularly gratifying to him to have been further engaged, during

the same twelvemonth, in the collection of funds for the Ranade memorial.

The months following the Banaras Congress were of exceptional consequence to Gokhale inasmuch as he had, as the leading Indian spokesman of the day, to influence British public opinion on the right lines. Once again he went to England to deal with the situation created by the Partition of Bengal and to make the British democracy realise that the East was “throbbing with a new impulse, and vibrating with a new passion” and that India could only be pacified and placated by a liberal measure of immediate political reforms. His speeches in England and interviews with British statesmen were of far-reaching significance, and it was no small comfort to him to have found Lord Morley, the Secretary of State for India, receptive and sympathetic. Of him whom he had praised earlier as student of Mill, disciple of Burke and friend and biographer of Gladstone, he said: “We never had so true a friend of our aspirations in a responsible position since Lord Ripon’s day.” There was no question about the leading part played by Gokhale, officially or un-officially, in the deliberations preceding the inauguration of the Minto-Morley Reforms.

But he did so at the risk of being misunderstood—even misrepresented-by “the rulers and the ruled alike”. Also, the odds were against Moderate leadership or Liberal statesmanship, in view of the rise of militant nationalism in India, amidst hectic developments like the deportation of Lajpat Rai, the Surat fiasco and the prosecution of Tilak. Not all perhaps realised what Gokhale really stood for. He firmly held the view that the situation required “not the police man’s baton, or the soldier’s bayonet, but the statesman’s insight, wisdom and courage”. The atmosphere in which he had to work during those years was very intriguing. He was supposed to be appeasing the Muslims on the one hand and playing the role of a Hindu schemer on the other. Minto doubted his constancy; even Morley was not completely free from prejudice. But he bore it all like a man and continued his legislative and political activities in the faith that even by their failures they could serve the country. It was in the same faith that he fought, for the introduction of free and compulsory education in the country, in the style of a crusader,

If Sri Ramakrishna was a *bhakta* par excellence and Swami Vivekananda a *Karma yogi*, Sri Ramana was in the great Hindu tradition the *Jnana yogi*.

- Karan Singh

Of even greater consequence was his visit to South Africa in the cause of the Indian Settlers led by Gandhiji and the part he played in bringing about the Gandhi-Smuts Settlement of 1914. Its violation by the South African Government led to sharp reactions in India against Gokhale though his was the consolation that his position was correctly understood by Gandhiji. The merits of this Settlement apart, it can never be forgotten by Indians that, out of Gandhi-Gokhale collaboration in South Africa was born the mutual comprehension of theirs, with its momentous repercussions on our history.

Those were strenuous years for Gokhale. It was generally known that he was taking more out of the system than it could stand. He was himself conscious of “a death-warrant” when, as a member of the Public Service Commission, he was being overworked. It was also too much of a strain to him to endure the misunderstandings that incidentally arose out of his part in the protracted negotiations between the Moderate and Extremist sections in the Congress. The shades, it seemed, were closing in, on him: indeed, they did, on February 18, 1915. The country was plunged into gloom. Touching were the funeral scenes in Poona: the chief mourners included Bhandarkar, Tilak and Kelkar.

Gokhale was still on the right side of 50 when he passed out of the Indian ken, darkening it for ever. As his biographer T.V. Parvate put it: .

A graduate at 18, professor and associate editor of the ‘Sudharak’ at 20, editor of the Quarterly Journal and Secretary of the Sarvajanic Journal and Secretary of the Provincial Conference at 25, Secretary of the National Congress at 29, leading witness before an important royal commission at 31, provincial legislator at 34, Imperial Legislator at 36, President of the Indian National Congress at 39, national envoy to the Imperial Government and founder of institutions at 40, a recognised Leader of Opposition in such Indian parliament as obtained in those days till his death, a trusted tribune of the people and a man of truth, rectitude and character in whom the rulers confided at all times and, above all, a patriot whom Mahatma Gandhi himself regarded as his master and a perfect man in the political field—what a truly marvellous and brilliant career and beyond anybody’s emulation!

He first rose to fame as Professor Gokhale; while yet young he cast a spell on the Congress; by founding the Servants of India Society he sought to spiritualise politics; as a politician he brought a certain precision as well as thoroughness to the study of public questions; as a Parliamentarian he soared to unknown heights; as a statesman he convinced both the Indian and British public that in a free country he would have excelled Asquith and equalled Gladstone; as a patriot he was recognised to be of the ‘purest ray serene’ and, as a man, he was deemed worthy of adoration. Apart from his eminence, political, intellectual and moral, his place in our history is secure as Ranade’s sishya and Gandhiji’s guru.

(Gokhale Institute of Public Affairs, Bengaluru founded by Late Dr.D.V.Gundappa celebrated the 156th Birth Anniversary of Gopal Krishna Gokhale at a function on May 9, 2022. The portrait of Gopal Krishna Gokhale unveiled in 1915 by Mahatma Gandhi was garlanded on the occasion.)

(Courtesy: CONGRESS CYCLOPAEDIA)

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ONLY ONE EARTH

Dr. (Ms) Ahana Lakshmi
Environmental Consultant

This year, 2022, is an important anniversary for many events. It is the seventy fifth year of the Indian independence being celebrated as *Azadikaamritmahotsav*. It is also the golden jubilee of the Stockholm conference, officially known as the UN Conference on Human Environment that brought the term ‘environment’ into the global agenda. It was here that world leaders formally placed environmental issues at the forefront of international concerns. The Conference was the first to formally recognize the link between economic growth, the pollution of the air, water, and oceans and the well-being of people around the world. The Conference led to the establishment of the United Nations Environment Programme (UNEP) and the designation of June 5th as *World Environment Day* (WED).

Twenty years later, it was the UN Conference on Environment and Development. This landmark conference held in Rio de Janeiro led to the three key multilateral treaties – on Biodiversity, Desertification

Tyagaraja’s *kritis* are wonders, goddesses of enchanting beauty and they speak for themselves. Fortunately, listeners do not have to take the musicologist’s word for it -- they can -- and must listen for themselves.

- William Jackson

and Climate Change. And also gave us the most important document of all – the Agenda 21, a blueprint for sustainable development. The attitude globally towards the environment also was changing – from a conference on the human environment, now it looked at environment and development as two sides of the coin; something we have come to clearly realize is not necessarily correct, definitely not the way industrialization without care for the environment has been pushed forward. Subsequent conferences – in Johannesburg in 2002 and Rio in 2012 have not made that kind of splash in the global discourse as the 1992 conference did. Almost as if the peak of the environmental movement had been reached and was now in the downward spiral. We cannot afford that at all.

This year's WED campaign slogan is 'Only One Earth' with the focus on Living Sustainably in Harmony with Nature.

As a student, we were told that in nature, things exist in balance. But learning about ecological succession showed us that there is no such thing. Nature is in a constant state of flux due to external pressures as well as internal changes and these changes occur at various levels. Some changes in nature we see in our life time, many others happen over geological time scales. Each time we come to a new normal. But in the anthropocene, the pressures on nature have been accelerated in time and space as well. So much so that we are believed to be using the equivalent of 1.6 earths to maintain our current lifestyles. How can nature keep up with these demands in a manner that is sustainable?

Decades ago I remember my grandfather talking about the impending nuclear catastrophe and the doomsday clock. Today, in its 75th anniversary, it is set at 100 seconds to midnight. I believe if an environmental doomsday clock is set, it will be closer to sixty seconds to midnight, which makes it feel as it is a near impossible situation.

But that is not really true because in life there is hope. Recognition of the problem and greater understanding from the local to the global level has also pushed for change. One does not always need high technology or high investments here. Sometimes, it may just call for introspection; an inquiry into why something does not work. For example, every year, we have vanamahotsava where thousands of trees are planted. Has there been a check on what is the survival rate? I have seen these events when pits are dug, saplings are planted by VIPs and the tree guards even have their names tagged on them. Visiting that place a year later, in place of a copse of trees, I found myself staring aghast at a three story building! Yes, we need land for industries and housing. But we need land to feed people too. Should we not have a discourse on how land can be used sustainably? Did you know that restoring 15 per cent of converted lands while stopping further conversion of natural ecosystems can prevent 60 per cent of expected species extinctions? Can we not go back to the ideal of small is beautiful? Can we, in this celebration of *azadikaamritmahotsav* push for the fact that being frugal and non-wasteful is part of our Indian heritage and is a sign of environmental consciousness, contributing to living sustainably in harmony with nature.

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