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SOUTH-ASIAN STUDIES

RAFIQ AHMAD

Editor

South Asian Studies seeks to provide a forum for discussion of issues and problems primarily relating to South Asia. We welcome contributions by researchers, administrators, policy makers and all others interested in promoting better understanding of South Asian affairs.

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Challenges and Opportunities of Regional Co-operation in South Asia

AGHA SHAHI

Inaugural Address, presented on April 22, 1982 at the Seventh Meeting of the Committee on Studies for Co-operation in Development in South Asia (CSCD) held at the Centre for South Asian Studies, University of the Punjab, Lahore.

It is an honour for me to be invited to address this gathering of eminent scholars and representatives of the premier institutes of South Asian countries dedicated to studies and research on the problems of development. I feel all the more privileged as I have no particular qualification to be singled out for the distinction conferred on me by the Director of the Centre for South Asian Studies of the Punjab University and the authorities of this premier educational institution of Pakistan. I would like to extend to them my sincere thanks for their kind gesture.

It is a timely and welcome development that a group of research institutes and scholars in the countries of South Asia should have formed themselves into a Committee (CSCD) for the purpose of undertaking studies for co-operation and development in South Asia with a view to promoting the realisation, at a regional level, of the objectives set forth in the resolutions of the General Assembly of the United Nations on the New International Economic Order.

This task which you have set for yourselves is a most arduous and difficult one. It is no less than that of developing, through studies

Mr. Agha Shahi is former Foreign Minister of Pakistan and is currently Visiting Professor with the University Grants Commission.

and a growth rate of 0.4 per cent for Europe. The rates of population growth are high because of the greater decline in death rates than in birth rates. The population planning programmes had a very limited success in reducing fertility rates. At its present rate of growth the population of the region will increase by 514 million to 1362 million by the end of the century.

The high rate of population growth is one of the most serious problems of the region, as it neutralizes a substantial part of the increase in the gross national product. The region has no feasible alternative to a reduction in the rate of growth of population.

Manpower

The region is richly endowed with manpower resources. It had a labour force of 298 million in 1975 which was growing at the rate of 2 per cent or more during 1970-75 and had a projected rate of growth exceeding 2 per cent in most countries during 1977-2000. It takes about 15 years for a child after birth to enter the labour force. So the bulk of the labour force for the end of the century has already been born and the size of the labour force in the year 2000 will be affected very marginally by future declines in birth rates.

The increase in the labour force would require the creation of a very large number of jobs just to absorb the new additions to the labour force, to say nothing about reducing the existing back-log of unemployment. Future development will have to be highly employment oriented to provide adequate job opportunities for the increasing labour force.

The economies of the South Asian countries are characterised by low levels of per capita incomes and low rates of economic growth. In 1978 only one country of the region, namely, Pakistan, had a per capita income higher than US 200. All others had a per capita income of less than US 200. Three countries had per capita incomes as low as US 120 or less.

suspend any licence held under these rules. Those violating could be punished upto six months' imprisonment or Rs. 300 fine or with both.⁷²

Rules were also framed for the sacrifice of cow. The Lt. Governor J. B. Lyall was in favour of its total prohibition. According to him, several Muslim leaders regarded it as unnecessary or to be performed at home. It was restricted to a few areas and was performed in an irregular and furtive manner. Prohibition would be acceptable to the country except by a few most affected towns.⁷³ The Government of India, however, did not agree and permitted intra-mural sacrifice, under discretionary powers of Deputy Commissioner.⁷⁴ Lyall strongly reacted and regarded the provision as unnecessary and inexpedient. According to him, its grant even in few cases could lead to grave mischief.⁷⁵ The Governor-General assured that the provision for intra-mural sacrifice would not be included in the official circular and that permission would be granted only in rare cases and without previous inquiry or report. It would, therefore, not affect popular feelings or lead to a general demand. The Government had already accommodated his views by accepting his proposal for withdrawing the provision regarding Deputy Commissioner's power to issue special licence for sacrifice.⁷⁶ According to Lyall, there was no appreciable excitement or reaction over the rules. *The Civil & Military Gazette* remarked it as a victory for Hindus, whereas the *Tribune* regarded it as fair to both the parties.⁷⁷ Complaints, however continued against hawking, objectionable sites and other violations. In 1894, Muslims of Jagadhri strongly protested against Deputy Commissioner Ambala's orders for taking sacrificial cows to the slaughter-house one day before the Eid and to bring meat on the Eid evening. They maintained that this was against past practice and had been issued at Hindus' instigation.⁷⁸ Next year, same complaint was repeated against Tehsildar's directive to take the cows to the slaughter-house at night. They regarded the restriction of hours as interference in religion and opposed to the Proclamation of 1858.⁷⁹ Muslims of Jalalpur Jattan (district Gujrat) and Ballu Khel (district Mianwali) complained against wrongful possession of meat prepared for offering on Muharram and

for entertaining marriage party, respectively. In the former case, Hindus claimed that the meat was of a cow, while the Muslims maintained that they had killed a goat. This led to a minor clash on the 7th Muharram and litigation against each other.⁸⁰ In Ballu Khel, a few zamindars slaughtered a cow at a distance four times farther than required under rules, for a marriage party. The Hindu Naib-Tehsildar, on a report by a Hindu, took possession of the food and posted guards on all guests.⁸¹ Hindus of Ambala complained against exposed sale of beef by a butcher.⁸² Similarly a butcher was arrested for selling beef in Sialkot,⁸³ while another, interned in Qila Deedar Sing while allegedly washing beef at a public tank.⁸⁴ Hindus of Peshawar also lodged several complaints against a few Muslims' request for opening shops for cooked beef near a temple.⁸⁵ In 1896, a group of them attacked a shop, maintained by a woman, for selling cooked beef in a Muslim neighbourhood. Same year, they sent three petitions to the Lt. Governor against hawking and location of slaughter-house and beef shops near their own places of trade.⁸⁶ Similar complaints were made in the Derajat division.⁸⁷ The government directed the local administration to remove them according to the rules.⁸⁸

Cow-killing thus proved a major hurdle in communal relations and peace. Viceroy Lansdowne in his report, described it as one of the two most important causes of riots and their frequency in India, during the period 1889-93.⁸⁹ According to the India Office, London, Hindus' fanaticism and anxiety for cow-protection provided the fundamental cause of riots and communal disharmony.⁹⁰ Several newspapers, including some run by Hindus, considered Hindus' demand and movement for total prohibition as impossible and unjustifiable.⁹¹ A few papers also advised Muslims to abstain themselves from cow-killing for sake of their neighbours and communal harmony.⁹² The government also rejected Hindus' demand. It maintained that suitable arrangements had already been provided in rules for safeguarding their religious susceptibilities. Cow-killing, therefore, remained a major problem and a source of irritation and thus played an important part in socio-political separatism of the two communities.

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THE FOURTH ROUND : INDO-PAK WAR 1984

RAVI RIKHYE

Mubarak & Sons Pvt., Ltd.,

Singapur, 1982, pp. 253

Ravi Rikhye, 35 year old author of *The Fourth Round*, claims to have studied the subject of defence for the last twenty-one years. He is a free lancer who feels indebted to Mr. K. Subrahmanyam, Director of Institute for Defence Studies and Analysis (IDSA), for being able to produce the present work, more so because of his inability to get an earlier book on Pakistan published after trying four times to do so. He seems to have provided detailed information about the strength, characteristics, and logistics of the armed forces, besides maps and latest battle tactics. It would be fit to remember that IDSA is a prestigious organisation which analyses international events and chalks out policy recommendations for the Indian Government. IDSA's Director Mr. Subrahmanyam, is known to be a hawk vis-a-vis India-Pakistan relations and has visions of India's role of a global 'power.' He is also one of the architects of India's nuclear policy and has many a time shown impatience at India's slow pace in military mechanization and in the development of its military might. IDSA has commissioned many books which project its policies and a somewhat chauvinistic view about Pakistan as a threatening neighbour. Although the book under review is not an IDSA-sponsored publication, the author's close coordination and association with Mr. Subrahmanyam and his staff does not rule out the possibility that it, in fact, reflects the Institute's approach.

The growth rate of GDP in most countries of the region declined very substantially during 1970-78 compared with the 1960s. It was also subject to very wide fluctuations from year to year. The average annual rate of growth was only marginally higher than the rate of population growth. This explains why the per capita incomes have been practically stagnant.

The saving rates have been very low except in India and to some extent in Sri Lanka and the rates growth investment have been negative in some cases.

Important changes have been taking place in the structure of production in the countries of the region. The proportion of agricultural production in the GDP has been declining and that of industrial production increasing. This is partly a reflection of the gradual modernization of the economies of the region.

Agriculture

Agriculture occupies a position of pre-eminence in the economies of South Asian countries. It accounts for a very large proportion of the gross domestic product in all countries—about three fifths in Bangladesh and Nepal, about two fifths in India and about one third in Pakistan and Sri Lanka. It is also the main source of employment. It provides employment to over nine tenths of the labour force in Nepal and Bhutan, about three quarters in India and Bangladesh, about three fifths in Pakistan and to over one half in Sri Lanka.

Agriculture had a rate of growth during the sixties which was not too good but which was not too bad either. The introduction of modern technology in the form of high yielding varieties of seeds, fertilizer, pesticides, irrigation etc., had produced some good results. But the rate of growth of agriculture declined very substantially during the seventies and was less than the rate of population growth in some countries of the region.

Food grain production has not kept pace with the growth of population except in India and Sri Lanka. The region is a net importer of good grains.

The author is talking of a hypothetical war between India and Pakistan in 1984. The war has been necessitated by the Indian fear that Pakistan would go nuclear and tilt the military balance in the region adversely. Therefore Pakistan has to be pre-empted from becoming 'unmanageable'. It had become 'manageable' after 1971. Although the first strike is successful, Pakistan defends itself ably and the war, more ruthless and destructive than any previous one, ends indecisively with ominous possibilities of yet another round in the future.

A dramatic scenario of a commando raid on an airfield in Kahuta, the site of Pakistan's supposed uranium enrichment plant, sets the pace of the book. It is written in the style of a spy-thriller, packed with action and drama. Although it is an account of an imaginary war, the accuracy or near accuracy of battle details and places gives it an uncanny semblance of reality. It lists extensively the strengths and weaknesses of the respective armed forces, their number, and their holdings; goes into the order of battle for Indian and Pakistani armies; outlines the rival strategies in the war; and gives a blow-by-blow account of each sector of the war (viz., Kashmir, Sialkot, Lahore, Multan, Kutch, Gwader, as well battles in air and sea.)

The book is obviously not written for the academician or the policy-maker but for the man in the street. Besides providing thrill, action and absorbing reading for the average reader, it attempts to popularize certain perceptions, viz., Pakistan is a wily neighbour who is not willing to recognize India's supremacy and is going ahead with its clandestine nuclear programme; U. S. A. is Pakistan's mainstay and provider of military goods; Pakistan has the support of the Muslim Arab countries and has skilfully knit its defence structure with theirs and has therefore a dependable support system. About India the self-perceptions conveyed in the book are that India is industrially, economically and militarily the strongest power in the region; it has aspirations and potential to attain global status; however it is diplomatically isolated; its only meaningful, dependable ally is the Soviet Union which unfortunately has its hands tied in Afghanistan.

The point made is that Pakistan is arming itself to the teeth and

its intentions are highly dubious. It is, therefore, imperative that India accelerate the pace of re-organization of its defence structure and upgradation of its military hardware. Although he rejects war at this point and time because of the existing balance in the two forces, by implication he suggests immediate sophistication of India's surveillance, defence and attack systems to counter Pakistan's sophisticated acquisitions. The only way to assert superiority is to have military and nuclear muscle as a deterrent.

In conclusion one can say that Mr. Rikhye has adopted an interesting technique of writing, inspired by Sir Hackett's *The Third World War*. He writes as if he is reviewing the scene at the end of the War of 1984, with all the visible and behind the scene diplomatic, espionage and subversive activities related to a war. In the process he identifies India's target of requiring major power status, for which differences with neighbours need to be resolved through establishing military pre-eminence and negotiating from a position of strength.

From the point of view of Pakistan, and for that matter of other smaller South Asian countries any consolidation of the subcontinent against outside powers arrived at through dangling the sword of Democles on their heads cannot be acceptable. The past record of Indo-Pak relations is very tarnished, with examples of India's aggression and intervention very fresh in people's minds. None of the assurances that India is arming itself against the big powers and not against Pakistan can hold. Only very tangible gestures may perhaps have some impact. Moreover, Mr. Rikhye's promotion of the obsession for putting in increasing amounts into the arms/nuclear race forces one to raise a few questions. Does regional supremacy or global power status necessarily reduce regional or international tensions? Does achieving such a position solve the fundamental issues of a developing society, i.e., food, education, health, housing and employment? Is a better quality of life guaranteed for the citizens by pursuing this end?

THE EMERGENCE OF MODERN INDIA

ARTHUR LALL

Columbia University Press

New York, 1981, pp. 260

Former Indian Permanent Representative and Ambassador to the United Nations, Arthur Lall, has been an 'insider' in the Indian decision-making apparatus. As such one expected some important and interesting revelations. On the contrary *The Emergence of Modern India* is but another narration of the history of India and that too tackled in a simplistic manner.

A cursory look at the title of the thinly documented book suggests to the potential reader that perhaps Ambassador Arthur Lall will be dealing with the economic and political structures in the mid-sixties, if not early seventies. This expectation is based on the concrete realities of Indian industrial development. The Indian industrial infrastructure and its armament machinery reached its 'take-off' stage in the late sixties, putting India on the threshold of a modern state. But that aspect of modernization has not been dealt with at all.

The book is divided into two parts. The former covering the pre-independence era, which is of little direct interest to a researcher exclusively interested in the modern day socio-economic-political issues of India. The pre-1960 period is spread over 168 pages while only 81 pages are reserved for the second part dealing with the 'emergence of modern India' theme. Furthermore, the author in his description of pre-independence India, gets involved with such matters as the system of revenue etc., which seem irrelevant to the main theme of the book. Statements like the one on page 13—"when Aurangzeb imposed toll taxes and other tyrannical regulations in the seventeenth century, his whole empire collapsed"—are over simplifications by any standard and are not explained by solid arguments. In

reality, the first half of the book is rather erratic and chronological order has been given little attention.

Ambassador Lall fails to analyze the philosophy of the Muslim Freedom struggle, and suggests collusion between the British and the Muslims for dividing India. On page 62, he writes: "The case for Muslim separateness in politics was first expressed by Sir Sayyid Ahmad Khan in the second half of the nineteenth century, and was later given philosophical content by Sir Mohammad Iqbal. That these men had been favoured with knighthood by the British government is an indication of the close relationship between Muslim separateness in India and British policies of divide and rule." On the other hand, the author admits that there was a basic difference between the Muslims and the Hindus. On page 64, he states: "In terms of modern education, a scientific outlook, industrial venturesomeness and broad professional skills, the Muslims, as a group, lagged far behind the Hindus." Again on page 65, he says: "The trouble was that Jinnah was bargaining with Congressmen who were themselves often religious zealots, Hindu zealots. This made him very wary." Thus he concedes to the separate identities of the two religious groups. The historical facts are that the British rule in India led to the 'artificial unity' of the land composed of different cultures and languages. Pakistan is the natural consequence of the clash between two alien socio-religious nations with a long history of conflicts, wars, and suspicion. Mr. Lall's lack of understanding of the genesis of the Pakistan Movement does not however deter him from admiring the Quaid-e-Azam, the leader of the Muslim masses, about whom he says, on page 66: "His leadership was expressed in a certain austere aloofness and dignity, a demonstration of intellectual clarity which won respect, and a reputation for great forensic skill."

In the second half of his book, Arthur Lall's approach remains simplistic and historical. He narrates the events in Indian political system without much analysis. He makes no distinction between the internal political structures and foreign policy behaviour of India, nor does he try to establish a link between the two. Regarding

Indo-Pakistan relations, Mr. Lall's views are one-sided.

In conclusion, we can assess the *Emergence of Modern India* as a mediocre book in which there is no cohesion of arguments and very little analytical observation. This book is useful to the extent that it gives a policy-maker's and implementer's view of Indian history.

SYED FAROOQ HASNAT

METROPOLITAN WOMEN IN PAKISTAN

SABEEHA HAFEEZ

Royal Book Company

Karachi, 1981, pp. 406

This book covers a very wide spectrum of the activities of women and provides useful insights into the problems of women in various spheres of life as administrators, factory workers, house-wives, university women, teenagers and social workers. It has identified numerous areas for research, for which it can serve as a good introduction.

The author's depth of perception of the problems of metropolitan women and of women generally is most impressive. The book has shown the value of case studies; how it is possible to study a very small section of the population and draw conclusions which are applicable on a much wider scale. One is struck by the author's sharp analytical ability, objectivity and maturity of thinking, which enables her to draw these conclusions.

The book draws pointed attention to the discriminations to which women are subject in various spheres of life and to the social prejudices against their participation in economic and social activities outside the home. A campaign for educating men—fathers, brothers and husbands—against these prejudices is called for.

The analysis in certain parts of the book is much too detailed, which leaves a rather blurred impression on the mind of the reader. It would have been much better if some of the minor details had been omitted and the main conclusions stated more incisively.

The position of women in Pakistan is changing very rapidly, at least qualitatively. The process should be further accelerated by ensuring the enforcement of existing legislation and policies for

safeguarding the rights of women and for the provision of various facilities to women workers. The Women's Division can provide leadership in this matter.

Further research should be directed partly at understanding the problems faced by women in various spheres of activity and partly at policy measures designed for improving the lot of women and their status in society, for increasing their participation in labour force and for enabling them to make greater contribution to national income by increases in household incomes for raising the quality of life of their families.

The book has very great educational value. It should be read by all men.

M. L. QURESHI

VICTIMS OF GROUPTHINK : A PSYCHOLOGICAL STUDY OF FOREIGN POLICY DECISIONS AND FIASCOES

IRVING L. JANUS

Houghton Mifflin Company

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Politicians, decision-makers and academicians in both developed and developing countries have increasingly been victims of intellectual and group polarization, thereby adding to the miseries of this conflict-ridden world. Irving L. Janus deserves congratulation for offering a scientific analysis of this phenomenon.

Employing the findings of 'small group research,' he has investigated the syndromes of groupthink. Groupthink in general terms describes the complex decision-making processes in small coherent groups which invariably lead to misunderstandings and failures. These processes have a tendency to distort reality and allow for a multitude of judgements on the part of group members which are based on nebulous assumptions.

Groupthink can best be described through a listing of its eight main negative symptoms :

- (i) An illusion of invulnerability, shared by most or all the members, which creates excessive optimism and encourages taking extreme risks.
- (ii) Collective efforts to rationalize in order to discount warnings which might lead the members to reconsider their assumptions before they recommit themselves to their past policy decisions.
- (iii) An unquestioned belief in the group's inherent morality,

Agricultural production can be increased by increasing the area under cultivation and/or by increasing crop yields per hectare. There is practically very little scope for increasing the area under cultivation. So production can be increased mainly by increasing yields per hectare. There have been very small increases in hectare yields during the seventies and this explains why agricultural production has been stagnant. The hectare yield for the principal crops in the various countries of the region are very low compared with the world average yields. This shows that the scope for increasing hectare yields is very great. The countries of the region have no option but to address themselves to the task of increasing hectare yields.

Livestock plays a pivotal role in the agricultural economies of South Asian countries. It provides the animal power required for various farming operations and transport; protein in the form of meat, milk, eggs etc. which is an essential element of balanced human diet, and manure in the form of animal excreta.

Most countries of the region have fairly large numbers of livestock but the per capita availability of livestock products has been very small. Livestock numbers increased during the seventies but the development of livestock has not kept pace with the growth of population, so that per capita availability of livestock products has declined substantially in all countries except Pakistan. This has resulted in worsening the protein deficiency in the diet.

The development of fisheries has been more rapid than the growth of population, so that the per capita availability of fish has increased in most countries of the region.

One of the reasons for the stagnation of agriculture and rural poverty is the unequal distribution of land. This results in a relatively small number of farms having large land holdings and a very much larger number having very small holdings. Land reforms which could have reduced these inequalities have not been effectively carried out.

Most of the farms are very small and uneconomic due to heavy population pressure on land. The countries of the region will have

inclining the members to ignore the ethical or moral consequences of their decisions.

- (iv) Stereotyped views of enemy leaders as too evil to warrant negotiation, or as too weak and stupid to counter whatever risky attempts are made to defeat their purposes.
- (v) Direct pressure on any member who expresses strong arguments against any of the group's stereotypes, illusions or commitments, making clear that this type of dissent is contrary to what is expected of all loyal members.
- (vi) Self-censorship of deviations from the apparent group consensus, reflecting each member's inclination to minimize to himself the importance of his doubts and counterarguments.
- (vii) A shared illusion of unanimity concerning judgements conforming to the majority view, partly resulting from self-censorship of deviations, augmented by the false assumption that silence means consent.
- (viii) The emergence of self-appointed mindguard members who protect the group from adverse information that might shatter their shared complacency about the effectiveness and morality of their decisions.

After having listed the main symptoms of groupthink, Irving Janus discusses the causes of this phenomenon. Groupthink might result from the cohesiveness of a small homogeneous group which is dominated by a powerful leader, in which a large amount of prestige is bestowed upon its members, with the result that the weaker group elements try to earn the respect of their superiors by closely adhering to their images and ideas.

Moreover, certain groups are able to carefully control their communication channels with the outside environment. These groups filter all the information which clashes with their pre-conceived ideas and images and thus preserve their ideas and images. In the process their perceptions of the world reality are totally distorted and come nowhere close to an 'authentic interpretation of the environment.'

Wrong perceptions and their defence can lead to decisions which have rather vague assumptions as their basis. These 'unreal decisions' are then a direct outgrowth of groupthink.

Very often one finds that groups are split into two parts; a cohesive upper part, and a less cohesive lower part. The upper part of the group includes the leaders who create the group images and beliefs, and could be classified as decision-makers of the group. The junior members immediately realize that if they voice ideas which do not conform with the images of their superiors they have no chance of being promoted. Therefore, they adjust their thinking to the general philosophy of the leaders.

Irving Janus, unfortunately, does not deal in great detail with societal influences which could create an atmosphere conducive to groupthink. One finds that groupthink is prevalent in areas where all decision-makers come from the same educational background. For example, Harvard lawyers seem to work with the same axioms and paradigms. Or in underdeveloped countries decision-makers with public school background have certain fixed notions about men and societies. Furthermore, their common educational background creates a 'clubby climate,' where dissent and non-conforming ideas are always voiced in a low key fashion. Real dissent is not promoted in such an environment, and obsolete images and ideas usually survive.

Certain societies value consent above everything else. The Japanese debate for as long as they take to reach an acceptable compromise for all involved parties. However, over the years, the Japanese have developed a number of shared images and beliefs which allow for the compromise solutions without engaging in long debates. Every member of the group knows what his counterpart within the group wants; thus, the acceptable limits for each group member are known in advance for each solution. Therefore, a kind of groupthink is developed which favours compromise decisions, and saves a lot of agonising discussions. However, this kind of groupthink rarely leads to realistic decisions, for many of these so-called compromise solutions do not take into account the real 'world' which in the end might lead

the decision-makers to lose contact with the 'objective' environment, which in turn creates a perception problem.

One has to ask, of course, whether or not the negative consequences of the groupthink phenomenon can at least be partially controlled. The answer to this question can be a qualified 'yes'. Irving L. Janus makes the following suggestions :

- (a) The leaders of a group should encourage group members to 'air' doubts and objections to potential decisions and projects. The leading decision-makers should carefully analyse criticism voiced by their junior partners.
- (b) The leaders of a group should always conceal their biases and prejudices which favour certain solutions. Otherwise, they might influence their subordinates in such a way that technical considerations give way to 'politics'.
- (c) Each group should be divided into sub-groups which in a non-partisan manner analyse each proposal brought forward by the respective sub-groups.
- (d) Each member of the group should have outside contacts and should be able to filter pertinent information from the outside into the group organisation. The group should never become a close information shop.
- (e) Qualified experts from the outside should be invited before the group to give advice to its members.
- (f) The actions and reactions of adversaries outside the group should be closely studied. Wishful thinking in interpreting the behaviour of group opponents can lead to perceptual disasters.
- (g) Each group decision should be carefully reviewed. The group should always reconsider any so-called 'perfect' solution and should look at it with suspicion and try to improve it.

Irving L. Janus thus warns every practitioner to keep an eye on the groupthink phenomenon. He even hands the practising politicians a list of proposals as to how they can avoid the 'disease' called

groupthink. *Victim of Groupthink* is an academic work written for the man operating in the political field. It works with real politics and is not confined to the ivory tower of 'academia.' In short it is a book that describes political reality in such a way that both academicians and politicians can benefit from reading it.

S. K. ALQAMA

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to devise institutional arrangements for enabling small farmers to overcome some of the constraints imposed by the very small size of their land holdings, through co-operation amongst themselves and through Government support.

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Industrial production had a fairly high rate of growth during 1960-65. The rate of growth declined to some extent during 1965-70 and declined still further during 1970-75. It started improving in subsequent years in some countries.

Industrial production as a proportion of GDP has been increasing in all countries of the region. This is a reflection of the structural changes that are taking place in the economies of the various countries. Similar changes have been taking place within the industrial sector and these are quite significant in some countries, particularly in India.

The exports of manufactured goods have been increasing quite rapidly in some countries, particularly in India and Pakistan. Manufactured goods constitute a very high proportion of the total exports of some South Asian countries. So access to the markets in the developed countries is of very great importance for the future industrial development of these countries.

The direct investments of the multi-national corporations in the South Asian countries are relatively small. However, these corporations can play an important role in the development of the countries of the region through the transfer of technology, provided the costs of this transfer are not prohibitive.

Transport and Communications

Transport and communications are a pre-requisite for development and have received considerable attention in the countries of the region. However, railways have not made much progress. There has been practically no increase in route mileage and in rolling stock. Railway traffic in terms of passenger kilometres and freight ton

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Chronology of Riots in North-East India

(November 1979-December 1980)

1979

November 17 More than 100,000 persons arrested in Assam during last week's protest rallies. Demonstrators were demanding the exclusion of names of outsiders from the electoral rolls of January 1980 National Elections.

20 Agitations continue all over Assam accusing Central Government for economic neglect of the region. Three policemen stabbed, one dead. Banks, Government offices, schools, rail and air traffic closed. Indefinite curfew in Luming town.

December 10 All 13 Ministers of the State Cabinet of Assam submit a joint resignation to Chief Minister J. N. Hazarika.

Student demonstrations demanding postponement of elections throughout Assam. Two shot dead by police firing.

Election Commission refuses to change its election schedule for January General Elections in Assam.

12 State Governor informs the President of India that no political party is in a position to form Government and Presidential rule should be imposed in Assam.

kilometres carried has registered modest increase in some countries during the seventies.

Road transport, in terms of road mileage and the number of road vehicles, has made very remarkable progress in most countries and has emerged as the principal means of transport in some of them. Air transport has also made spectacular progress in most countries of the region. Inland water transport is very important in Bangladesh and has great potential for development in Bangladesh and India. The shipping tonnage of the countries of the region is very small relatively to the volume of their foreign sea borne trade. There is very great scope for the development of the shipping industry in the region.

The recent increases in the prices of oil have greatly increased the costs of transport, as energy are a large element in total transport costs. The countries of the region, in order to economise on energy, would need to evolve development strategies which minimise the need for transport. They will also have to take energy costs into account when determining relative priorities for the development of alternative modes of transport e.g. railway transport which is economical in the use of fuel and road transport which is not so economical.

The countries of the region are fairly wellconnected with one another by the various modes of transport such as rail, road, air and sea transport. The existing intra-regional transport facilities can be expanded as and when necessary. So lack of transport facilities is not likely to be an obstacle for intra-regional co-operation, if such co-operation is otherwise feasible.

Communication facilities such as postal, telegraphic and telephonic facilities are at different levels of development in the various countries of the region. However, facilities for intra-regional communications are available and can be developed further in accordance with needs.

Balance of Payments and External Aid

The rate of growth of exports based on quantum indices of

December 12 Prime Minister Mrs. Indira Gandhi calls on the President and discusses deteriorating law and order situation in Assam.

A Bengali doctor stabbed to death at a Gauhati Hospital while on duty.

13 Manipur Assembly Speaker R. K. Ranjeet Singh shot dead by an unidentified gunman at his house.

14 Three persons including one MLA shot dead and one MLA injured at Gauhati (Assam), Boko Township, by an unidentified gunman.

19 Anti-election agitation cripples the election machinery in Assam. Mr. K. H. Rao, Chief Election Officer, suggests postponement of polls in all 14 Lok Sabha seats in Assam.

22 Anti-foreigner demonstrations continue all over Assam. Two dead, 40 injured in police firing.

Election Officer postpones elections in two constituencies in Meghalaya because of anti-foreigner agitation.

Large scale anti-foreigner demonstrations held all over Meghalaya. Shillong under indefinite curfew also in the grip of demonstrations.

23 A tribal insurgent in Imphal (Tripura) killed when a group of armed guerillas raid a police officer's house.

1980

January 1 58-hours strike call by AASU and APAC in Assam. Normal life completely paralysed, government offices, commercial establishments and educational institutions remain closed throughout the state. Power supply shut down, transport and communication by rail, road, air and inland water suspended.

- January 5* 200 huts of Bengalis in Madhyam Basha village in Assam set on fire, one person dead and 3 injured in the communal riots.
- 10 Despite indefinite curfew in Kamrup and Cachar districts of Assam, communal clashes between Assamese and non-Assamese continued during the whole last week, 35 persons killed.
- 18 At Dullajan Oil Complex in Assam, Dr. Rabi Mitra, a Bengali-speaking geologist killed by the mob outside his office. Police fires at 5000 stone throwing strikers, five killed, several wounded.
- February 6* An AASU student delegation calls on Prime Minister Mrs. Indira Gandhi and Interior Minister Mr. Zail Singh in New Delhi.
- Government accepts certain demands of the students.
- March 25* Assam economic blockade campaign starts in West Bengal against anti-Bengali campaign in Assam. Sanjay Gandhi's Youth Congress leading the campaign.
- 31 Assam's economic blockade campaign continues in West Bengal. Demonstrators stop rail, road and air traffic to Assam. A Government air line office raided, an Assam bound truck set on fire. 50 persons arrested.
- April 6* Anti-foreigner campaign gathers momentum. Martial Law imposed in the whole State of Assam under 1958 Armed Forces Special Powers Act.
- 12 Talks between Mrs. Gandhi and Assam agitation leaders fail at Gauhati.
- 15 Mr. Sanjay Gandhi charges RSS and a certain foreign power with creating the adverse situation in Assam.
- Sheikh Abdullah of Kashmir condemns the Assamese Agitation.

April 15 At Imphal, Manipur, anti-foreigners demonstrators force shopkeepers, cinema houses and some Government offices to close and join the campaign.

16 One student killed during student-police clashes in Manipur. Two school buildings set on fire.

An air-liner set on fire by demonstrators after ordering its passengers off the plane at Imphal Airport in Manipur.

Army Units clash with rebel groups in Manipur.

Central Government declares Assam a disturbed area. Army ordered to control administration.

17 Assam High Court admits a writ against the Central Government's Ordinance.

Supreme Court rejects Central Government's writ to stop Assam High Court from hearing the case, and allows Assam High Court to continue hearing.

A Government spokesman at Gauhati announces the suspension of more than 100 administration officers. Others will soon be suspended for taking part in student-led agitations.

Nagaland Government resigns against the Central Government's Army action in the North East.

18 Bangladesh Security Forces push back 500 deportees from Assam to Kooch Bihar at West Bengal border.

Police opens fire at the demonstrators in Imphal Manipur, one student shot dead.

Assam High Court allows Central Government to go ahead with its declaration of Assam as a 'Disturbed Area.'

Complete strike in Arunachal Pradesh called by All Arunachal Pradesh Students Union (AAPSU), for the following demands :

1. Immediate withdrawal of trade licences and land allotment permits for non-Arunachalis.
2. Effective check on infiltration by foreign nationals.
3. Expulsion of refugees.

April 19 Police tear-gases and baton charges tens of thousands of demonstrators at Oil India Pipelines Headquarters in Assam.

Indian Army takes over administrative control of Assam.

State spokesman at Gauhats says, "The seven month old agitation against the immigrants is showing the signs of a secessionist movement against the Indian Union."

General Secretary of AASU and hundreds others arrested by the new administration. People defy curfew and mobs shouting anti-Mrs. Gandhi slogans give a 24-hour ultimatum to release the arrested leaders, 700 arrested.

Assam Governor, Mr. L. P. Singh, promulgates a special ordinance for arresting anyone without giving reason or issuing a warrant.

20 Workers of Oil Complex at Gauhati walk out. See-saw battle between Army and agitators, 2500 arrested.

300 thousand pickets march towards the oil installations in Assam. Government withdraws troops and lets the picketing continue.

R. S. Paranivam, Assam State Chief Secretary says, "State is quite under control."

AASU sends an ultimatum to Mrs. Gandhi demanding a solution by May 15.

April 20 Mrs. Gandhi in a press conference at Delhi Airport says "The door to a political settlement is open and the Government would consider any humanitarian solution of the North Eastern problem."

Zail Singh blames Assamese bureaucrats for April 19, fiasco.

The Deputy Commissioner, Mr. Kamleswar Morgan, surrounded by a surging crowd in his office announces the withdrawal of curfew in Gauhati.

Mrs. Gandhi meets Mr. Laldenga, (arrested in July, 1979 during an attempt to flee from India under an assumed name and being tried under Criminal charges), leader of the Mizo National Front, who refuses to co-operate with the Union Government.

21 Thousands of people demonstrate at Gauhati shouting slogans "Victory to Mother Assam. Condemn Indian army for raping our mothers and sisters." 50 persons injured during clashes with para-military forces.

Leading citizens initiate mediation talks between agitators and the Governor, in Assam.

Governor Assam discusses law and order situation with Chief Secretary and other officials.

22 Mrs. Gandhi appoints a former Defence Secretary as the Advisor to the Governors of North-Eastern States.

Manipur Students Union calls for a three day *hartal* starting today. A wooden bridge on Imphal-Dispur road burnt down. 6000 students arrested.

23 A delegation for six political parties (including Janata, C (U) CPI and R (CPI) calls on the Governor of Assam).

April 24 All India Radio Station at Gauhati put under Federal control (it was under the indirect control of the agitators).

- 25 8-killed (4 civilians, 1 woman and 3 para-military persons) by an armed gang at Imphal, Manipur.

Entire local urban population in Manipur goes on strike demanding deportation of foreign nationals. About 100 injured, 14 seriously, hundreds arrested while picketing at Government offices and Banks.

- 26 Assam Chief Secretary sent on leave, a large number of senior officials suspended for their involvement in agitation.

Indian Border Security Forces ordered to shoot on sight any infiltrator from Bangladesh.

AAGSP rejects Mrs. Gandhi's proposal for deportation date as 1971.

Mr. N. I. Jamir, Chief Secretary of Nagaland, authorised the task force to arrest migrants in Nagaland.

Anti-Assam agitations at Dargeling West Bengal. The jeeps of Deputy Commissioner and Superintendent of Police stoned. Assam bound truck convoy carrying potatoes, coal and edible oil stopped. 10 people arrested. Total arrested rises to 320.

- May 2* Students observe strike in Shillong, Meghalaya, demanding deportation of foreigners. Army called out to patrol.

At least 100 immigrants killed by the agitators in Imphal. Curfew extended for two days more.

Mrs. Gandhi blames Janata and Lok Dal for the Assam Crisis.

May 2 Thousands of agitators march through the streets of Gauhati, 600 arrested.

3 At Imphal 13 persons killed by police firing. Round-the-clock curfew imposed. Banks and business houses remain closed. Newspapers fail to appear today. Trucks carrying food items hijacked. Army unable to control sporadic incidents of violence.

4 Mrs. Gandhi rules out further talks with Assam agitation leaders saying that "There is no question of releasing the arrested student leaders. If they are released they will create more troubles."

60 Assamese-speaking officials suspended by Chief Administrator, Mr. H. C. Sarin, for ignoring Federal Government orders.

Seven United Liberation Army (SULA) hoisted red flags in Assam, Manipur, Nagaland and Meghalaya. The SULA announced that the final struggle for Independence from the Indian Colonialist and Expansionist rule has begun. It was formed in April. Official sources estimate its strength at 5000. Unofficial sources call this estimate too conservative.

5 Thousands march in Gauhati for an early settlement of the issue. About 1200 arrested.

Zail Singh comments on Assam problem, "Entire problem will have to be viewed from human angle in the light of Indira-Mujeeb Agreement of 1971 for maintaining status quo on the immigrant issue. Such immigrants who could not be deported, for one or other reason, would be settled in other Indian States."

AAGSP as a reciprocal gesture allows the Administration to lift petroleum products in Assam for two days.

- May 6** Demonstrators at Nowgawn loot food stuff-packed train. 85 persons held, several dead in police firing.
- 10** CPM Government leader of West Bengal Mr. Jyoti Basu threatens "If the deportation from Assam will continue till May 15, West Bengal will launch a general strike and other protest measures against it." AASU calls for two-day protest against imposition of Martial Law in Assam, also sends an ultimatum to Mrs. Gandhi, failing which to forcibly deport the foreigners.
- 12** Mrs. Gandhi condemns Assam agitation saying, "a handful of wrong elements have been responsible for Assam Crisis," and calls the movement an anti-national agitation."
- Zail Singh returns to Delhi after a week-long tour in Tripura, presents contingency report to Mrs. Gandhi.
- 14** AASU rejects fresh call for talks by Mrs. Gandhi. Demands the withdrawal of April Notification and the Governor's special powers before the talks.
- Large scale agitation in Tripura, 417 arrested. 320 dead upto last week.
- "Government had no Plan to enforce Presidential rule in Tripura," "Zail Singh tells the Parliament." Chief Minister of Tripura, Nripen Chakarborty, describes killings of immigrants by local Christian tribesmen as "a genocide unprecedented in Indian history."
- 20** Agitation leaders in Assam announce nine day mass demonstration. Starts from today. One killed, 3 injured in Gauhati.
- A state-wide forest officers 'gherao' enters third day.

May 20 Mr. Siran, Special Advisor to Governor, discusses Assam situation with Mrs. Gandhi and Home-Minister Zail Singh in New Delhi.

22 An all-Party conference in Manipur drafts a memorandum on immigrant's issue in the state, for submitting to Central Government.

23 In Imphal two thousand teen-agers stage silent procession carrying play-cards reading "Go back foreigners."

24 Seven political parties in New Delhi make a joint appeal for re-opening dialogue between the Government and the agitators in Assam.

West Bengal Chief Minister Mr. Jyoti Basu, appeals for an all-Party Conference to find out solution for north-east crisis.

26 400,000 immigrants stage protest demonstrations in Kamrup, Golpara, and Nowgawn districts of Assam. A 13-point charter against 1971, as the base year for deportation also distributed.

27 Three extremist underground groups emerge so far in the north-east region :

1. *Namat* : Comprising Nagaland, Assam, Manipur, Mizoram, Arunanchal Pradesh, and Tripura with its headquarter in Burma.

2. *Sula* : Comprisdg five States and two Union territories of the region.

3. *United States of Assam* : Formed with the objective of creating on independent state in the region through an armed struggle.

28 22 persons killed by police firing at three different places in Assam. Telephone link between Gauhati and New Delhi disrupted.

May 28 Jamiat-ul-Ulema-i-Hind in New Delhi demand protection for minorities all over India, specially in north-east.

4000 women violating curfew demonstrate in Imphal.

29 Assam Government issues 15 days ultimatum to 8 student leaders, "to surrender or to face consequences as proclaimed offenders."

The agitation completes its 8th month in Assam. The ultimatum renews demonstrations. Thousands of immigrants fleeing their homes taking shelter either with friends or in Government established camps.

30 A fresh 3-day call for non-cooperation announced by AASU. State Government orders to shoot on sight following the fresh call.

June 1 A Statement issued from Gauhati by the All-Assamese People's Fighting Forum, rejecting the appeal of Prime Minister, Mrs. Indira Gandhi, and six other political parties to call off the nine-month old agitation.

2 Indian Air Force Planes airlift unspecified number of para-military personnel to Assam, to control the agitation.

5 More Hindu-Muslim rioting and arson in Assam, as the Government extends its order of April 1980, which declared the state a 'disturbed area.'

7 Public meeting held in New Delhi under the auspices of Jamiat-ul-Ulema-i-Hind, adopts a unanimous resolution urging the government to take strict measures to stop the exodus of Muslims from Assam.

8 AASU announces another 10-day round of demonstrations from June 10, 1980.

exports, declined in real terms, during the seventies compared with the sixties. The increase in the value of exports at current prices in US is an illusion and reflects the influence of inflation and buoyant commodity prices. The rate of growth of imports in real, and not in money terms, during 1970-78, has been negative in the case of Bangladesh and Sri Lanka and increased slightly, compared with the sixties in the case of India and Pakistan.

Some important changes have taken place in the direction of trade during the seventies. The percentage of exports to industrialized countries has slightly declined in some countries and has increased in the case of others. However, the percentage of exports to the oil exporting countries has increased very substantially. This is indicative of the emergence of a new market for the exports of South Asian countries. The exports to other developing countries have remained more or less unaltered.

The share of the industrialized countries in the imports of the countries of the region is very high and has further increased in the case of some countries during the seventies. The share of imports from the oil exporting countries has also increased.

The intra-regional trade in South Asia, both in respect of exports and imports, is a very small fraction of the total world trade of these countries. This might be the result of lack of complementarity in the economies of South Asian countries, and/or of the lack of trade linkages and other facilities for the exchange of goods.

The terms of trade of the countries of the region deteriorated during the first half of seventies but have shown considerable improvement since 1975. The terms of trade may get worse again due to the recent increases in the prices of oil.

The balance of payments on current account has been heavily in deficit for some countries. However, India had a favourable balance of payments till very recently. The deficits of the other countries were more or less completely covered by official development assistance except in the case of Pakistan.

Future prospects about the balance of payments position of the

June 8 Students organizations give ultimatum to the Government to release their arrested colleagues by June 11, otherwise they will start detecting immigrants.

9 High Court orders the release of 8 agitation leaders in Assam, detained under preventive detention ordinance two months ago.

The Indian Official sources disclose that death total in recent communal trouble in Assam had risen to 54, besides those who were reportedly missing.

10 All-Assam Minority Students Union delegation calls on Mrs. Gandhi at New Delhi.

Interior Minister Zail Singh tells Parliament that about 300 persons killed in the past few days, in Tripura, in a campaign to deport Nepalese and Bangladeshi immigrants.

"300 persons killed, 700 houses are still burning during the last four days" Zail Singh tells Parliament. Police sources estimate the killing to be 350. Unofficial sources estimate is 1000. "Children have been decimated and sharp weapons had been inserted into the sex organs of women as could be determined from the bodies, the men were just shot down." (UNI)

Lok Sabha approves continuance of Presidential rule in Assam for another six months (till December, 1980).

11 The Chief Minister of Tripura tells reporters that 308 people had died in the past 24 hours in violent ethnic clashes that "turned out to be genocide." The Indian Government has reportedly begun airlifting troops to the Communist controlled state.

12 Bangladesh Government reinforces security along its borders with Tripura and Assam to check the

entry of unauthorized persons into Bangladesh.

- June 14* All-Assam Students Union expresses its willingness to resume talks with Prime Minister Mrs. Indira Gandhi, with an 'open-mind', to solve the immigrant problem.

Hundreds of thousands of peoples in the States of Assam and Manipura and Meghalaya hoisted black flags on their house-tops to protest against the Government's inaction on their demands to oust immigrant settlers.

- 17 Zail Singh confirms in the Lok Sabha that Armed Youth of TUJSS (TRIPURA UPJATI SABA SMITI), pure Cristian, received training from abroad.

- 19 The Indian Minister of State for Home Affairs tells the Lok Sabha that attempts by Bangladesh nationals to enter the north eastern region of India was continuing clandestinely.

"State Government intends to put more than 900 arrested secessionists guilty of bloody repressions against civilians to open trials". Chief Minister, Tripura.

- 22 Thousands of people defy curfew orders to observe Voluntary Force Day in Assam.

- 23 About 1200 Tribal Guerillas arrested so far.

- 26 A day long complete strike observed in Assam, to demand the deportation of millions of alleged aliens from Assam.

Death toll in Tripura has exceeded the 2000 mark with the discovery of some massive graves," Indian Express reports from Tripura.

At least 100 tribesmen arrested during a state-wide one-day strike.

- June 27* Assam Governor's Special Adviser and Chief Minister Tripura call on Mrs. Gandhi separately and discuss the situation in the area.
- 29 Mr. Rama Murthi, Adviser to Assam Governor, tells newsmen in Gauhati that a mob kidnapped two police constables in Barpata (Kamrup District). Later both police-men rescued and 61 persons arrested in this connection.
- 30 Army units fire several rounds and arrest at least 19 people, to quell violent crowds in Tripura.
- July 1* Prime Minister, Mrs. Indira Gandhi, admits in New Delhi, that there was a talk of secession in Assam.
- 3 An indefinite curfew clamped in Agartala, capital of Tripura following renewed violence, killings and arson.
- 4 Police in Assam teargases and baton-charges demonstrators at the beginning of a new anti-immigrant campaign by students.
- 5 Due to the "stop air and train service" agitation launched by the All-Assam Students Union and other groups, passenger train services to Assam suspended for the second day.
- 7 Student agitators give call for a general strike.
- 8 The situation in Assam remains tense on the second day of the general strike called by student agitators.
- 23 Minister for Petroleum and Chemicals, discloses in the Lok Sabha that India has suffered losses in crude oil production worth rupees four hundred crores, because of agitation in Assam.
- August 3* Assamese student leaders reverse their earlier stand to discontinue the agitation in Assam, charging the Government with unilaterally breaking its promises

of lifting its special powers and releasing the persons arrested in the agitation.

August 19 Talks between Prime Minister Indira Gandhi's government and the leaders of anti-immigration agitation in Assam dead-locked.

26 At least 50 persons injured in incidents of mob violence in Margheriata in Assam.

September 2 25 persons arrested in Upper Assam, following disturbances there.

5 12 people killed in an attack by rebel Naga tribesmen on a village in north-eastern India near the Burmese border.

8 All-Assam Students Union and People's Struggle Organization decide to resume their agitation on the foreigners issue in Assam.

October 4 An indefinite curfew ordered in Tamulpur town in Assam after one person was killed and five others injured in clashes between natives and immigrant settlers.

12 Seven guerillas and one soldier killed when a military unit attacked a rebel hideout in Manipur.

18 Indian Government and the Assamese agitators fail to reach an agreement on the deportation of 4 million settlers.

26 Fifty boats belonging to Bangladesh seized by Indian Border Security Forces near Balat on the Meghalaya-Bangladesh border.

28 Police arrests over 300 people in Assam (where one-day general strike was being observed against foreign immigrants).

30 Army called out to aid police in Assam.

A Bangladesh Government statement issued saying

there were no Bangladesh nationals in north-eastern region of India; therefore, there was no question of their returning. (In response to Mrs. Gandhi's statement that foreigners will be sent back to Bangladesh).

- November 1* One person killed and at least 70 wounded when police opened fire on demonstrators at Gauhati, the capital of Assam.
- 3* A 12-hour general strike cripples life in parts of Assam.
- 17* Police fires teargas shells and resorts to lathi charge to disperse violent mobs at a number of places in Assam.
- 30* Indian troops launch a major operation in Imphal, capital of Manipur, to crush armed secessionists.
- December 7* Workers in Assam observe a total strike against the new Assam Government under Anwara Taimur of the Congress(I) Party.
- 16* Army troops put on alert and police patrolling intensified in Assam as anti-immigrant agitators prepared to launch fresh protest demonstrations.
- 18* Two persons killed by police firing and about 2,000 people arrested in Assam, at the start of a 13-day mass protest against illegal immigrants.
- 22* Six persons shot dead by police firing.
- 23* Strikes and sit down demonstrations disrupt life in Assam.
- 24* Home Minister, Zail Singh, tells the Parliament that anti-immigrant agitators in Assam have rejected a fresh Government offer to hold negotiations to resolve the 15-month old crisis.

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Manuscripts should be clearly typed on one side of the paper only, and should be double-spaced. Two copies should be submitted.

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Bibliographical references should be complete in respect of the title of the book, the name of the author, the year and the place of publication.

Utmost care should be taken to prepare statistical data for publication. All headings, columns, rows, symbols, units of measurement, periods, political or geographical areas, and sources should be clearly stated in each statistical table, instead of giving such explanations in the text.

Tables, maps, and diagrams should be numbered and given at the end of the article, each on a separate sheet of paper. They should be clearly drawn so that they are suitable for photocopying as submitted.

Abstracts

Authors should submit abstract of their articles, not exceeding 100 words. The first page of the paper should include the title of the paper as well as the name and institutional affiliation of the author.

The Editor reserves the right to make editorial revisions.

countries of the region are uncertain due to the increases in the price of oil, the world recession and the increasing protectionist pressure in the developed market economies.

The net inflow of resources from abroad to the various countries of the region has been subject to wide fluctuations from year to year. The uncertainty about the quantum of aid to be expected made development planning on sound lines very difficult.

The external public debt is very large in the case of some countries and the debt service liabilities impose a heavy burden on the balance of payments. There is great need for re-scheduling of past debts to reduce the current burden of debt service payments.

Inflation

The countries of the region experienced high rates of inflation during the seventies compared with relative price stability during the sixties. The price increases were the highest during the 1973-74 largely due to the sudden increase in the price of oil. The price increases were moderated during 1975-77. However, the prices increased again during 1978 and 1979 in all countries of the region.

The sources of inflation were both external and internal. The world prices rose steeply in the seventies. Foreign trade constitutes a substantial proportion of the GNP of most of the countries of the region, which, therefore, cannot insulate themselves from the price changes in their trading partners. So a part of the inflation in the countries of the region was imported inflation. However, a very large part of the price increases was due to domestic factors. The slow rate of growth of GDP, inadequate agricultural production, particularly of food grains, the low rate of savings, and highly expansionary fiscal and monetary policies were found to result in aggregate demand far exceeding the available supplies. Inflation was the inevitable result. The future prospects for the control of inflation do not appear to be very bright due to the unfavourable weather conditions in many countries, the continuation of expansionary fiscal and monetary policies and the likely increases in the prices of oil.

SOCIAL SECTORS

Education and Training

The literacy rates are low except in Sri Lanka. The literacy rate is 78 in Sri Lanka, 36 in India, 26 in Bangladesh, 21 in Pakistan and 19 in Nepal. The literacy rates of the females are much lower than the national average rates in all the countries.

There is a very great waste of resources in primary education. From 60 to 80 per cent of the children enrolled in primary school drop out before completing the primary education and revert to illiteracy.

The enrolment of students in secondary and higher levels of education has generally improved. Some countries have sizeable manpower resources in certain categories of high level personnel and are in a position to extend technical assistance to other countries. However, priorities in higher education appear to be distorted. There is too much concentration on humanities, fine arts, law and social science which account for from 60 to 80 per cent of the total number of graduates, to the relative neglect of natural sciences, engineering, medicine and agriculture.

Education does not seem to get the priority it deserves. The resources allocated for education ranged from 1.4 per cent to 3.1 per cent of GNP in various countries in 1975.

Health

The health conditions have improved substantially in most countries of the region during the last two decades. There has been a marked decline in death rates and in the mortality rates of the children between ages 1 and 4. However, infant mortality rates still remain high. There has been a marked increase in the life expectancy at birth. The supply of some of the means for health improvement, namely, the number of doctors, nursing staff and hospital beds in relation to population has also increased. However, safe water supply is available to a relatively small proportion of the total population. Besides, sanitary conditions are very unsatisfactory.

Only a small proportion of the population is served with sanitary facilities.

Smallpox has been completely eradicated in the region since 1975 and considerable improvement has been made in the control of cholera and malaria.

Public expenditure on health is relatively small. With the exception of Sri Lanka it does not exceed 2 per cent of the GNP. It is significant that small outlays on health have produced such remarkable results in some countries. This is indicative of the cost effectiveness of the public expenditures on health. Even modest increases in such outlays in the future can greatly reduce the incidence of disease and upgrade the health conditions in the countries of the region.

Urbanisation

The South Asian region is predominantly rural in character as the urban population is only about 20 per cent of the total population. This compares with 74 per cent for the industrial countries. However, the rate of growth of urban population is quite high. It exceeds 6 per cent in Bangladesh, exceeds 4 per cent in Pakistan. Nepal and Bhutan had exceeded 3 per cent in India and Sri Lanka. The expansion of municipal, education, health and other services is not keeping pace with the increase in urban population and this is creating serious economic and social problems. The rate of growth of urban population needs to be reduced by the development of the countryside, so that people don't have to migrate from the rural areas to the cities for seeking employment and other facilities.

Income Distribution and Poverty

The per capita incomes in the countries of the region are low. As incomes are unequally distributed, large sections of the people have incomes which are much below the per capita income and live in conditions of abject poverty. According to one estimate there were, in 1976, 311 million people in Bangladesh

India, Pakistan and Sri Lanka whose income levels were not sufficient to meet even the basic necessities of life. The proportion of the poor in the total population was estimated at 75 per cent in Bangladesh, 36 per cent in India, 34.1 per cent in Pakistan and 22 per cent in Sri Lanka. The share of the lowest 40 per cent of the population in 1975 was 20 per cent in Bangladesh, 19.3 per cent in Sri Lanka, 17 per cent in India and 16.5 per cent in Pakistan. If no radical departures are made in economic policies, these shares are likely to decline still further with the passage of time.

Development Strategies

There is considerable similarity in the development objectives of the countries of the region as stated in their successive development plans. These objectives include the reduction of income inequalities, eradication of poverty, reduction of regional disparities within each country, provision of employment opportunities to reduce unemployment and under-employment, rapid increase in the rate of economic growth and of per capita incomes, reduction in the rate of population growth, improvement in the balance of payments and a greater degree of self-reliance, expansion and improvement of social services such as education and health—in short a very substantial improvement in the quality of the life of the people, particularly of the lower income groups.

A rapid rate of economic growth was considered essential for the achievement of the above objectives and was, therefore, given high priority.

The role of the public sector was to be increased both in production and in the regulation of the economy.

However, distributive justice was not built into the development strategies and the impact of development on income distribution was not always taken into account in the formulation of development programmes.

Direct measures for the redistribution of wealth were rare. Land reforms of a modest character were sometimes introduced but were

seldom fully implemented, so that the land that was actually redistributed was only a tiny fraction of the total agricultural land.

The development strategies followed by the South Asian countries have failed to tackle the problems of unemployment and under-employment.

The saving rates have been very low except in India and to a smaller extent in Sri Lanka. The public savings have frequently been negative and the climate for private savings has not always been very favourable.

The strategies for population planning have had a very limited success and the rates of population growth exceed 2 per cent in all countries except Sri Lanka.

The latest development plans of the South Asian countries show full awareness of these problems and are aiming at remedying the past defects in development planning. However, development strategies need to be drastically altered and the pattern of development has to be fundamentally changed, if income distribution is to be improved, if poverty is to be eradicated and if the minimum basic needs of the entire populations are to be met. This will not only call for changes in the techniques of planning as such but also for fundamental changes in the power structure and for political dedication to the achievement of social objectives of development.

Current Economic Situation

The current economic situation in the countries of the region gives considerable cause for concern. The rate of growth of agriculture and of GDP has been adversely affected by unfavourable weather conditions in some countries. The saving rates are low, fiscal and monetary policies continue to be expansionary and inflation remains at double digit levels in most countries. The balance of payments position appears to be satisfactory in India and Sri Lanka but not in Pakistan and Bangladesh. The debt service payments are imposing a heavy burden on national resources and on the balance of payments.

The future prospects of the economies of the region are uncertain because of the recent increase in the prices of oil and the recession in the developed market economies. The countries of the region have to make much greater efforts for the mobilization of domestic resources and for an increased net inflow of resources from abroad to overcome their present difficulties.

Need for a Long Term Perspective

The perspective world economic situation does not seem to be too favourable for the countries of the South Asian region. The oil prices have risen sharply and are likely to rise further, resulting in mounting oil import bills which would strain the already difficult balance of payments of the various countries. The recession and the increasing protectionist pressures in the developed market economies are likely to reduce the demand for the region's exports. The prospects for a larger inflow of resources from abroad are not very good. The internal economic situation in the South Asian countries is also not very encouraging.

The countries of the region have to make some fundamental re-adjustments in their economies, if they want to maintain a satisfactory rate of progress in their economic development. Intra-regional co-operation can be one of the means for this re-adjustment. It would be only rational that the countries of the region make full use of the potential gains that they can derive by co-operation amongst themselves, so that they can at least partly get by intra-regional co-operation what they may not be able to get from the developed countries. Even a preliminary examination of the overall economic situation in the region that has been carried out in this study, has identified large areas of mutually beneficial co-operation. Such co-operation can result in improvements in the balance of payments and in greater domestic production and employment made possible by the export outlets provided by the markets of the neighbouring countries. There is almost complete identity of interest amongst the countries of the region in their economic relations with the developed countries. They can achieve better results by acting jointly rather than singly in their negotiations with the developed countries for a new international

economic order. These can be very large gains. Faced with a difficult economic situation at home and abroad, the countries of the region can ill-afford to throw away these potential gains.

The political situation may not be too favourable for economic co-operation amongst South Asian countries at the present moment. But the world is changing very fast and political situation in the region can change for the better and become more conducive to co-operation. It is for research organisations and scholars to look ahead, to have a long term perspective, and to identify areas of mutually beneficial co-operation and balanced inter-dependence amongst the countries of the region. This is what the co-operative research programme of the CSCD is trying to do, till the Governments agree on more formal arrangements. The need for research in this field cannot to over-emphasised.

Intra-regional Co-operation

The countries of the region have many common problems in the fields of exports, imports, trade with developed market economies and socialist countries, terms of trade, transfer of technology, dealings with the multinational corporations and in all matters relating to North-South Dialogue. It is to their advantage to co-operate with each other and to act together rather than singly in their negotiations with the developed countries.

As the economies of the countries of the region are not sufficiently complementary with one another to provide a basis for large scale co-operation amongst them, the present level of trade amongst them is insignificant. But the scope for these economies to become increasingly complementary is enormous. There are, however, problems. One of these is that the size of the Indian economy is many times larger than the aggregate of the economies of all the other countries. This does not make for co-operation on terms of equality. But this problem can be overcome, if the countries of the region agree on a policy of balanced inter-dependence amongst themselves, so that the smaller countries can co-operative with India and with one another on terms of equality. There are many areas

of fruitful and mutually beneficial co-operation which can be explored.

The prospects of intra-regional co-operation can be greatly increased if the countries of the region agree on the establishment of a common Secretariat to undertake the necessary studies for identifying possibilities of mutually beneficial co-operation and for translating such possibilities into concrete action programmes.

and research, strategies for development aimed at the eradication of mass poverty and the satisfaction of the basic human needs of a population of one billion, constituting more than one fifth of mankind.

The urgency and importance of such a programme of research cannot be overemphasised. The peoples of South Asia, as indeed of the Third World, are aroused and impatient to be delivered from the degradation and despair of mass poverty which has been their lot for centuries but which they are no longer prepared to endure.

While expressing one's admiration to your Committee for confronting this unprecedented, historic challenge, one cannot but be conscious of the fact that the outlook for co-operation at the governmental level among South Asian countries to wage war against poverty and misery around us and to bring about a transformation of this human condition into a new life, does not appear to be very encouraging. The climate of political relations is none too hospitable. Intra-regional disputes and differences, conflicting responses to geopolitical challenges, divergent foreign policies, not to speak of incongruence of economic interests resulting from disparities and disadvantages of size, population, location and levels of economic development, pose obstacles to the harmonious co-operation, which is a *sine qua non* for the formulation and implementation of strategies of development on basis of national and collective self-reliance.

I know that your Committee is equally conscious of these negative factors which beset its work, for it has taken cognizance of recent developments in a number of countries of the region, which it says, give much cause for anxiety about the future. It is, therefore, a matter of satisfaction that the Marga Institute of Sri Lanka has undertaken studies on how to improve political relations and resolve areas of conflict among the countries of South Asia.

The world does not stand still. Life moves on. History is a process of continuous change and international relations are ever in a state of flux. And so, the peoples of this region, have no reason to abandon hope of a better political climate. At any rate, they expect their leaders to overcome the contradictions in the prevailing regional

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situation and to rise to the level of statesmanship required to forge the co-operation dictated by the supreme interests of their countries.

I find it heartening that amongst us there is no dearth of men of conviction and dedication who, undaunted by the obtaining conditions, still look to the future and engage themselves in scholarly research to put together strategies of development, predicated on co-operation, to meet the basic human needs of their peoples.

I am making these remarks as a private citizen of Pakistan and a diffident entrant into the fraternity of scholars. However, as one with a life-long involvement in international affairs, including relations among the countries of South Asia, I hope you will bear with me if I submit some further observations for your consideration.

The benefits of international co-operation, whether the co-operation is at the global, regional or sub-regional level, are unquestionable. But co-operation not only confers benefits but also involves costs which are frequently ignored. The question is how are these costs and benefits to be shared among the participating countries. We, the countries of the Third World, do co-operate with the developed countries. But we also protest that this co-operation is inequitable. We have learnt through experience that co-operation between countries at different levels of development, more often than not, favours the more developed countries to the detriment of the less developed. Our demand for a New International Economic Order (NIEO) is, in essence, a demand for the correction of the existing economic inequities in international relations. Not only are the costs and benefits inequitably distributed but, what is worse, result in the economic domination of the developing by the developed countries. Economic domination, in turn, frequently results in political domination derogating from the sovereignty of the developing countries.

Inequitable economic relationships are phenomena which are by no means exclusive to relationship between the poor and rich countries. This pattern can also take shape in patterns of co-operation among developing countries themselves. There have been a number of arrangements of regional or sub-regional co-operation in various parts

Co-operation and Complementarity in South Asia

TARLOK SINGH

Though still a distant goal, co-operation among the countries of South Asia is now on the agenda of mutual discussions among them. Every positive step in this direction is to be welcomed, however small or conscious it may be in the beginning. For, therein lies the hope that the countries and peoples of the region will in time have relations with one another based on the promise of the future rather than the legacies of the past.

An outlook that looks beyond the limits of the country to which one belongs is at all times difficult to achieve. The nation-state was an advance on earlier groupings. In turn, it resisted the emergence of wider views of group behaviour. Even where a measure of regional integration has taken place, the nation-state is a force to be reckoned with. The evolution of the nation-state has occurred along different lines in Europe, Latin America, Africa and Asia. Therefore, it is not surprising that the path to greater co-operation among different groups of countries should be strongly influenced by the history, culture, economics, resource endowments, and the moral and social values associated with each region. Since no two regions are identical in these respects, each region has to find answers that fit its own circumstances. This is specially true of South Asia where, in the main, independent nations have emerged as a sequel to colonial tutelage, struggles for independence, and creation of new sovereign

entities. In some instances, conflicts, whose seeds were sown in the very moment of transfer of power, have done much to bedevil all subsequent progress along the lines of constructive co-operation. In view of its special circumstances, South Asia has to evolve its own solutions and move towards them step by step through mutual understanding and resolution of issues that may divide them for reasons which are themselves a product of their inherited past. For the outlook and habit of co-operation among the countries of South Asia to strike root, the first condition is greater understanding of one another's problems and experience and greater concern with the well-being of the people of each country.

It was this thought that led a number of scholars in Bangladesh, Nepal, Pakistan, Sri Lanka and India, among others, to come together a little over three years ago to form themselves and their institutions into the *Committee on Studies for Co-operation in Development in South Asia (CSCD)*. They were conscious of the immense role of the political factor and its wayward and unpredictable course in the affairs of neighbouring nations. Therefore, in the studies they initiated jointly in their respective countries, they placed before themselves a modest aim; to strengthen the intellectual base for greater co-operation among their respective countries through collaboration in common tasks among interested scholars and research institutions. Each study is designed through mutual consultation and is undertaken, first, in terms of the experience and problems within each country. In the next stage, working together, they endeavour to reach a broader, regional view.

As studies on various aspects of economic and social development proceed, increasingly they will reinforce and supplement one another. They enable scholars in each country to gain fuller knowledge and appreciation of what each can learn from the others, how different needs and circumstances may be met to the advantage of all, how different countries may together seek answers to problems and attain levels of progress which may not be feasible if each acted alone without thought of the possible impact on the others. A few of the studies currently under way may be mentioned by way of illustration.

They include, for instance, studies on import-export structure and trade expansion, national development strategies and complementarities, development of human resources, population policies and manpower and employment strategies, transport and communication linkages, development of Himalayan resources, including land, water, hydropower, forests, minerals, and protection of the environment, application of science and technology in agriculture, agrarian reform and institutional change in agriculture, development of primary health care, food production, rural industrialization, children and adolescents in national development, and strategies for the urban poor.

The underlying thought behind the studies in hand and those expected to be taken up later is to give primacy to developmental goals which are vital to the well-being of each country. These include, necessarily, the elimination of poverty, satisfaction of the basic needs of the mass of the population, development of better balanced national economies, effective use and development of the resources and potential of each country, growth of national self-reliance, and greater mutual help and interchange within the region. The essential purpose of the studies is to lead to practical formulations of ways in which national development efforts towards goals set by each country for itself could be strengthened. This could enable each country to pursue designs and strategies of development capable of meeting the basic needs and resolving the fundamental problems of their people and thereby also accelerating the progress of the region as a whole. In this approach, greater co-operation between the countries of South Asia is seen as an increasingly significant component of and contribution to the national development strategies of individual countries determined by themselves in relation to their own needs and aspirations and their own natural resources and potentials.

The effort is yet in its early stages and it would be premature to begin pointing to specific conclusions from individual studies. It is hoped that these studies will serve as an input into deliberations among the Governments of the region whose Foreign Secretaries have already met in Colombo in April 1981 and in Kathmandu in November 1981 and

marked out some important areas for joint study of possibilities of greater co-operation. These include agriculture, rural development, health and population, transport and communications, meteorology, and co-operation in science and technology.

Even leaving aside political obstacles, an important question which may arise in a number of ways bears on the extent of co-operation and give and-take that may in fact be feasible between countries of very varying size which are at more or less similar levels of development. In particular, doubt, exists whether India, with some 73 per cent of the population of the region, a considerable endowment of natural resources, and high levels of technology in several branches of industry, will fit into a scheme of *equal* partnership within the region. These differences and the questions they suggest have to be faced. The issue has to be approached at two levels—the level of ideology and the level of reality.

Even under conditions of mutual trust, disparities between country of the size of India and her neighbours would be a problem to watch. Much would depend on the measure in which enlightened opinion in India begins to see her size and resources and her expanding markets as an opportunity as well as an obligation to lift the levels of living and strengthen the economies of *all* the countries of the region. This more composite and long-range view of the role of the Indian economy has yet to come. It is important to prepare the ground for it, for it follows logically from the ethos and commitments of the struggle for freedom and itself forms part of the consummation of that struggle. Earlier generations of Indians had looked upon India's freedom as a means to the liberation of a large portion of humanity, including specially countries in Asia and Africa which had come under the sway of imperial power. It is an accident of history that, owing to the combination of events that marked the advent of freedom and later developments arising from the cold war, this original purpose came to be overlaid with short-term policy objectives based on considerations of immediate security. The decades lost and the greater dangers that now loom large make it imperative that, reversing past trends, India and her neighbours,

individually and together, make serious efforts to go back once again to earlier aspirations and values. If they could do so, there is no obstacle to rapid economic and social development that cannot be overcome; failing this, their poverty will persist and every constructive aim will continue to recede. Yet, there is no question that, handled with understanding and imagination, disparities in size and resources and differences in levels of development and technology hold a potential for greater interchange and can be turned into a positive force for the well-being of all South Asia.

Such differences have existed in the past and are an inevitable feature of the international economy. They need not be an impediment to greater co-operation between countries, so long as the objectives are clearly formulated. Moreover, in South Asia, there are differences on the surface rather than in the deeper texture of economic and social life. India herself has several regions which are as poor and underdeveloped as any in the countries around her. Looking upon India as an entity, one is apt to form an exaggerated picture of her wealth of resources and technology and the economic advance she has achieved. The truth is that, with small differences, the basic problems of all the countries of South Asia are inherently similar. In varying degree, all of them are under-developed, have large masses of their populations on the margin of subsistence are failing to keep pace with the increasing expectations of the people and demands upon their resources, and are lacking in the sense of economic and social security for the future. With limited exceptions, as in Sri Lanka, all of them are in desperate need of radical structural and institutional changes, and have a long way to go before their administrations and political institutions will truly fulfil the needs of their people. When together, as South Asia, on the world's map of poverty, they represent the largest concentration of all, the importance of a common endeavour to break as speedily as possible from the limitations of the past can be scarcely over-emphasized.

As has happened in other regions, through the colonial period, the main economic relationships of the poorer countries were with countries which hold political sway over them and whose policies

were calculated to facilitate exploitation. When formal political dependence ended, the substance of economic dependence continued. Post-war policies of aid and trade diversified the character of this economic dependence. The economies of the poorer countries continued to be essentially isolated from one another. There is little reason for surprise if all but a fraction of the trade of each country in South Asia is with countries outside the region. Data on trade may suggest at first sight that, in terms of mutual exchange, far from complementarity, even the scope for co-operation within the region is extremely limited.

Mutual trade is the principal mechanism through which the richer countries have increased interdependence with one another. The greater part of their trade is among themselves. Their institutions of finance and credit are knit closely together. Freedom for multinational corporations to operate freely is now an unavoidable tenet of western capitalism. Among less developed countries, gradually the volume of trade will certainly increase but, important as expansion of trade must be, the primary mechanism of co-operation is provided by long-term development rather than by trade in the short-term. This inherent difference between the situation of the more developed and the less developed countries has far-reaching practical significance.

In the circumstances of the poorer of a region like South Asia, several components of co-operation in development can be identified, each being in effect complementary to and supportive of others. Thus, we have, in an ascending order, aspects of co-operation such as the following :

- (i) Greater interchange of experience in various fields of development ;
- (ii) Cultural exchange and co-operation ;
- (iii) Co-operation in the application of science and technology and exchange and promotion of interchange among institutions of higher education ;
- (iv) Purposeful utilization in the interest of the region as a

whole of facilities for education and training and scientific and social research which are available in different countries ;

- (v) Expansion of economic relationships including, for instance, expansion and liberalisation of mutual trade, currency clearing arrangements, joint ventures, food security arrangements, improved transport and communication linkages, and standardisation and simplification of procedures and regulations bearing on the movement of goods and passengers ;
- (vi) Development of manpower resources and skills and human resources generally ;
- (vii) Protection of the environment e.g. measures against river pollution, marine pollution, etc. ;
- (viii) Development of natural resources against the perspective of long-term development, including land resources, water resources, hydropower, mineral resources, forest resources, and living and non-living resources of the sea ;
- (ix) Co-operation in industrial and economic development, including consultations from time to time for medium and long-term planning and joint review of the state of the economies of various countries in the region ; and
- (x) Establishment by the concerned Governments of a common organisation to serve as a Secretariat for assisting and following up decisions taken by them in various areas of co-operation.

Co operation in development among the countries of South Asia will form part of a wider network of relationships, for instance, among the countries of the Asian and Pacific Region of the United Nations, among the Group of '77', the Commonwealth and the Non-Aligned countries, and in relation to the developed countries and the international community as a whole. None of these relationships is exclusive of others. There is room also for collaboration in which

particular countries may have greater interest, for instance, the Islamic Conference. The special advantage of regional arrangements is that they make it possible for the concerned countries to achieve greater across the board co-operation, thereby perhaps realising even some measure of complementarity between their economies.

Unlike certain existing regional arrangements, co-operation among the countries of South Asia is intended steadily to widen opportunities for growth within the region without, however, narrowing the scope for co-operation and interchange with countries outside the region. In other words, what is aimed at is not 'integration', implying, as it were, a closed or half-closed door approach to other countries, but processes of continuing and expanding co-operation within the region as one successful step makes the next one more feasible. Within the framework of such a view of co-operation in South Asia, in some areas, in time, greater complementarity might also be achieved between two or more countries. This, however, must be essentially a matter of natural growth and evolution rather than part of the set design for the development of co-operation among the countries of South Asia.

Party Politics in Nepal

HASAN ASKARI RIZVI

The ruling elite in a number of Third World states have expressed serious reservations about the role of political parties as agents of modernisation and change. This skepticism is more pronounced in the states where personalized/authoritarian/bureaucratic regimes have come to power. These regimes invariably see party politics as divisive, disruptive and negative. They adopt different strategies either to exclude political parties from the political process altogether or restrict the number and scope of their activities or allow only the officially sponsored party.

Nepal's present political system is characterized by ban on the political parties. The ruling elite hold the view that the exclusion of political parties would facilitate smooth and effective functioning of the political system. This notion of the role of political parties has been played-up since December 1960 when the late King Mahendra dismissed the first popularly elected government and, in January 1961, some did a ban on political parties. The late King Mahendra made no secret of his contempt for politicians and political parties. He introduced a party-free 4 tier Panchayat system.

Despite the ban on political parties, the review of their role in the Nepalese political system is useful for understanding the politics of Nepal as well as for making an evaluation of their role. The political parties in Nepal spearheaded the movement against the

autocratic 'Rana rule' and succeeded in opening up the political process for a large section of the people. The party politics during 1951-60, especially the 1959 elections, had far-reaching ramifications for political development in Nepal. Throughout the period of the ban (1961-82) the political parties always lurked in the background and mounted political pressure on the government time and again.

The main objective of this paper is to identify the major characteristics of political parties in Nepal, trace their origins and examine the nature and direction of party politics during 1951-82.

Major Characteristics of Political Parties

The first major feature of political parties in Nepal is their relatively recent origin. The first group which may be loosely described as a political party—the Praja Parishad—came into existence in 1935 under the leadership of Tanka Prasad Acharya with the objective of overthrowing the autocratic Rana Government. Their attempt was foiled and the group was suppressed in 1940.¹ It was only in the post-World War II period, especially after 1950, that political parties started appearing on the political scene in Nepal.

Second, most political parties have their roots in the political activities against the Rana Government. In the 19th century, while the Monarch was weak and the palace was suffering from intrigues, Jang Bahadur Rana manoeuvred the assumption of Prime Ministership. Very soon he consolidated his power and, in 1846, obtained a decree from the King that Prime Ministership would run in his family on hereditary basis. From 1846 to 1951 the Rana family ruled over Nepal in an absolute and ruthless manner. They kept the monarch under their thumb, placed their family members in key government positions and adopted a policy of suppression of all opposition.²

As Prime Ministership stayed in the Rana family, political feuds and factionalism characterized intra-family interaction. This problem became acute because of multiplication of the Rana family over time. The Ranas who could not get Prime Ministership or key positions of their choice, turned against the ruling Ranas. They were joined by a number of people who had either suffered at the hands of the

ruling Ranas or were otherwise opposed to the rule. They received covert support from the King who wanted to reassert his authority. These elements provided nucleus of the political movement and political parties organized in opposition to the Ranas.

Third, the Indian nationalist movement had a profound impact on the course of politics in Nepal. A good number of Nepalis who either had their education in India or lived there were greatly influenced by the nationalist movement launched by the Indian National Congress. B. P. Koirala, one of the founding fathers of the Nepali Rashtriya Congress, joined the socialist party formed inside the Indian National Congress. Since then he maintained close relations with the Indian socialists and remained quite active in the Indian National Congress.³ A number of Nepalese leaders were arrested during the Quit India Movement (1912) launched by the Indian National Congress. Prominent among them were : B. P. Koirala, K. P. Upadhyay, D. R. Regmi, Hari Prasad Pradhan and Udairaj Lal.⁴ It was these leaders, inspired by the Indian freedom movement, and other alienated groups identified in the past paragraph who organized political parties in 1946-47.

Fourth, the policies of the Indian Government contributed to the liberalization of the political system and development of political parties in Nepal. Soon after Indian independence, the Nepali activists in the Indian Congress lobbied the Indian Government to persuade the Nepal Government to introduce reforms in the political system and ensure political participation. Personally Nehru was disposed favourably towards the demand of setting up a democratic system of government in Nepal. He argued with Nepal's Prime Minister, Mahan Shamsher Rana, in February 1950, about the need of liberalization of the political system.⁵ When King Tribhuvan fled to India in 1950, the Indian Government forced the Rana Prime Minister to accept his restoration to the throne. In the following year the Rana Prime Minister was persuaded by India to share power with the Nepal Rashtriya Congress.

Fifth, all the pre-1951 political parties in Nepal were India-based. These were set-up in India and conducted their operations against the

Rana Government from there. In the post-1951 period, and particularly after the suspension of parliamentary democracy in December 1960, India has been a refuge centre for the Nepalese political leaders and served as the major base of their political activities against the Nepalese Government. The general practice in Nepal was that whenever the government came hard on the political leaders they would slip across the borders to India and organize anti-government movement. This had positive as well as negative effects on the development of political parties. On the positive side it may be pointed out that in the pre-1951 period when the Rana Government was very ruthless, Indian territory provided a safe haven to the political parties to plan their strategies in the initial stages. Had they no access to India, the development of political parties would have been delayed. The government of the late King Mahendra also dealt roughly with political leaders after the dismissal of the parliamentary government in December 1960. Those who managed to escape to India kept political parties alive in India in spite of the fact that these had been banned in Nepal. On the negative side the activities of the India-based political parties often strained relations between Nepal and India. Nepal accused India of fomenting trouble in Nepal. Their relations were all-time low in the early sixties when the Nepalese political leaders opposed to the king launched a massive propaganda against him and organized attacks on the Nepalese territory from India.⁶ The late King Mahendra accused political parties of anti-national activities from a foreign country and, at times, talked of collusion between the self-exiled leaders of Nepal and the Indian Government.

Sixth, political parties in Nepal lacked internal cohesion. In the absence of well-developed and integrated ideologies these parties were mostly collections of diverse interests and strong political leaders. Since the leaders had a personal following, whenever they changed their political loyalties their followers would also go with them. Therefore, "the realignment of leadership, splits, creations of dissident groups, eventual mergers on different bases (were) regular features of party life in Nepal."⁷ These leaders were engrossed in struggle for personal gains and assumption of political power rather

than the creation of viable political parties for interest articulation and aggregation.

Except during the 1959 elections no serious attempt was made to evolve a broad based organizational network for these political parties. This was partly due to factionalism and personal feuds in the parties and partly due to the lack of adequate means of communication and a highly tradition-bound society which was kept insulated from the currents of change by the Rana Prime Ministers over a long period of time. Unlike the leading Indian political parties i.e., the Congress and the Muslim League, political parties in Nepal got a limited opportunity to work amongst the masses before the Ranas were overthrown. Their leaders could not, therefore, develop deep roots amongst the people and failed to create a widespread support-base for their political parties.

Party Politics

Party politics in Nepal can be divided into four major phases : (i) The Formative Phase : upto 1951; (ii) Experiment with Party Governments; 1951-59; (iii) Elections and Parliamentary Democracy: 1959-60; (iv) The Panchayat Democracy and the ban on political parties : 1961 to the present.

(i) The Formative Phase

Political parties in Nepal were set up by a small group of enlightened Nepalis, mostly educated in India or connected with the Indian nationalist movement, with the objective of seeking political reforms in the political system dominated by the Ranas. The first political party of significance—the Nepali Rashtriya Congress—was set up in Calcutta (India) in January 1947 under the leaderships of D. R. Regmi and B. P. Koirala. It appeared on the political scene in Nepal by participating in a labour strike in Biratnager in March 1947. This triggered off anti-Rana agitation in a number of places which forced the government to enter into a dialogue with the political leaders. Prime Minister Padma Shamsber Rana agreed to introduce the following changes in the political system : (a) The establishment of a commission to consider plans for

political reforms; (b) The establishment of elected municipalities and district boards in various places; (c) The setting up of an independent judiciary; (d) Permission of setting up of seven new schools in the Kathmandu valley; (e) The publication of annual budget.⁸

In pursuance of these commitments a new constitution (known as the 1948 Constitution) was announced in January 1948. It provided for a bicameral legislature, a council of ministers and a high court. The conservative elements amongst the Ranas were opposed to any attempt to 'liberalize' the political system. They forced Prime Minister Padma Shamsher to resign. He was succeeded by Mohan Shamsher who scrapped the new constitution before it could be enforced.

B. P. Koirala and his supporters broke away from the Nepali Rashtriya Congress in March 1950 and formed the Nepali Congress Party in collaboration with another political party, i.e., Nepal Prajatantrik Party. The N.P.P. was originally formed in 1948 by those Ranas who favoured democratically elected government on the basis of adult franchise. Another leading political party i.e., Nepal Communist Party, was formed in 1947. The Gorkha Parishad and Samyukta Prajatantra Party were set up in 1952 and 1955 respectively.

Soon after its establishment, the Nepali Congress Party challenged the Rana Government by launching a movement for political rights. The late King Tribhuvan was favourably disposed towards the movement. The Rana Government decided to suppress the Nepali Congress Party and its movement. The King, fearing that he might also be arrested by the Rana Prime Minister, escaped to the Indian Embassy in Kathmandu. He later flew to India. The sudden departure of the King from the political scene triggered off widespread anti-government agitation. The Ranas installed King Tribhuvan's grandson to the throne but agitation continued. What embarrassed the Rana Prime Minister was India's support to the Nepali Congress Party's agitation and refusal to recognize the new King.⁹ The Indian posture at this stage proved decisive. The Ranas had to negotiate an agreement with King Tribhuvan which provided for the return of the King to Kathmandu, formation of a coalition government

comprising the Ranas and the Nepali Congress Party, and some liberalization of the political system.

The new coalition government, formed in February 1951, was an odd combination of the two groups (the Ranas and the Nepali Congress Party) who had been each other's arch enemies in the past. By November 1951, tension between the Ranas and the Nepali Congress Party's members created a deadlock in the cabinet. The Prime Minister and other Rana ministers resigned on November 2, 1951. The King called upon the Nepali Congress Party to form the new government. The Nepali Congress Party nominated M. P. Koirala (half brother of B.P. Koirala) to be the Prime Minister. This marked the end of the Rana domination of Nepal's politics. For the first time in the Nepalese history a political party which promised to democratize the political system obtained control over the levers of political power.

(ii) Experiment with Party Governments

The formation of the Nepali Congress cabinet gave a fillip to political activity in Nepal. A number of political parties, hitherto docile, surfaced on the political scene. A high degree of optimism pervaded the educated and politically active groups that Nepal would soon shape into participatory democracy.

However, the political parties failed to provide stable and effective government capable of pursuing modernisation and democratization of the political system. During 1951-59, Nepal had 6 different cabinets. This was in addition to the direct rule by the King which had to be imposed thrice during this period. Table No. 1 shows different cabinets and direct rule by the King.

The inability of the political parties to provide effective government could be attributed to a number of inter-related factors, i.e., limited political experience on the part of the political parties, tradition of underground political activity dating back to the Rana period, lack of party discipline, absence of procedures to resolve intra-party disputes, personality feuds, factionalism and nepotism.

TABLE I
Cabinet in Nepal 1951-59

Prime Minister	Political Parties represented	Period
M. P. Koirala	Nepali Congress Party and Independents	Nov. 1951-Aug. 1952
King's Advisory Government with the King himself as Prime Minister		Aug. 1952-June 1953
M. P. Koirala	National Democratic Party and an independent	June 1953-Feb. 1954
M. P. Koirala	National Democratic Party, Nepali Rashtriya Congress, the Praja Parishad, and the Jana Congress	Feb. 1954-Mar. 1955
Direct Rule by the King		Mar. 1955-Jan. 1956
Tanka Prasad Acharya	Nepal Praja Parishad, Nepali Rashtriya Congress, the Jana Congress, and the Praja Parishad (Old liners)	Jan. 1956-July 1957
K. I. Singh	United Democratic Party, independents and a dissident of the Nepali Rashtriya Congress	July 1957-Nov. 1957
Direct Rule by the King		Nov. 1957-May 1958
Subarna Shamsar (Care-taker Govt.)	Nepali Congress Party, the Gorkha Parishad, Nepali Rashtriya Congress, the Praja Parishad and Independent	May 1958-May 1959

Though an interim constitution was introduced in 1951, it was not until 1959 that a regular constitution was enforced. This delay was accompanied by the postponement of general elections for one reason or another. As a result neither political institutions were created on a permanent basis nor those contending to speak on behalf of the people were made to face the public for securing mandate. This reinforced factionalism and personality and power conflicts in the party system. Political parties were more oriented to the power centres at the top rather than masses. Each party endeavoured to mobilise the ordinary folks to the extent it improved its bargaining position vis-a-vis other political parties and the King.

M. P. Koirala, who formed the first single party government, was nominated by the Nepali Congress Party. Though it was not a coalition government (it had one independent member), it could not function smoothly due to intra-party conflicts in the Nepali Congress Party. In May 1952, one of the ministers walked out of the party convention due to the differences he developed with the party leadership. He was later removed from the cabinet. Another major intra-party feud which ripped the cabinet apart was between M. P. Koirala and B. P. Koirala. In July 1952, the Working Committee of the Nepali Congress controlled by B. P. Koirala demanded the size of the cabinet should be reduced from eleven to seven. It also named ministers to be dropped from the cabinet. These were the ardent supporters of Prime Minister M. P. Koirala. The Prime Minister refused to act on this recommendation and retaliated by suggesting the removal of three other ministers who were known for their pro-B. P. Koirala leanings. This touched off such a serious crisis that the cabinet, for all practical purposes, was split into two groups. Subsequently M. P. Koirala resigned as Prime Minister and set up Nepali Congress (Ad-Hoc) Party. When he was expelled from the Nepali Congress in 1953, he and his supporters formed a new political party—the Rashtriya Praja Party. (National Democratic Party). Its social, political and economic programme was not substantially different from that of the Nepali Congress Party. It was, however, more inclined towards the King.

The King directly assumed the responsibilities of government after M. P. Koirala's resignation in August 1952. Ten months later (June 1953) M. P. Koirala was invited again to form a new government. The second cabinet did not suffer from internal dissension as it included members of his National Democratic Party and an independent member. He encountered serious opposition from the Nepali Congress Party, the Gorkha Parishad and the Communists. Two other political parties—the Nepali Rashtriya Congress and the Praja Parishad—ignored his overtures of friendship and co-operation. Overwhelmed by strong opposition and lacking widespread support, M. P. Koirala had no choice but to share power with other political parties.

The reconstituted cabinet of M. P. Koirala included, besides his own party, representatives of the Nepali Rashtriya Congress, the Jana Congress and Praja Parishad. With the establishment of a coalition government, generally described as the national government, threats from other political parties declined. Only the Nepali Congress Party and the Communist Party were critical of the cabinet.¹⁰ It, however, suffered from serious internal dissension and bickerings. The four political parties in the coalition did not share a common outlook. Their leaders had been bitterly hostile towards one another until the formation of the coalition government. This seriously undermined the ability of the government to provide an effective administration capable of solving the basic social and economic problems. The law and order situation also became quite bad. The shattering blow to the tottering government was inflicted by the civil disobedience movement launched by the Nepali Congress Party on January 10, 1955.¹¹ This completely shattered the government. In March 1955, Crown Prince Mahendra established direct rule on behalf of the King who was abroad. Four weeks later King Tribhuvan died and Mahendra became the King.

The direct rule came to an end in January 1956 when another coalition cabinet was installed. It was headed by Tanka Prasad Acharya, leader of the Praja Parishad. The coalition included the Nepali Rashtriya Congress, the Jana Congress and the Praja Parishad.

These political parties could not get on with each other. Very soon these were framing charges and counter charges against each other rather than working together to fulfill the promises made at the time of the formation of the government. The serious food shortage in June 1957 led to political agitation which the government found difficult to handle.

This government was replaced by another government of the United Democratic Party headed by K. I. Singh. This cabinet had one independent and one dissident member of the Nepali Rashtriya Congress. The performance of this government was not much better than that of the previous governments. It could not last for more than 4 months. King Mahendra had to impose direct rule. This direct rule continued upto May 1958, when a caretaker government was formed to prepare for the elections and provide assistance to the Constitution Draft Committee in the preparation of the new constitution.

This survey of party politics in Nepal during 1951-59 demonstrates that political parties suffered from several internal problems and failed to evolve operational norms conducive to the development of viable political institutions. Their inability to provide efficacious leadership had two major ramifications for the political system. First, the power surrendered by the Rana Prime Minister shifted to the King because he could easily manipulate the divided and weak political parties to consolidate his position. The Interim Constitution, 1951, was conveniently amended by the King time and again. The late King Mahendra, who acceded to the throne in 1955, was especially successful in restoring the central position of the monarchy in the body-politics—a position it enjoyed in the 18th and early 19th centuries. Second, it generated confusion, tension and distrust in the political system. "At the cognitive level, there was widespread confusion among the political parties and the public as to the meaning of political democracy; at the emotional level, there was mounting frustration caused by increasing awareness that the new political system was not the panacea that it had been claimed to be; at the behavioral level, there was a bedlam of confusion and conflict

resulting from the free-wheeling enactment of roles imposed from abroad and imprecisely defined for Nepali environment.¹²

(iii) Elections and Parliamentary Democracy

In 1951, the late King Tribhuvan promised to grant a constitution to Nepal and hold elections on the basis of adult franchise. This promise was repeated by the King in 1954. After his death, his successor, Mahendra, reiterated the Crown's promise to make necessary arrangements for a regular constitution for Nepal. This was despite the fact that the performance of the political parties was poor. Two major factors contributed to King Mahendra's decision to go ahead with the formulation of the constitution. First, all political parties had been demanding a 'democratic' constitution for Nepal. Perhaps no other issue enjoyed such a widespread support amongst the political elite. Second, King Mahendra had gained enough confidence by 1958-59 to introduce a 'liberal' constitution and give another chance to political leaders to mend their ways. If they failed again in performing their role adequately they would not be able to use the excuse of absence of a permanent constitution to cover up their failure.

The permanent constitution, popularly known as the 1959 Constitution, was prepared by a Constitution Commission appointed by the King.¹³ The Constitution attributed sovereignty to the King, guaranteed fundamental rights to the people, and set up a bicameral legislature and an independent judiciary. The cabinet, headed by the Prime Minister, was responsible to the lower house. The upper house was partly elected indirectly and partly nominated by the King. The lower house was elected on the basis of universal adult franchise.¹⁴

The first general elections were held from February 3 to April 12, 1959 for 109 seats of the lower house. There were 786 candidates. Out of these 500 were put up by 9 political parties and 286 were independent. All the nine political parties issued their manifestos and programmes which were quite similar. The difference was only in emphasis on different issues.¹⁵ Their workers and candidates

visited a large number of places, including the remote areas. They explained their party programmes, made several promises, and endeavoured to mobilise people in support of their party's candidates. This was the first occasion that the political parties made serious and repeated efforts to extend their support-base by involving more people in the political process. Table No. 2 shows the election results :

TABLE 2
Party Position in the 1959 General Elections

Political Party	Seats Contested	Seats Won
Nepali Congress Party	108	74
Gorkha Parishad	86	19
Samyukta Prajatantra Party	86	5
Nepal Communist Party	47	4
Praja Parishad (Acharya Group)	46	2
Praja Parishad (Misra Group)	36	1
Nepal Terari Congress	21	0
Nepal Rashtriya Congress	20	0
Prajatantrik Mahasabha	58	0
Independents	268	4
	786	109

B. P. Koirala, leader of the Nepali Congress Party, was invited by the King to form the new government. On May 27, 1959, the first elected government was installed with a lot of fanfare. However, very soon it became quite clear that the legacy of 1951-59 period—lack of discipline, inter- and intra-party conflicts and the unprincipled struggle for power—would seriously undermine the ability of the Nepali Congress Party to provide an efficient government capable of fulfilling its election promises.

The Nepali Congress Party used official patronage to secure support of the cross section of population. As a large number of people were trying to get on the bandwagon, the Nepali Congress Party, already suffering from internal discord, became more faction

of the world. But successful examples are few. Many a scheme of regional co-operation remains grounded. Most have foundered because of failure to ensure a balanced interdependence between the partners—an equitable sharing of gains and losses.

The price of regional co-operation, whether political, economic, social or cultural, can be high, for such a relationship implies surrender of freedom of action by the partners in agreed areas of co-operation. For example, trade agreements could result in loss of customs revenue by the country extending the preferences. Such agreements could also result in preventing the development of domestic industries producing commodities for which preference is granted, thus depriving the recipient country from generating new employment opportunities. Excessive economic dependence of one country on another may well lead to constraints on its political independence. These negative aspects also need to be carefully studied in any programme of regional co-operation. The costs and benefits require to be carefully assessed and calculated. Unless gains for each country substantially exceed the losses, there would be little likelihood of forging co-operation.

In this context, the results of the schemes of regional or sub-regional co-operation in other parts of the world will, I am sure, be carefully evaluated by your Committee so that pitfalls which have caused failure elsewhere may be circumvented.

The countries of the South Asia, as I said before, are at different stages of development. They are disparate in size, population and industrial and military strength. In such a situation, the more developed among these countries stand to gain more from co-operation than the less developed and the economic relationships amongst them may well tend to lapse to the classical colonial pattern, in which the less developed countries produced raw materials which were processed by the industries of the more developed countries and re-exported as manufactures to the developing countries. This is a type of relationship the less developed countries are generally not prepared to accept. Each country has its own aspirations for industrialization which it would not be prepared to sacrifice on the altar of regional co-operation. Thus, the situation poses a challenge to your Committee to show the way through your research as to

how the more industrially developed countries of South Asia can be prevented from becoming a threat to the industrialization of the other countries of the region as a result of regional co-operation. This problem, I am confident, you will be able to resolve.

Another problem in regional co-operation is the size of the economy of one country compared with the other countries of the region. This country is many times larger than all the other countries put together. Its population is 77 per cent of the total population of the region. It has 72 per cent of the total area and 78 per cent of its national product. Thus, by itself, it constitutes more than three quarters of the region. Under regional co-operation, a larger economy, by virtue of its size, tends to dominate the smaller economies, unless special safeguards are devised to prevent it from doing so. As no country would like to be economically dominated by another, it is necessary to evolve forms of co-operation by which the interests of all the participating countries are adequately safeguarded. This calls for co-operation based on balanced interdependence amongst the participating countries, so that the costs of unilateral termination of co-operation by one country to apply an economic squeeze on another, should be made so heavy as to act as an effective deterrent against such action.

The South Asian Region has the unique distinction of having the largest concentration of poverty in the world. It accounts for about three quarters of the total number of the world's poor. I ask myself the question: "Have we given sufficient importance to the eradication of poverty and to raising the quality of life of our peoples?" You know the answer. We haven't, for otherwise things would have been much better than what they are. Now the question is: Can we think of regional co-operation against the background of the problem of poverty? Can we sink our differences and co-operate in the solution of this problem? Regional co-operation, by itself, does not provide an answer. But it can help promote the development of our economies and thus put us in better position to deal with this problem. If we learn to co-operate, our priorities will also change. We might be able to divert large resources from the wasteful expenditure on

ridden. Each faction was making an all out effort to out-manoeuvre its rival faction in the party.

These problems made it difficult for the government to pursue its social and economic policies seriously. The land reforms designed to contain the power of the landed aristocracy and help the peasants back-fired because of the lack of will on the part of the government to implement these properly. The landed aristocracy was able to flout these reforms which made the condition of the peasants even worse. In this way the government alienated the landed aristocracy as well as the peasants. The latter were extremely unhappy because the government could not protect them from the retaliatory excesses of the landed aristocracy. The former were averse to any policy aiming at the diminution of their political and economic power.

Three opposition political parties—the Praja Parishad, the United Democratic Party and the Prajatantrik Mahasabha—formed a National Democratic Front to act as an effective opposition to the Nepali Congress government. Two other leading political parties, i.e., the Gorkha Parishad and the Nepal Communist Party, though having diametrically opposed political perspectives, decided to work together in opposition to the government. Other powerful interest groups, i.e., the landed aristocracy, the Ranas, joined hands with the opposition political parties. This gradually isolated the government and made it vulnerable to a political assault by these disaffected and opposition sections of population.

There were three major incidents of law and order and open defiance of the authority of the government in April, October, and November 1960, in different parts of Nepal. There were heavy losses of human life and property in these incidents. The government was able to control the situation but not before exposing its indecisiveness and weakness to handle such delicate situations. The opposition parties started demanding resignation of the government. On top of all this, a number of leading members of the Nepali Congress Party defected and demanded the dismissal of the government by the King.

By December 1960, Nepal was gradually drifting towards chaos.

The Nepali Congress Government was badly shaken by tough opposition, factionalism within the party, and the lack of will power to handle political crises, including open revolts. King Mahendra, who never had good opinion about these political parties, decided to put an end to political uncertainty and confusion by suspending the Constitution on December 15, 1960. The cabinet and the parliament were dismissed. Prime Minister B. P. Koirala, a number of his colleagues, and some politicians were arrested. In his proclamation of dismissal of the government, the King charged the Nepali Congress Party of misusing authority to serve the party interests, dislocating and paralysing governmental authority, imperilling the national unity, and failure to introduce economic reforms on the basis of scientific analysis and factual study of the objective conditions.¹⁶

The end of parliamentary democracy under the King's Proclamation did not face any serious challenge. The opposition parties were generally happy over the dismissal of the Koirala government. A good number of leaders of the Nepali Congress Party who escaped arrest, slipped across the borders to India.

(iv) Panchayat Democracy and ban on Political Parties

Satisfied with the successful imposition of the direct rule, King Mahendra banned all political parties and decided to introduce a four tier system of democratic decentralization, designated as the Panchayat Democracy. The King maintained that the new system had its roots in Nepal's history and that it would build "democracy gradually layer by layer from the bottom upwards . . . to associate people in the administration at all levels."¹⁷

The system of Panchayat Democracy was formally opened in April 1962 and was made an integral part of the new Constitution introduced by the King in December 1962.¹⁸ The 1962 Constitution vested sovereignty in the King and made him the source of legislative, executive and judicial powers. The Prime Minister was appointed by the King from amongst the members of the Rashtriya Panchayat. The cabinet and Prime Minister were responsible to the King. The Rashtriya Panchayat was the highest tier of the Panchayat system and enjoyed very limited powers.¹⁹ The ban on political parties

imposed in 1961, was incorporated in the Constitution. It envisaged the functioning of the Panchayat System without political parties.²⁰ It accommodated six government sponsored class and professional organizations. These were originally set up in March 1961 to perform the function of interest articulation and interest aggregation in the political system. These included peasants, labour, students, youth, children, and women. Later the ex-service men association was added to the list. No unofficial political organization was allowed.²¹

The ban on political parties did not put an end to their role in the political system of Nepal. Their mode of operation changed. These parties either went underground or moved to India. The Nepali Congress Party spearheaded opposition to the King from Indian soil. It succeeded in securing the support of other Nepali political leaders residing in India for its demands of restoration of democracy, the withdrawal of ban on political parties and the release of all political prisoners.²² They operated against the Government of Nepal from India either by launching armed attacks on the border villages of Nepal or by working in collaboration with the underground anti-government elements in Nepal. Armed attacks on Nepal's territory were very common in 1961-62. Later the Indian Government, on protest from Nepal, discouraged the exiled Nepalis from launching armed attacks on Nepal's territory. But it did not deny facilities to these exiled leaders for political activities against the Government of Nepal. This was mainly because India's first Prime Minister Nehru and several important political leaders of India were sympathetic towards the leadership of the Nepali Congress Party and their political demands.

King Mahendra who ruled until his death in 1972, and King Birendra since then, adopted the policy of carrot and stick towards those who opposed their rule. They were either arrested, harassed or forced to leave the country. Those who expressed their desire to cooperate or agreed to withdraw from active politics, were released from prison. There were periods of truce between the King and some of the political parties (especially the Nepali Congress Party) but these arrangements always proved temporary because the King

was in no mood of releasing his grip over the political process.

What weakened the position of the political leaders was the fact that they were mostly operating from outside Nepal. This undermined their efficacy and enabled the King to describe them as anti-national. Mutual distrust and factionalism also weakened their position. Their inability to force the King to accept most, if not all, of their political demands during 1961-82 generation which, in turn, encouraged greater factionalism on the question of strategy towards the government: should they continue with the present strategy of opposition to the King or go for some political compromise? If the political parties could not achieve their goals in twenty/twenty-two years what could they offer for the future?

A significant consequence of the curbs on political parties and political activities was the growth of political violence in the polity, some of which was not connected with the India-based political parties. Student groups, youth and labour became politically active and polarised. They took to streets from time to time to ventilate their grievances. They generally demanded improvement of their social and economic conditions as well as greater participation in the decision-making process.

One of the most serious challenges to the political system based on partyless Panchayats came in April 1979, when the students in Kathmandu and a couple of other places boycotted their classes and staged protest marches. These erupted into bloody riots as other disaffected sections of population extended their support. The students mostly belonged to the pro-Nepali Congress, pro-Peking and pro-Moscow groups. They demanded, *inter alia*, changes in the existing political system to make it more responsive to their needs and aspirations.²³ Once these riots subsided, the King announced in May 1979, that a nation-wide referendum would be held in May 1980 on the basis of adult franchise on the question whether Nepal should have a modified partyless Panchayat system or a multi-party system. In December 1979, the King announced the changes he wished to introduce in the political system. These were: direct election to the

Rashtriya Panchayat, Prime Minister to be elected by the Rashtriya Panchayat, and the cabinet to be made responsible to the Rashtriya Panchayat rather than the King.²⁴

Armed with the package of political reforms the government circles, the Prime Minister and his colleagues, campaigned for partyless Panchayat system. The leaders and supporters of the banned political parties pleaded for vote in favour of restoration of the party system.²⁵ The referendum, held on May 2, 1980, showed an overwhelming majority of the votes cast in favour of partyless Panchayat system. The following table shows the results of the referendum :

TABLE 3
The May 1980 Referendum

	Votes Cast	Percentage
Partyless Panchayat System	2,435,452	54.79
Multi-Party System	2,007,965	45.21

The referendum results gave a clear victory to King Birendra's concept of party-free Panchayat system.²⁶ The results also showed that despite the 20-year old ban on political parties they enjoyed substantial support and a large section of population still favoured their legitimization. This meant that the issue of their future role would continue to occupy an important place in the politics of Nepal.

On December 15, 1980, three amendments were made in the 1962 Constitution to accommodate the three pledges made by the King before the referendum was held. The amendments included :

1. 112 out of 140 members of the Rashtriya Panchayat would be directly elected by the people on the basis of adult franchise. The candidate must not be less than 25 years of age and should belong to one of the six class organization prescribed by the 1962 Constitution.

2. The Prime Minister would be elected by the Rashtriya Panchayat by 60 per cent (not simple majority) of the members. If no one obtained 60 per cent votes, the Rashtriya Panchayat would submit three names to the King who would appoint a Prime Minister from amongst these persons. As 28 members were nominated by the King, the prospective candidate for Prime Ministership would need at least 75 per cent votes of the elected members if he wanted to stay free from dependence on the members nominated by the King.
3. The cabinet was responsible to the Rashtriya Panchayat. A no-confidence motion required 60 per cent votes. The King also had the power to dismiss Prime Minister without needing approval of his action from the Rashtriya Panchayat.²⁷

The elections to 112 seats of the Rashtriya Panchayat were held in May 1981. Though political parties were banned and some minor opposition groups boycotted the elections, a number of persons with known loyalties to different factions of the Communist Party and a faction of the Nepali Congress Party contested the elections. At least ten of them won the elections.²⁸ Later the Rashtriya Panchayat elected S. P. Thapa as the Prime Minister.

The political reforms provided more opportunities for political participation as was the case in the past. It also introduced a partially representative system. The moderates seemed to have been somewhat pacified but a large part of the activists, especially those belonging to, or sympathisers of, the outlawed political parties, regarded these steps as nothing more than an eye-wash. The students and labour, especially those with leftist leanings, were extremely bitter about the policies of the government and the overall disposition of the polity. Some of them operated underground. While others engaged in anomic political activities and violence. The government had to rely heavily on its control apparatus to contain these elements and keep its authority intact.

CONCLUSION

The track record of the political parties in Nepal has been rather mixed. These stood for political rights during the later period of the Rana rule, and ultimately put an end to their *raj* in Nepal. This not only restored the power and authority of the monarch but also enabled the political parties to share power.

All the leading political parties were set up after World War II by the Nepali leaders who were either influenced by Indian nationalist movement or took part in it. Some of the Nepalese political parties were founded on Indian soil and operated from there.

These political parties were unable to provide stable governments capable of consistently pursuing policies of social and economic change. During 1951-59 Nepal had six different governments, most of these being coalitions. In addition to this the King imposed his direct rule on three occasions. Thus in little less than eight years Nepal had nine governments. The first general elections were held in early 1959 which brought the Nepali Congress Party to power. The performance of this elected government was in no way better than its predecessor governments. It suffered from factionalism and lack of will power to implement its policies. This promoted political alienation and frustration in the polity.

The party politics in Nepal was characterized by intra- and inter-party conflicts, personality feuds, brute struggle for power, lack of clear-cut programmes, and absence of the will power to implement them, frequent changes in party loyalties, lack of parliamentary decorum, corruption and nepotism. These drawbacks of the political parties multiplied over time. What caused greater concern was the growing lawlessness in the society in 1960 which exposed the weakness of the government.

The weak governments and divided political parties enabled the King to concentrate powers in his hands and manipulate the political leaders to his advantage. When he dismissed the elected government and arrested the prominent leaders of the Nepali Congress Party in December 1960, he hardly faced any overt opposition. He also did

not confront any problems in imposing ban on political parties in January 1961.

Since then the King of Nepal maintained a firm grip over the political system within the framework of the 1962 Constitution which provided for a party-free Panchayat system. The banned political parties either went underground or moved over to India and engaged in political activities from there.

Though the King has been successful in keeping lid firmly on overt party politics in Nepal, he could not totally eliminate political parties from the body-politic. These political parties still cast a deep shadow on Nepal's politics. Legally speaking, political parties do not exist, but in reality a number of them are still relevant to the present-day politics in Nepal.

The 1980-81 referendum and constitutional reforms satisfied the moderates, while others, especially those connected with the defunct political parties, described these steps as political gimmick on the part of the King to deflect the pressure for granting due place to the political parties in the political system. The political system, thus, continues to be under strains and faces serious legitimacy crisis. The 1980 referendum clearly showed that a good portion of adult population was favourably disposed towards the revival of political parties and the introduction of more constitutional reforms.

The King has created six professional and class associations to fill the void caused by the ban on political parties. These officially sponsored associations have not been able to serve as vehicles of political mobilization, interest articulation and aggregation to the extent that the banned political parties become irrelevant to the political system.

The political scene in Nepal has become quite confused. Neither the political parties and opposition leaders can engage in political activities in the open nor the officially created associations have succeeded in establishing a viable two-way channel of communication between the ruler and the ruled. This has encouraged extra-constitutional opposition and anomic political activity. The

students, labour, and peasants have become highly politicized and polarised. Some of their groups maintain linkages with the defunct political parties. There have been serious student and labour troubles in Nepal since 1979, which underlined the extra-constitutional and extra-parliamentary threats to the political system in the backdrop of curbs on political parties.

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10. The Nepali Congress Party declared, "To regard the present cabinet as a national cabinet will be to ignore the reality and mislead the people." The Nepal Communist Party commented on the coalition government in these words : ". . . This cabinet will only pave the path for the military dictatorship of the King and will meet demands of the people with brutal repression which it has already begun . . ." Gupta, *Politics in Nepal*, p. 86.

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Indian Intervention in East Pakistan : A Review under International Law

SYED FAROOQ HASNAT

INTRODUCTION

The happenings of 1971 in East Pakistan (Bangladesh) could hardly be discussed in their true perspective a few years back because of the wide emotional feelings around the world caused by the alleged Pakistani Army's excesses while trying to suppress the secession movement. Secondly, Indian government and intellectuals misinterpreted political situation in East Pakistan under Yahya Khan's regime. Now when the dust has settled down and with the massacre of Mujib-ur-Rehman and his family in 1975 by the fellow Bengalis, true position can be portrayed.

Bangladesh crisis was not merely a conflict between Pakistani National government to preserve the unity of the country and Bengali (Mujib-ur-Rehman and his Awami League) secessionist desire. Linguistic, cultural and racial differences and tensions are not uncommon in the new Afro-Asian countries. The social order in these nations is characterized by a lack of integration due to, "ethnic, religious, racial and cultural pluralism" characteristic of these societies.¹ But if a powerful neighbour (India), backed by a super power (Russia), intended to take advantage of such internal tensions, the stability and territorial integrity of many Afro-Asian countries would be in danger.

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If a peaceful international order is to be established on firm foundations, then the violation of International Law of Intervention must be avoided. We do recognize that international relations operate on the assumptions of realist considerations and that the interaction between the states purely based on international law has a secondary nature. Still the factual position remains that violations of international law give birth to tensions and thus can lead towards an unstable world. It becomes inconceivable to comprehend that supporters of peace and stability would accept the kind of Indian activities towards East Pakistan in 1971. An American scholar, commenting on India's role during the Bangladesh civil war, pointed out :

"In 1971 justifiable humanitarian concern became confused with analysis of a difficult political situation. Yet at no other time in recent history have the internal affairs of one country been used to justify the invasion and dismemberment of another."²

The Indian intervention in East Pakistan presents the scholars of International Law with a number of complex problems. "It was not only a humanitarian operation (if we accept the Indian view) but also a strategic one, undertaken by a partisan actor."³ For India to send its army to invade East Pakistan for any reason is a totally bad precedent because usually international law has been an obstacle to such actions. India violated the basic principles of the United Nations by not abiding by the various resolutions passed. In fact the Indian government posed a challenge, "to the authority of the United Nations. With this position any country now could go to support any kind of a struggle or social unrest in any other country."⁴ A precedent set-up by India in 1971 felt its echoes in the form of Russian invasion of Afghanistan. Though the cause and intentions of intervention differ, still the basic principles of invasion against all norms of international law remain the same.

Professor Frey-Wouters speaking at the conference held at the University of Virginia at Charlottesville said :

"I support an independent Bangladesh. I blame the United Nations

for its failure to respond to the crisis. I blame the big powers for their political manipulations, and most of all, I blame the Pakistani government for the atrocities committed. But I still cannot accept the legality of the unilateral intervention on the part of India."⁵

It is not possible to examine the question of Indian intervention under international law by itself unless we also look into other factors which determine the relations between India and Pakistan. Our investigations in this matter will therefore be carried out taking all these factors into consideration.

CONCEPT OF INTERVENTION IN INTERNATIONAL LAW

(a) Traditional Intervention

It is generally agreed by most of the scholars of international law that intervention implies, "... dictatorial interference by one state in the affairs of another state for the purpose of either maintaining or changing the existing order of things, rather than mere interference per se."⁶ For a long time the concept of intervention remained merged in the doctrine of 'bellum justum' but the action and interaction of the states forced the writers to acknowledge it as a separate concept.⁷

According to Traditional International Law the rights of the individual state were reserved to be the 'judex in causa sua' in almost every dispute involving itself.⁸ This also implied those disputes likely to lead to an intervention which was until its recognition as a separate concept of international law, always identified with war. With the recognition of the concept of intervention by individual states on their own discretion as a separate concept of international law there evolved simultaneously an international practice of collective intervention by a number of states grouped together for that purpose, with the aim, *inter alia*, of protecting the rights of individual states. This development became manifest in the ad hoc procedures of the Holy Alliance and those of the Concert of Europe.

However, the institution of collective interventions by the above mentioned systems was not based on any previously laid down legal

rules but depended mainly on the extra-judicial expediencies of states constituting these systems.⁹ Although these early ad hoc arrangements had vague and tentative nature nevertheless their experience lent inspiration for setting up of matured systems of collective interventions of the League of Nations and that of the United Nations based on its Charter.

Machiavelli was the first writer of the 16th century who in his work *The Prince* supported interference by one neighbouring state in the affairs of another on the grounds of self-interest.¹⁰ The 'self-interest' theory was not without opponents and a considerable disapproval of it is reflected in the writing of de-Vitoria, a contemporary of Machiavelli. de-Vitoria maintained that wars undertaken as espoused by Machiavelli were unjust. Instead he stated explicitly that justice and equity should prevail in undertaking a war.¹¹ Yet another prominent scholar Immanuel Kant wrote : "No State should interfere in the Constitution or the government of another State. A State was subject to no authority except its own, consequently intervention by another State was illegal."¹² Nevertheless Kant made exception to this rule by holding that it was true only in the case of Republican governments. In other words Kant believed that the downfall of authoritarian regimes by democratic societies was justified. In all other cases intervention was illegal.

Since 1945, interventions by individual states have continued for many reasons. The legal validity of each of the interventions must necessarily be determined in the light of the United Nations Charter principles and in the light of the new developments since the end of World War II.

The United Nations Charter under the provisions of Article 2 (4) restates and reinforces the prohibitions of the use of force by individual states as existing prior to 1945 as :

"All members shall refrain in their international relations 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 United Nations."¹³

The provision in the above mentioned Article of the United Nations Charter on the non-use of force by individual states is clearly wider than the narrow concept of war, as it includes not only the threat or use of force amounting to war but also includes other forms such as armed intervention. While the Charter limits the pre-United Nations discretion of individual states to use force on their own discretion it provides an alternative which according to the Charter is as follows :

"All Members shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered."¹⁴

This clearly implies that the settlement of 'all' international disputes including those of a humanitarian or refugee nature and those that may lead to armed intervention, was by pacific means, except those disputes concerning matters essentially within the domestic jurisdiction of one of the disputants. The United Nations Charter thus *inter alia*, forms the important legal base for the regulating of inter-state relations likely to give rise to disputes and disturbance of peace. The principle of the non-use of force except as provided by the United Nations Charter for the preservation of peace is considered to be universally binding on members and non-members alike.

The existence of an international dispute where one party alleges that another party has violated, or is unable to protect, its rights, results in intervention—the anti-thesis of non-intervention. Settlement of international disputes by peaceful means is envisaged in Article 2 (3) of the United Nations Charter. Thus it implies that all disputes, including those disputes which are likely to result in intervention of any kind, must be settled by peaceful means unless members allow them to go into abeyance.¹⁵

Writing on intervention in a situation where a state is confronted with civil strife, Vattel justifies intervention on the principle of *bellum justum*. He writes :

"Foreign nations must not interfere in the domestic affairs of an independent state. It is not their part to decide between

citizens whom civil discord has driven to arms, nor between the sovereign and his subjects. The two parties are equally alien to them, and equally independent of their authority. It only remains for them to interpose their good offices for the re-establishment of peace, and this they are called upon by 'natural' law. But if their efforts are without avail, these nations which are not bound by treaty obligations may, in order to determine upon their own conduct, decide for themselves the merits of the case, and assist the party which seems to have justice on its side. Should that party ask for help or accept the offer of it ; they may do so . . . just as they are at liberty to take up the quarrel of one nation with another, if they find it a just one."¹⁶

The principle of help to the just party in a civil war had been, in the past, left to the party making the offer. This particular mode of decision making had some inherent difficulties as the discretion of deciding the just party in a civil strife was left to the judgement of the aiding state and obviously other factors were bound to influence its judgement. In order to avoid this sort of confusion Article 2 (7) of the United Nations Charter was incorporated as follows :

"Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter ; but this principle shall not prejudice the application of enforcement measures under Chapter VII."¹⁷

By the above provisions of the Charter, the Organization is *inter alia*, constitutionally authorized to intervene in the domestic affairs of a state when these pose a threat to international peace. In Congolese Civil War of 1960, the United Nations sent its troops to keep the two factions apart. The United Nations took a similar action in the Cyprus Civil War between the two ethnic groups. The United Nations action in these two cases was legally justified.

From the above arguments, we gather that, since the United

Nations alone has the right to intervene in some special cases (Chapter VII), any other unilateral intervention under any circumstances is thus against International Law. Thereby it becomes legal as well as moral duty of humanity-at-large to condemn and 'practically' oppose unilateral intervention.

(b) Humanitarian Intervention

Powerful Western nations, in course of history, have justified their intervention against technologically less advanced, non-Western, non-white nations on humanitarian grounds. This doctrine frequently supplied post hoc rationalization for aggression based on less altruistic motives. Even if a good faith standard is imposed, there is every likelihood of international disagreement as to whether specific actions violated the minimum standard.¹⁸ The concept of humanitarian intervention cannot be completely separated from its context—the basic and general principle of intervention.

Looking back at pre-1945 cases in which the right of military intervention was asserted on somewhat mere credible humanitarian grounds, we find two such notable examples. One is the naval blockade imposed on Antwerp by the five European powers in support of the Belgian Revolution of 1830 against the Kingdom of Netherland. Thomas M. Frank and Nigel S. Rodley are of the opinion that although this was a good example regarding a concerted, forceful action by the community of states on behalf of National Liberation, its purpose seems to have been less to save lives as they were not in danger, or promote liberty than to impose a compromise agreed among the principal European powers in order to preserve a balance between them and avoid another European religious war. The terms imposed by the powers did coincide with the desires of a secessionist movement; it also created a new nation with enough secessionist troubles of its own to satisfy anyone's taste for nemesis.¹⁹ The other case is that of the United States intervention in Cuba in 1898 when it was a colony under the Spanish rule. President McKinley's war message to Congress stated that the United States was intervening ". . . in the cause of humanity and to put an end to barbarities, bloodshed, starvation, horrible miseries (in Cuba). . ."²⁰ There was a divided opinion

among the jurists and scholars regarding this action of humanitarian intervention. Some like Myers McDougal and M. Reisman interpret it as an illustration of U. S. commitment to the principle of humanitarian intervention with unilateral force when necessary.²¹ Others like Fitzgibbon saw in this action, "powerful influence of endangered investments and trade."²²

As we go through the pages of world history we note not many cases prior to 1945 of unilateral military intervention for allegedly humanitarian purposes, although Dr. A. Luini del Russo in her book, *International Protection of Human Rights* mentions some cases of humanitarian intervention to protect the religious minorities. She gives examples of 18th century Russia, Prussia and Great Britain exercising effectively their influence on the Catholic King of Poland, "who was persecuting his orthodox and protestant subjects." But one century later (1863) Russia rejected the collective intervention of France, Great Britain and Austria claiming absolute sovereign powers over her internal affairs regarding the issue of freedom of religion for the Polish patriots. Dr. A. Luini del Russo also gives an instance of intervention by the European states (in 1829) against Turkey for her policies concerning the Christian subjects.²³

The years after the creation of the United Nations Charter had seen lamentably little change in the earlier patterns of international arena. This was in spite of the fact that the United Nations Charter clearly intended to affect the conduct of states by, "...substituting for the previously asserted rights of unilateral military intervention a series of obligations binding States to observe human rights and by providing a multilateral system of redress if they failed to do so."²⁴ All the six cases of intervention in which humanitarian grounds were used as a pretext to take unilateral military action appears to be bogus and self-contradictory.²⁵ It is rather difficult to make a clear distinction between the concern for humanity and the achievement of a political motive.

As a result of the creation of the United Nations Organization there has been a transfer of authority and responsibility and therefore the humanitarian intervention is a matter to be dealt with by international bodies other than individual nations ²⁶ (which are certain to

prefer their political intentions to the humanitarian one).

Article 39 of the Charter reads as follows :

"The Security Council shall determine the existence of any threat to the peace, breach of peace, or act of aggression and shall make recommendations, or decide what measures shall be taken."

It is for the Security Council to decide whether or not a collective humanitarian intervention is called for and in some cases to authorise action on the part of an individual state, "and the member states are bound to accept this decision and to assist its implementation."²⁷ The General Assembly, can also make recommendations in accordance with Article 55 of the Charter, concerning the, "universal respect for, and observance of, Human Rights and fundamental freedoms for all."

(c) Refugee Intervention

The term of 'Refugee Intervention' was used for the first time by India in 1971 during the East Pakistan crisis. Mr. Sen, India's representative to the United Nations while addressing the Security Council session said :

"... As a result of Pakistan's military action, 10 million people came to India as refugees. Was that not a kind of aggression? If aggression against another country meant that the latter country was forced to strain its social structure, ruin its finances, give up its territory to shelter refugees, close its schools and hospitals, and denude its administration, what was the difference between that type of aggression and the more classical type when someone declared war?"²⁸

The whole Indian argument amounted to saying that India had the right to invade Pakistan in order to bring about a settlement of refugees.

On another occasion, the Indian foreign minister said :

"... A massive exodus into India by the people of Bangladesh commenced... and the threat to Indian security, stability and the economy by such a massive civilian invasion of

refugees could not be determined in tangible terms . . . Intolerable demographic pressures arose. A smaller state would have collapsed in the face of such an influx."²⁹

The influx of refugees poured into India and became a cause of great concern. However, India's legitimate concern only extended to seeking the repatriation of the refugees in accordance with the well established principles of international law.

The right of repatriation of refugees was affirmed by both India and Pakistan in 1966 at Bangkok, in the Asian-African Legal Consultative Committee Declaration on the 'Principles concerning the treatment of refugees.' Article IV of the Principles provided as follows :

"A refugee shall have the right to return if he so chooses to the state of which he is a national or to the country of his nationality and in this event it shall be the duty of such state or country to receive him."³⁰

The conflict between the governments of Pakistan and India concerned with the number of refugees in India,³¹ and not with the right of repatriation, which was already accepted by Pakistan. Another difference between the two nations was on the conditions prevailing in East Pakistan for the refugees to be able to exercise their right to return. Discussion of this issue will follow in the proceeding pages.

JUSTIFICATION OF INDIAN MILITARY ACTION EXAMINED

(a) Charges of Genocide

India charged Pakistan of having committed the crime of genocide in East Pakistan ; and thus justified her intervention there.

Genocide is often used by laymen to describe any large scale killings of civilians. To international lawyers, however, the term has a more precise connotation.

Article I and the relevant parts of Article II of the Genocide Convention, 1948, read as follows :

Article I : The Contracting Parties confirm that genocide, whether

committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article II : In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such :

- (a) Killing members of the group ;
- (b) Causing serious bodily or mental harm to members of the group ;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

Genocide therefore is a crime against humanity and punishable under international law. Our main concern here is to discuss whether or not genocide was committed by the Pakistan army or was it a case of civil war in which loss of human life and excesses were made by both the parties. A civil war in which both the parties use nearly equal magnitude of atrocities cannot be regarded as genocide.

After the political negotiations between the government of President Yahya Khan and Mujib-ur-Rehman failed, the law and order situation became impossible as the civil disobedience spread throughout East Pakistan including a general strike and mass refusal to pay taxes. Even such 'passive' positions like the Judges of the East Pakistan High Court refused to attend their courts. As the rhetoric grew more inflammatory, martial law was declared. To restore order, the army, composed primarily of West Pakistan, began a campaign against dissident groups. The indiscriminate use of terror by the dissidents provoked violent retaliation by the Pakistan army.

The gangster and irresponsible segment of the Awami League and outside openly began to violate all limits of human considerations. According to David Lashok (journalist), "In more secluded places they (Bengalis) attacked Punjabis (from West Pakistan) and even

armaments to the eradication of poverty.

Before I conclude, I would like to draw your attention to studies and research being pursued under the auspices of the United Nations Institute for Training and Research (UNITAR) on alternative national strategies of development which, discarding the current orthodox approach based on expert-oriented trade and foreign aid, are made to depend on the creation of national mass markets through domestic distribution and reliance on technology. The regional conferences in Africa (1977) and Asia (1980) analysed the difficulties of achieving a new international economic order in the broader context of the policy choices of the last 30 years, the present relations of dominance, increasing militarism, class conflicts, and ecological considerations. In the new alternative strategies, a more equitable distribution is not viewed solely as a normative objective, nor as an automatic by-product of growth, but rather it is felt that present distribution must be seen as one of the elements responsible for the malfunctioning of the economies of many countries and world economy as a whole. Hence the UNITAR's 'Project on the Future' is concentrated on exploring an alternative self-reliant course as a matter of urgency. In this strategy, a change effected through orientation of new investments and redistribution, even of low levels of income, is seen to facilitate industrial development substantially and technological preferences adequately, related to social objectives to generate situations favourable to the attainment of such objectives.

In this context, I would like to invite the attention of this Committee to the regional conferences. The first, on "Africa and the Problematique of the Future", was held in 1977 at Dakar. It was followed by a conference on "Alternative Development Strategies and the Future of Asia" in New Delhi in 1980. These conferences explored new strategies for development in the broadest possible context, including the historical, socio-political, military and cultural dimensions and placed the greatest possible emphasis on policies of collective self-reliance.

In conclusion, may I say that scholars engaged in research on the problems of regional co-operation have a great responsibility. They

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have to identify areas where we can co-operate to the advantage of all, safeguarding the interests and aspirations of all the participating countries. They have also, through their research, to educate the governments of the countries of the region about the advantages of co-operation in the broader interests of the peoples of this region. In this task, I wish them all the success.

Ladies and Gentlemen, I have great pleasure in inaugurating the Seventh Meeting of the Committee on Studies for Co-operation in Development of South Asia with the words of the Holy Quran, so appropriate to that great task on which the CSCD is embarked, namely to change the poverty-stricken lives and backwardness of one billion people of South Asia.

"Verily God does not change the condition of a people until the people change it themselves."

Biharis—refugees from India who came after Partition (1947). They (Bengalis) hacked them to death, burnt them alive, cut their throats—men, women, and children unsparingly.”³² David Lashok gave a description of one incident as follows :

“At Mymensingh, a postmaster showed journalists his bayonet wounds. He claimed to be one of only twenty-five survivors out of 5,000 non-Bengalis who fell to the knives and hatred of Bengali mobs.”³³

In April 1971, Anthony Mascarenhas, a leading journalist wrote :

“As many as 100,000 non-Bengalis might have been slaughtered. Special brutalities were reserved for Punjabis . . . At Chittagong, the colonel commanding of the military academy was killed while his wife, eight months pregnant, was raped and bayoneted in the abdomen . . . An officer was flayed alive. His two sons were beheaded and his wife was bayoneted in the abdomen and left to die with her son’s head placed on her naked body.”³⁴

According to an estimate, “between March 2 and 25, (rebels) killed, raped and burnt an estimated 1000,000.”³⁵ National flags and the portraits of the founder of the nation were burnt. The wave of atrocities gradually engulfed the whole of the province. Worse affected was Chittagong where on March 3 and 4, in Ferozeshah Colony alone 700 houses were set on fire and their inmates, including women and children, were burnt to death. The attacks against the Armed Forces of Pakistan reached their peak around March 18, 1971. During the third week of March a young Lieutenant while out for shopping in Rangpur, was murdered and his body ripped open. It was later paraded through the bazaar.³⁶ Such a situation was beyond the control of the normal law-enforcing agencies.

India was also busy interfering in the domestic affairs of Pakistan by aiding the secessionists with arms and funds.³⁷ According to the report of the International Commission of Jurists, “This assistance is not admitted by India, but there seems to be little doubt that the Bangladesh guerrilla forces, the Mukti Bahini, were able to recruit

and train volunteers on Indian soil, and were given the necessary arms, ammunition and all kind of support to enable them to mount operations from Indian territory."¹⁸

Keeping the above facts in view we can argue that since there was a civil war in East Pakistan, in which India also participated, the charges of genocide are not correct. Infact in most of the cases pitched battles were fought with well-equipped East Pakistan Police, deserters from the army and armed members of a political party. The intentions of the Pakistan army was not to destroy any group but to preserve the unity of Pakistan—though we might differ with the methods adopted by the 'generals'. However in such a situation, killings and sufferings were but natural, as many innocent civilians were caught in cross-fire. The rebels reportedly killed two hundred thousand Pakistanis, mostly non-Bengalis.

The atrocities committed by some members of the Pakistan army are punishable under Pakistan Penal Law¹⁹ (like murder, rape etc.) India had no right under International Law to enforce Pakistan Penal Law from across the border.

(b) Problem of Refugees

Essentially there was a dispute between India and Pakistan, firstly as to the number of refugees and, secondly, as to the conditions which would make the right of return possible in practice. Before considering anything else it is necessary to set out India's duty, under International Law, in respect to Pakistani refugees on its territory. India insisted that because of the large number of refugees she had the right to intervene to remove the cause.

The events of 1970-1971 were certainly not the only refugee problem the world had known ; refugee situations have also occurred in various other parts of the globe such as in the Arab world, in Africa and in Latin America, not to mention the uprooting of millions of people during the Second World War. The world is thus familiar with the problem and certain norms have been generally accepted regarding the right of the receiving state to grant territorial asylum, and its duty to stop those it grants asylum from indulging in

subversive activities against other states.

Article III of the Organization of African Unity Draft Convention on Refugees provides, in paragraph 2 as follows :

"Signatory states shall undertake to prohibit refugees residing in their respective territories, from attacking any member state of the Organization of African Unity especially through arms, press and radio, which may cause tension between member states."⁴⁰

Article IX of the Convention on Territorial Asylum signed at Caracas on March 20, 1954 between certain Latin American states describes :

"At the request of the interested state, the state that has granted refuge or asylum shall take steps to keep watch over, or to intern at a reasonable distance from its border, those political refugees or asylees who are notorious leaders of a subversive movement, as well as those against whom there is evidence that they are disposed to join it."⁴¹

The Treaty on Political Asylum and Refugee (in Article II), signed in 1939 (4th August), at Montevideo explains further :

"It is the duty of the state to prevent the refugee from committing within its territory, acts which may endanger the public peace of the state from which they come."⁴²

The United Nations Declaration on Territorial Asylum of 1967 is the latest on the issue under discussion. The Declaration states :

"States granting asylum shall not permit persons who have received asylum to engage in activities contrary to the purposes and principles of the United Nations."⁴³

It becomes obvious that the International Community recognizes the basic norm that there is a duty on the state granting asylum to prevent the asylees from acting against the territorial integrity or political independence of any other state. India was duty-bound to the laws laid down by the various international treaties and declarations to refrain herself from acting against the territorial interest of

its neighbour. India failed to perform her duties by ignoring the existing International laws and instead utilized all her resources to exploit the situation and to intervene in the civil war.

Details of military camps set up in India for the training of the refugees who had fled from East Pakistan were featured in a despatch of Peter Hazelhurst from Calcutta in the *Times of London* of May 22 :

“My informant said that three types of training camps have been set up in India . . . According to him, the East Bengali volunteers are screened, and after passing a physical test they are sent on a six week training course conducted by the East Pakistan Rifles and Indian instructors. Potential officers are sent back to Indian military establishments on a six month training course.

Efforts were made by the Government of Pakistan to pacify the refugee problem. Firstly, the Chief Martial Law Administrator on May, 1971 issued an appeal to ‘genuine’ Pakistanis to come back without any hesitation. The appeal was reissued once again after three days promising to grant amnesty to those who were misled and now want to come back. Secondly, assurance was offered to all returning refugees, that their properties would be restored and full protection will be given. On June 10, 1971, a general amnesty was declared by the Government of East Pakistan. The amnesty applied to all classes of people—students, labourers, businessmen, industrialists, civil servants, members of the Armed Forces and other law-enforcing agencies, as well as political leaders and political workers who had not committed any criminal offence. Although Yahya regime made many political mistakes in the past, but in all fairness it must be admitted that in the middle of 1971, Yahya Khan tried his best to pacify the political storm in East Pakistan through non-military means. For example on May 24, Yahya Khan appointed Dr. Malik—a Bengali with a long and distinguished record of public service from the time of independence of Pakistan, as his Special Assistant for displaced persons and relief and rehabilitation operations in East Pakistan.

India on the other side did not take any positive steps, instead, all her pronouncements and deeds were to stop the return of the displaced persons to their homes. The Defence Minister of India was reported to have stated at Asansol (West Bengal) that "the evacuees would not go back to Pakistan but to Bangladesh." On August 11, 1971, he repeated the statement when, addressing a huge public rally in Delhi, he said that the refugees would "go back to the country of Mujib."⁴⁴ The meaning was clear. India, the statements indicate, would cooperate in bringing about the return of refugees only if her political aims were fulfilled.

Pakistan welcomed the assistance of the United Nations in facilitating the repatriation of the refugees as speedily as possible. Moreover, during the Security Council debates, Pakistan made it clear that the refugees could return without fear of reprisal, further undermining the claim of India that the invasion was indispensable to India's security (because of refugees on her soil). India in fact tried to link the fate of that mass of human beings with the dismemberment of Pakistan.

Further India was not under a legal obligation to grant the refugees asylum and theoretically had the option of denying them admission.⁴⁵ Having granted them entry, India assumed the burden. "Although morally commendable, such action did not create a legal justification for intervening in a domestic struggle."⁴⁶

(c) Right of Self-Determination

India charged that Pakistan had denied the rights of 75 million people (of East Pakistan), the total negation of everything that human life stood for. It went on to condemn :

"... Nobody wanted to leave his home to live under horrible conditions unless there were compelling reasons. Those compelling reasons were the brutalities of the Pakistan Army, the denial of the rights of 75 million people, the total negation of everything that human life stood for, the deliberate attempt to hold under colonial rule 75 million persons who had been exploited for 23 years."⁴⁷

In making the above statement, India forgot her own record of defying the United Nations and refusing to enable the people of Kashmir, a territory in dispute, to decide their future through an impartial plebiscite in accordance with the international agreement between India and Pakistan and the United Nations resolution.

Before we examine the question of the right of self-determination and its application to India's claim to intervene, we must not forget that the people of East Bengal at their own free-will joined Pakistan in 1947 and made great sacrifices to get freedom from the brutal Hindu majority. Therefore the Indian claim that East Pakistan was a colony is not acceptable under any standards—legal or political.

In the following paragraphs we will be considering the right of self-determination in a multinational state.

The preamble of the Charter of the United Nations employed the phrase: "We the peoples of the United Nations . . ." The term 'peoples' was used here in the political-legal sense of a state.⁴⁸ It is also obvious that the organization constituted by the Charter was one of states, not ethnic nor cultural nations. 'The peoples of the United Nations' clearly meant the inhabitants of each of the states which made up the organization.

The majority of the delegates at San Francisco were of the opinion that self-determination "did not imply the right of secession."⁴⁹

Concerning the principle of self-determination it was strongly emphasized on the one side that this principle corresponded closely to the will and desires of peoples everywhere and should be clearly enunciated in the Charter; on the other side, it was stated that the principle conformed to the purposes of the Charter only insofar as it implied the right of self-government of peoples and not the right of secession.⁵⁰

During the 1950's the debate on whether or not self-determination implied the right of secession continued when the United Nations considered the Human Rights Covenants. It was argued that

self-determination might sanction secession of cultural or ethnic nations and peoples under certain circumstances.⁵¹ In the end, however, a clear majority of the United Nations came out against this interpretation.⁵²

In effect self-determination had become a right to be exercised by the peoples as a whole who inhabited a given colonial entity. Once these peoples had availed themselves of this right and became independent, the principle had little further relevance for them.⁵³ Since self-determination is the right of colonial peoples, the doctrine had little practical application for those who inhabited the non-colonial areas.⁵⁴

The definition of self-determination which has been adopted, has permitted the United Nations to avoid involvement in redrawing the political map of the world. Moreover, to maintain the right of self-determination for all people who might reasonably claim it, would be to open the Pandora's box of chaos. There is, in existence, an almost infinite catalogue of clans, tribes, peoples, and nations with some degree of distinctive character "sufficient to whet their appetites for the wine of self-determination if they were so encouraged."⁵⁵ The fissiparous process implicit in the term could potentially stimulate various peoples in a state like India, for example, to turn the name of their country again "into a mere geographical expression."⁵⁶ Given peace and stability as goals, the limitation, imposed by the United Nations upon who is eligible for self-determination does possess lot of merit.

The former Secretary General U. Thant in early 1970 was asked at a press conference whether there was not "a deep contradiction between the people's right to self-determination—a right recognized by the United Nations—and the attitude of the Federal Government of Nigeria towards Biafra." U. Thant responded in part :

"You all know that when a state applies for membership in the United Nations, and when the United Nations accepts the membership of that applicant, all members tacitly accept the principle that that particular state has an entity or unity . . . There is the implied acceptance by the entire membership

of the principle of territorial integrity, independence and sovereignty of that particular state."

"This has been the tradition since the establishment of the United Nations. You will recall that the United Nations spent over five million dollars in the Congo primarily to prevent the secession of Katanga . . . So, as far as the question of secession of a particular section of a Member State is concerned, the United Nations' attitude is unequivocal. As an international organization, the United Nations has never accepted and does not accept and I do not believe it will ever accept the principles of secession of a part of its Member State."⁵⁷

There would seem to be absolutely no equivocation on the part of the Secretary-General. Self-determination was not a right to be exercised by groups within the boundaries of a given state.

In the light of the above established principles of International Law we observe that in the first place the population of East Pakistan did not constitute a 'Nation.' In 1946 East Bengal, at its own free choice, refused to join their fellow cultural and ethnic comrades in West Bengal. Instead they overwhelmingly voted to join the people of West Pakistan with whom they shared the common bondage of nationhood. The matter was settled once for all according to the rules of International Law as discussed above.

The people of East and West Pakistan had shared a common history and common enemy for as long as 800 years. The Indian argument, that East Pakistan could demand the right of self-determination, contradicts itself when the people of West Bengal are considered as part and parcel of North India although they share nothing except common history.

Secondly, there is no justification for the assertion that the majority of the people of East Pakistan supported the secessionists because they voted for Awami League candidates in the National Elections held in December 1970. The will of the people of East Pakistan ascertained through these elections was for autonomy *within*

Pakistan, not for secession from Pakistan. The Six-Points constitutional formula of the Awami League, for which it sought endorsement from the electorate, contemplated a United Federal State.⁵⁸ The tragic civil strife occurred not because of East Pakistan's demand for autonomy—which was conceded—but because some of the Awami League representatives were not loyal to their mother land and twisted the mandate in the direction of their own interests.

CONCLUSION

Changes in the boundaries of states and the emergence of new states seldom take place without outside intervention or war. A small country, confronted with an unfriendly, if not hostile, big neighbour backed by a major power, is often exposed to external threats and can hardly enjoy the 'freedom from fear' which is a basic requirement for a country's stability, progress and viability. The break-up of Pakistan, was no doubt largely due to internal socio-economic and political developments. Yet outside influences and factors were undeniably present in the dismemberment of Pakistan.

The tragic happenings in Pakistan which began on March 25, 1971, and ended with the break-up of Pakistan, have aroused so much emotion, and such strong feelings of sympathy for the suffering of seventy-five million Bengalis, that there has hardly been any scope for a proper assessment of the external forces behind the tragedy. The Western press gave wide publicity to the alleged atrocities of the Pakistani Army in East Bengal. The result was a natural world-wide upsurge of sympathy for the cause of Bangladesh, but it also successfully camouflaged the attempt of some countries to further their narrow national interests by exploiting the tragic situation and taking advantage of the internal conflict of a smaller power.⁵⁹

India's interest and involvement in political happenings in East Pakistan during 1969-70 were closely linked with her constantly tense and bad relations with Pakistan. As the United Nations Secretary-General U. Thant pointed out in his Annual Report of 1971: "The relations between the governments of India and Pakistan are also a major component of the problem (Bangladesh crisis) . . . The crisis is

unfolding in the context of the longstanding and unresolved difficulties which gave rise to open warfare only six years ago (i.e., in 1965)⁶⁰ From the very beginning of the crisis, Pakistan complained of India's involvement and calculated wish to dismember Pakistan. Her fears were confirmed by the views expressed at a symposium organized by the Indian Council of World Affairs on March 31, 1971 (i.e., within six days of the outbreak of the revolt in East Pakistan) at which some Indians agreed with the candid statement of K. Subrahmaniyam, Director of the Indian Institute of Defence Studies: "What India must realize is the fact that the break-up of Pakistan is in our interest, an opportunity the like of which will never come again."⁶¹ It was further stated at the same symposium that the Bangladesh crisis provided India with the 'opportunity of the century' to destroy her number one enemy, Pakistan.⁶²

Even more significant, however, was the Indian government's immediate reaction to the crisis. Less than forty-eight hours after the Pakistan Army action, Mrs. Gandhi said in Lok Sabha: "We are deeply conscious of the historic importance of this movement . . . I would like to assure the honourable members who asked whether decisions would be taken on time, that obviously is the most important thing to do. There is no point in taking a decision when the time for it is over."⁶³

India is never tired of preaching mediation, conciliation, good offices and other peaceful methods of settling disputes to other nations, particularly the Western ones. But when her own national interests are involved in any matter, whether Kashmir or Goa, or the Himalayan Kingdoms of Bhutan, Sikkim, Nepal and Nagaland, India has consistently refused any counsel of mediation by the United Nations or by any third party. The same was true of India's record in the Bangladesh crisis.

No observer of India's record at the United Nations whenever any matter involving her interests was taken up would be 'puzzled'. While India made a hue and cry about her 'terrible burden' as a result of the influx of millions of refugees, she repeatedly refused to

allow United Nations observers to facilitate the return of refugees to their homes. India insisted that only after a political settlement, which must be the dismemberment of Pakistan and the creation of a new country, could the refugees return. It was an extraordinary demand.

If India's actions are accepted by the students of International Law as legal, the territorial integrity of any smaller country will not be safe and it will be a negation of all principles and premises of the United Nations Charter.

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Cow-killing as a Factor of Socio-Political Dichotomy in South Asia : A Case Study of Cow-killing in the British Punjab, (1849-1901)

IKRAM ALI MALIK

Cow-killing posed a grave problem for public peace and communal harmony in British India. It contributed a major role in Hindu-Muslim estrangement and caused most of the riots.¹ The Hindus regarded cow as a sacred animal, whereas other communities killed it for food and sacrifice. During Muslim rule, cow-killing was controlled and, at times, discouraged. The Marhattas, during their domination around Delhi, prohibited it in Hindu neighbourhoods.² The Sikhs were also severely opposed and made the butchers their special targets during their raids in the Punjab.³ Ranjit Singh strictly banned it and gave capital punishment to the offenders.⁴ The British allowed it under certain restrictions in Delhi and East Punjab. They themselves used beef, large quantities of which were also consumed in the army. Cow-slaughter was allowed at unobjectionable sites in order to make it least offensive to Hindus and Sikhs. Shops for sale were restricted and permitted under licence and in Muslim quarters.⁵ Same policy was adopted after annexation of the West Punjab (Sikh kingdom) in 1849. The Multan authorities were the first to raise the question by seeking permission for supply of beef for the European troops. Lt. James, acting Resident, doubted the advisability of permitting cow-slaughter in the city. The Punjab Board of Administration, however, did not agree and favoured permission for use of beef as food, under certain

conditions, as in the East Punjab. According to it, though Islam did not enjoin its use, prohibition since Sikh rule had become a sign of Muslim degradation and Hindu victory. Queen's Proclamation (of 24 March 1849) was not meant to perpetrate persecution or enslavement. Restriction had not so far been removed due to deference to the Sikh monarch. The Board, therefore, recommended lifting the ban under certain conditions and in Muslim areas. District Officers were to see that the permission did not upset peace in their areas. They were to fix sites for slaughter houses, at least 300 yards away from any public thoroughfare. It was, however, in no circumstances, to be allowed in cities, towns or villages of mixed Hindu-Muslim population. Even when slaughtered outside, meat was to be brought in, under proper cover, and any body contravening these rules was to be severely punished. Governor-General Lord Dalhousie also concurred with Board's recommendations and interpretation of Queen's proclamation. He remarked that no person were to be allowed to interfere with the practice of his neighbour, of customs, which that neighbour's religion permitted. The non-Muslims could not, therefore, be permitted on ground of their religious tenets to prevent Muslims preparing food which the Queen did not forbid. Dalhousie's letter was circulated to all civil and military officers, for strict compliance of the policy laid in it.⁶

The new rules permitting cow-slaughter were of a general nature and, not elaborate enough to meet varying conditions in the province. The area under Punjab government was too large, extending from Delhi to Peshawar, and contained areas differing in history, customs, practice and communal composition. It was very difficult to maintain strict vigilance, as a result of which discontentment arose, from time to time, at various places. In 1846, the Hindus of Panipat closed their shops, as a protest against unrestricted cow-slaughter. The Collector, therefore, licenced and reduced the number of beef shops to twenty-four. Muslims could, however, open new shops in their own neighbourhoods and with permission of the authorities. In 1859, the Hindus again protested against exposed sale and violation of Collector's orders. The Collector, thereupon, ordered strict compliance and directed the butchers not to open any new or unlicenced

shops.⁷ In 1863, two honorary magistrates (one Hindu and one Muslim) of Amritsar punished a person for hawking beef in a Hindu locality with three months' imprisonment and Rs. 50 fine under section 291 of the Indian Penal Code. They held that sale of beef had always been prohibited in the city. The Deputy Commissioner, however, did not approve. He contended that no such order existed on record. The same year, Session Judge Amritsar and Judicial Commissioner Punjab maintained that sale of beef was never prohibited in the city nor was the ban permissible under criminal law. District Magistrate could order a temporary prohibition and of local nature under procedural code, at places, for example, of Hindu resort and religion, where its sale or possible exposure could endanger public peace. The Hindus quietly acquiesced as the facility was not greatly abused by the Muslims.⁸

With time and increase in cow-slaughter, caution could not however, be maintained. There were several complaints regarding exposure and hawking. In 1869, the Municipal Committee imposed a tax of eight annas on each cattle killed in the slaughter-house and farmed its collection to the butchers. This also resulted in increase in the cow-slaughter. There was considerable resentment among Hindus and Sikhs particularly the Akalis. One Dewa Singh took and placed a cow-bone before the Granth in the Golden temple. This caused an immediate uproar resulting in several affrays between Hindus and Muslims, and threats to the butchers. The local administration tried to pacify and told both the parties that there would be no change in government policy. Cows would be slaughtered as previously in the slaughter-house while exposure and shops for the sale of beef would remain prohibited inside the city. Resentment, however, continued and Hindus stopped buying from Muslim shopkeepers. On 14 June 1871, four butchers were killed and several injured in an attack on the slaughter-house. A month later, a similar attack was made on butchers in Raikot. Both the attacks were perpetrated by the Kukas, a fanatical sect of the Sikhs. Several of them were severely punished and various restrictions, imposed on their movement.⁹ The Kukas retaliated by attacks on Malodh fort and Malerkotla in January 1872. Both were repulsed with heavy

casualties.¹⁰ According to the Punjab government, the purpose of their raids was to obtain arms and create disturbance in the province.¹¹

In 1873, resentment again arose in Panipat over the alleged exposure and unauthorised sale of beef. This was attributed to negligence of local administration and absence of bye-laws regarding management and supervision of cow-slaughter. The slaughter-house was also situated near a road leading to Hindu bathing *ghats* and places of their religious fairs. No care was taken for sale of beef. The Commissioner, therefore, recommended that the number of twenty-four shops fixed in 1846 should be maintained. Those which had been shifted without authority to objectionable sites should be transferred to Muslim quarters at expense of the owners. Licence should be displayed on each shop and beef, sold with care and under proper care. It should be brought from the slaughter-house, only at night and in substantial and properly covered baskets. No new shops should be opened without licence and Commissioner's approval. The Commissioner also recommended framing of bye-laws in Municipal rules, for proper control of the slaughter and the sale.¹²

The Lt. Governor while approving his measures, did not agree over his last suggestion. He contended that he had already got ample powers by virtue of the orders of January 1873 regarding sale of beef in Panipat. In addition he could also punish the offenders under Punjab Laws Act (IV) of 1872.¹³

The Punjab Laws Act contained only two sections regarding slaughter of kine and sale of beef. Section 43 was too brief and prohibitive in nature. It only stated that "the slaughter of kine and the sale of beef shall not take place except subject to rules to be, from time to time, either generally or in any particular instance, prescribed by the Provincial Government."¹⁴ Section 50 provided for punishment of the offenders to a fine of Rs. 50 or imprisonment. No rules were, however, framed or elaborated under this section. This was pointed out by the Punjab Chief Court in a ruling on decision of the Assistant Commissioner, Montgomery sentencing a few persons to a fine of Rs. 100 or three month's rigorous imprisonment each for slaughtering cow in the town. Judge C. Boulnois favoured remission

of the sentence. According to him, the offence had not been complete under section 295 of the Indian Penal Code. Moreover, it was quite possible that the persons had slaughtered cow for their own convenience. Judge C. R. Lindsay opposed interference on the plea that the cow had been slaughtered against custom, for the first time in the town and to offend Hindus and that the offenders had been tried and punished by two courts i.e., Assistant Commissioner Montgomery and Commissioner Multan. Judges Campbell and Boulnois wrote that the cow had been slaughtered at a private place without intent to insult Hindus. When law permitted Muslims to establish slaughter-house for purpose of food, no restriction could be imposed upon cow-slaughter of any kind. Act IV of 1872 contained rules prevalent on the subject. These were based upon Punjab Board of Administration's letter No. 6 dated 10 April, 1849 addressed to Lt. James, Government of India's confirmation letter No. 175 dated 25 April, 1849 and Board's circular No. 85 of 5 May, 1849. It was clear from these that cow-slaughter was prohibited except at places approved by local authorities. Section 50 of Act of 1872 contained provision for fine of Rs. 50 or imprisonment for the offenders. The Judges, therefore, recommended reducing the fine to Rs. 50 and remitting it in case the offenders had completed the period of their imprisonment. They also called upon the government to immediately frame clear and elaborate rules on the subject and publish them every year.¹⁵ The Punjab Government, however, did not agree. It maintained that the rules so far in force were sufficient and did not need any change. It, however, promised to consider the advisability of publishing them every year and to inform the Court, accordingly.¹⁶ In 1876, Deputy Commissioner Gurdaspur also pointed out the difficulties due to absence of rules under section 43 of the Punjab Laws Act. According to him, without these rules it was difficult to implement the provisions of section 50. The Punjab Government reiterated its position that the rules in force needed no change or addition.¹⁷

In September 1881, a serious riot occurred in Multan over the question of cow-slaughter and importation of beef into the city. Relations between Hindus and Muslims had been strained due to

conflict over the height of the Praladhपुरi temple. In April, a butcher, while bringing beef, inadvertently exposed it in a Hindu area. The Deputy Commissioner immediately fined him Rs. 5 and restricted the importation of beef through a particular route inhabited chiefly by Muslims. The Hindus, instead of being pacified, strongly protested against this order. They maintained that beef had never been allowed in the city and that several butchers had, in the past, been punished for violating it. They also protested against sale of cooked beef. The local administration and Punjab Government rejected both the demands. They held that the rules of 1849 allowed importation and sale of beef and did not prohibit that of cooked beef. The Lt. Governor regarded Hindus' demand for opening shops for *jhatka* meat as an innovation and intended to offend Muslims. After the Commissioner's permission to Hindus to open these shops, Muslim butchers also demanded permission to open shops for sale of beef and lifting of ban to bring it only through a particular route. The Deputy Commissioner rejected the first but accepted the second demand as the fixation of route had failed to conciliate the Hindus. Moreover, it was an innovation, involved a long and circuitous route and was unsustainable after the Hindus had been allowed to bring *jhatka* meat through any route. The Hindus considered it as an hostile act and closed their shops on 19 September. On 20 September, a group of Hindus attacked a butcher, while he was bringing beef, and scattered it in the main bazar. This immediately started the riot during which both the communities freely used arms and attacked each other's religious places. It resulted in one casualty, injuries to several persons and considerable damage to property and places of worship. The Deputy Commissioner, in order to pacify feelings and avoid recurrence of riot, imposed a temporary ban on the importation of beef and *jhatka* meat. The Commissioner did not approve as this was likely to encourage use of violence for the acceptance of demands. According to him, the slaughter-house for beef had been in existence for thirty two years and the problem could be satisfactorily solved by fixing a route. The Lt. Governor also concurred and directed the Deputy Commissioner to lift the ban immediately. He contended that those wishing to use beef as food could not be deprived. Certain

rules had been framed to regulate cow-slaughter, for maintenance of peace and communal harmony. The temporary ban on beef, despite the approval of Hindu and Muslim leaders, was essentially an act of surrender to violence. Its use was quite old, whereas Hindus' demand and use of *jhatka* meat was an act of aggression and intended to offend Muslims. Hindus could buy mutton from Muslim butchers, whereas Muslims had been totally deprived of the facility of beef. The Secretary of State for India also laid down that government's policy had, from the beginning, been to allow reasonable freedom in religious affairs of all communities and races, provided it did not offend others' religious feelings.¹⁸

In 1883, a minor disturbance took place in Delhi, after some Muslims tried to slaughter a cow. As a result, several persons were injured and interned for breach of peace.¹⁹ This incident considerably strained relations between the two communities. These were worsened by rapid increase in cow-sacrifice at Eid-ul-Azha.²⁰ In October 1885, some Muslims killed a few bullocks and distributed their meat on the occasion of letting water into the Umar Khan canal in Isa Khel (District Bannu). The Hindus reacted very strongly and closed the channels flowing into the town. According to them, the water had been polluted by bullocks' blood. The Muslims maintained that the animals had been killed at a distance from the canal and that it was customary to make offerings on the occasion, out of the canal charitable fund. Two days later i.e., on the night between 16 and 17 October, some pieces of beef were thrown on the Dussehra procession. This further excited the Hindus and strained relations between the two communities. The conflict was resolved by a compromise by which it was decided that bullocks would, in future, be sacrificed at a distance of one mile, at the time of letting water into the canal. The Hindus expressed hope that those responsible for throwing beef on the Dussehra procession would be caught and punished by the authorities.²¹

In the subsequent years i.e., from 1886 to 1893, a number of riots occurred in the Punjab. Nearly all of these were caused directly or indirectly by the question of cow-slaughter. Hindus were worried

South Asian Economies During 1970s : An Overall View

M. L. QURESHI

NATURAL AND MANPOWER RESOURCES

Economic Growth and Structural Change

The region is very poorly endowed with natural resources. It has 20 per cent of the population of the world but only 3.31 per cent of the land area. The region's endowment in respect of other natural resources is even worse. It has less than one per cent of the world's resources of brown coal and lignite, crude petroleum, natural gas, antimony, copper, gold, lead, magnesite, magnesium, silver, Tungsten, zinc, asbestos and diamond. The meagre natural resources other than land are very unevenly distributed within the region, for the bulk of them are concentrated in India. However, the region is rich in respect of the resources of the Himalayas and the resources of the sea. Thus the region can partly make up for its deficiency in natural resources by the development of the resources of the Himalayas and the sea. This can be done only on a co-operative basis by all the countries acting jointly. There is a strong case for co-operation amongst them.

Population

The region had a population of 848 million in Mid 1979. The population was growing at the rate of 2.2 per cent during 1970-77 compared with a growth rate of 1.7 per cent for the world as a whole,

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over the rapid increase in cow-killing. Their revivalist movements, especially the Arya Samaj stressed upon the revitalization of Hindu society and religion by return to Vedic teachings. Protection and veneration of cow figured prominently in their programme. Advanced in modern education and politically alert, the Hindus felt themselves strong enough to assert and defend their religious rights. This played an important role in the growth and development of communalism and in precipitating the riots.²²

The first riot (during this period) occurred at Ambala on 9 September, 1886, i.e., one day before Eid-ul-Azha. The local administration, on a complaint by some Muslims, ordered a slight change in the route of the procession of Hindu festival of Bawan Sawadasi. Despite approval by the organizers, the Hindus refused to accept the change. They placed their idols on the road and refused to take them to the burial place.²³ Later, they alleged that the Muslims had been openly cooking beef and hurling objectionable flags near the place where they used to assemble their idols. Next day, while holding a meeting outside the city, they caught a few butchers, bringing beef in open carts. According to them, police refused to arrest or take any action against the offenders.²⁴ This exasperated them and turned the assembly into an uncontrollable crowd. They refused to disperse when ordered by the Deputy Commissioner, as a result of which police used sticks and swords and arrested fifty persons.²⁵ According to the Commissioner, the Hindus had been assembled for several hours and it was quite natural for the butchers to pass that side with their load.²⁶

The second riot took place in Ludhiana on 10 September 1886. Several days before, the Hindus had informed the Deputy Commissioner that the Muslims intended to sacrifice cows on the Eid. The Deputy Commissioner did not take any notice, as according to him, cow sacrifice was not possible.²⁷ The Hindus were not satisfied and were determined to stop any attempt at the sacrifice. They were, therefore, prepared and had closed their shops on the Eid morning.²⁸ When Muslims were busy in their prayers, a rumour got round that one Haji intended to sacrifice cow in his house.²⁹ In the meantime,

some Hindus saw two children bathing two cows in a tank. When asked, they were told that the cows were meant for sacrifice. The Hindus raised alarm, as a result of which a crowd gathered outside the house of the intended sacrifice. On search by the Superintendent of Police, a cow was found lying on the ground.³⁰ The Hindus insisted that the other had been sacrificed and its meat, taken out from the rear door. After some time, a party of them caught four persons carrying beef in the main bazar. They insisted that the meat was of the cow sacrificed in the Haji's house.³¹ They maltreated the persons and took them to the police station. The Muslims also gathered and it soon turned into a riot. The Muslims maintained that the meat was being brought from Cantonment and in accordance with the municipal rules.³² The Hindus who were prepared for the disturbance, used it to press their demand for total prohibition of cow-slaughter.

In October, serious riots took place in Delhi and Hoshiarpur on the simultaneous incidence of Muharram and Dussehra festivals. The background for these too, was, to a large extent, provided by the question of cow-slaughter. In Delhi, there had been considerable increase in cow-sacrifice over the past few years. The Hindus were excited and wished to control and bring an end to it. They even offered to forego the Ram Lila procession on Dussehra, provided the Muslims sacrificed cows outside the city. The Muslims did not agree as they considered it against the past practice.³³ Resentment was also caused by a Maulvi's refusal to return—even at a higher price—a cow which had previously been presented to a Brahmin.³⁴ In Hoshiarpur, a few Maulvis were punished for slaughtering cow in 1885. This created resentment and proved an important factor for precipitating a clash on Muharram.³⁵ The Commissioner described it as a result of Hindus' aggressive movement for cow-protection.³⁶ Next year, special precautions were adopted in the affected places. In Ludhiana cow-sacrifice was permitted only in the two slaughter-houses, outside the city. Extra-ordinary steps were taken to keep peace. Deputy Commissioner and police officials maintained strict vigilance and even escorted Muslims through Hindu neighbourhoods. A total number of 123 cows were sacrificed at the two slaughter-houses

and the day passed off without any disturbance.³⁷ Similar steps were taken in Delhi. Sacrifice was prohibited inside the city. Except for a minor clash in which 125 men were involved, the Eid passed off quietly. Cows were, however, sacrificed in the suburban locality of Shahdara.³⁸

In January 1888, the Commissariat Sergeant of Second Battalion of Wiltshire regiment slaughtered two cows in an open ground on Grand Trunk road, near a Hindu tank and at a short distance from the main bazar of Gujar Khan. The Hindus reacted strongly and soon a small crowd assembled near the spot. They demanded the cows to be removed to the farther end but the Sergeant paid no attention and even maltreated some of the objectors as a result of which Hindus sent wires to civil and military officials.³⁹ Sergeant's action was generally condemned as ill-advised and obstructive. The Deputy Commissioner criticised him for fixing the place away from the part of the encamping ground marked for slaughtering cattle.⁴⁰ The military officials suggested marking off a portion of each encamping ground and erecting walls around it.⁴¹ The local administration did not agree. The Commissioner recommended lineating places for slaughtering cattle by erecting pillars or walls on every encamping ground situated in the vicinity of city, town or village. He also advised issuing strict orders to officials of the Commissariat to select places for slaughtering cattle away from population or places of resort e.g., graveyard, bathing tanks, groves etc. Those violating should be strictly dealt with.⁴² The Lt. Governor also concurred. According to him, though there was no restriction on slaughter in encamping grounds, places for it should be selected in such a way as to provide least objection to Hindus and Sikhs. He requested the Central Government to inform all British officials, passing through the province, to observe this rule. He also advised them to periodically inquire from the local officials about the past practice at encamping grounds. They should, in the final analysis, be fully aware of the grave consequences resulting from negligence of the past practice and want of precaution.⁴³

In January 1888, some persons complained to the Hindu Vice-President of Ferozepur Municipal Committee that a few butchers

were slaughtering and selling beef without permission, in the adjoining villages.⁴⁴ On 20 January, two Hindu members of the Committee caught some Muslims and took them to the police station, for exposure and sale of beef in the town.⁴⁵ It seems that shops for sale of beef had been closed in the town and beef, brought from the cantonment.⁴⁶ In February two butchers, Juman and Dhummi applied to the Deputy Commissioner for permission to open shops for sale of beef in the adjoining villages. Dhummi contended that he owned a shop in Basti Mulla Bhattian, but it had been closed by the Municipal Committee, seven years ago. He also requested that since a person had already been permitted in the locality, he should be given preference as an old trader and previous owner of a shop.⁴⁷ Juman also requested for permission to open slaughter-house and offered to pay Rs. 100 as a tax to the Committee.⁴⁸ The butchers also attached copies of old documents showing that cows were slaughtered and beef, sold in the town. On 20 February 1857, Assistant Commissioner had directed the Tehsildar not to interfere in the sale of beef, on a petition by a butcher Ruldoo. Similarly in 1869, the Deputy Commissioner had rejected Tehsildar Gurdial Singh's recommendation for closure of a slaughter-house maintained by Dhummi and others. He held that since the butchers had been living since long with permission of owners of the village, it did not call for any interference. Deputy Commissioner forwarded both the applications to the Municipal Committee for report and necessary action. Din Mohammad, Extra Assistant Commissioner and President of the Committee and Fateh Singh Tehsildar strongly opposed the opening of any new shop or slaughter-house within the municipal limits. Muslim members of the committee and *lambardars* of the adjoining villages were also disinclined towards the permission.⁴⁹ The committee, therefore, in its meeting on 6 April, passed a unanimous resolution for rejecting the applications. It also called upon the Deputy Commissioner to order closure of any shop which had been opened without permission and to accept its recommendation in view of the unanimous decision and support of all Muslim members and *lambardars*.⁵⁰ The Deputy Commissioner was, however, in favour of permitting the shops. He

maintained that slaughter-house and shops had previously existed in the city but their location and dates of closure were not known from any record available in his office.⁵¹ Dhummi's shop had existed in Basti Bhattian for a long time.⁵² He enquired from the Commissioner whether any record or vernacular order regarding their existence or closure existed in his office. The Commissioner, in his reply, agreed with the evidence by the *lambardars* that no slaughter-house ever existed in Ferozepur city. Cows might have been slaughtered in courtyards of the shops meant for sale of beef. This was quite possible in view of the vicinity of cantonment slaughter-house. It was also apparent that no slaughter-house or shop existed in the city or suburbs for some years. He disapproved Deputy Commissioner's decision to forward butchers' applications to the Municipal Committee. According to him, Committee's authority in this regard was only permissive and it had no power to punish the offenders. Moreover, Ferozepur committee had not formulated any rules on the subject. It was, therefore, inadvisable to seek opinion from or forward applications to it. District Magistrate was the only competent authority to manage and control slaughter and sale of beef. In the end, he permitted him to select sites for slaughter-house and shops if he was satisfied that the cantonment slaughter-houses were at an inconvenient distance and that there was demand on part of substantial portion of the population for beef, and to allow reopening of shops with usual conditions if he believed that beef could not be easily brought from cantonment. He also directed him to invite objections regarding their sites, under the rules of 1849.⁵³

The Acting District Magistrate J.G.M. Rennie, in the absence of Deputy Commissioner, permitted Juman to re-open his shop in Basti Mulla Bhattian. According to him, he found one shop already established near the Mall. He had also decided, in accordance of the wishes of the Deputy Commissioner, to permit slaughter-house but postponed action because no suitable site was available and its demand was not pressed.⁵⁴ On 1 July, Hindus held a large meeting to protest against the opening of two shops. President Pandit Mulraj called upon the authorities to close the shops for sake of

peace and communal harmony. According to him, both the communities had been living in amity and had shown remarkable cooperation on the last Muharram and Dussehra festivals. The butchers held no position and had no interest in peace of the city. There had been no demand or request for the shops. Majority of Muslims were also opposed to the decision. The meeting resolved to send a memorial to the government for closure of the shops. According to it, cow-slaughter had been the worst enemy of Hindu-Muslim relations. The meeting also appointed a sub-committee to implement its decisions and also to send them to all newspapers.⁵² Deputy Commissioner regarded the newspaper accounts of the meeting as highly exaggerated. According to him, most of the Muslim participants had been regretting and blamed Qadir Bakhsh of Kasur for misleading them. The meeting had been arranged by two Hindu pleaders and its resolutions, circulated far and wide, but its importance could be gauged from the fact that its incidence was known neither to the District Judge nor to the Superintendent of Police. He recommended the establishment of slaughter-house in courtyards of the shops for beef, with the usual precautionary measures. He also favoured permission for more than one such slaughter-house. According to him, this system had previously existed in the city. Rennie had permitted the establishment of only one shop during his absence. Shops for sale of beef had always existed in Ferozepur and were permissible, with precautions under the rules of 1849. A considerable portion of the population demanded facility for supply of beef. These people were not as articulate as the Hindu pleaders. He also attached a petition signed by more than one thousand Muslims demanding opening of shops for cow-slaughter and sale of beef within the municipal presincts. The Deputy Commissioner also recommended equal and impartial treatment to all communities. The rules of 1849 were applicable to the whole province and were not restricted to any particular area. These had been in force for forty years and no old shops had been closed. Government should not be afraid of any community. Muslims also had a right for cheap and wholesome food. The rules provided

reasonable protection for Hindus' feelings. Their opposition was, therefore, wrong and unjustifiable. If not suppressed, they would oppose use of beef by classes other than the Muslims.⁶⁶ The Muslims' petition contended that shops for slaughter and sale of beef had existed since long and had never caused any disturbance or breach of peace. The Hindus had lately started a movement for their closure and were motivated mainly due to Muslims' poverty and backwardness. The meeting of 1 July was attended mostly by those Muslims who were in debt or under obligation to the Hindus. In view of their general poverty and recent scarcity, Muslims could not afford to buy mutton. Shops for beef were in existence throughout India. They, therefore, demanded permission for slaughter-houses and shops for sale of beef in Ferozepur as well.⁶⁷

The Commissioner, during his visit in August found three shops and one slaughter-house. Although situated in Muslim *bastis* (localities) and invisible from public thoroughfare, two of these shops were unauthorised. The slaughter-house, also without permission, was near a road and surrounded by low walls. This was, therefore, immediately closed. The Commissioner did not agree to permitting of cow-slaughter in courtyards of the shops. These were permissible neither under the rules, nor by principles of public health. He also criticized the district administration for allowing unauthorised shops and slaughter-house and for disregarding his previous instructions for soliciting objections before granting permission for any shop. He promised not to compromise or surrender on any of the rules regarding slaughter or sale of beef. According to him, strict adherence to these could ensure balance between the two communities and successfully face the anti-cow-killing movement. He had made this clear to all those who met him in the city. A genuine and real desire for supply of beef had not so far been created in a substantial part of the population. The Muslims' petition therefore did not call for serious consideration as several Muslim notables, members of the municipality and *lambardars* of the *bastis* had signed the anti-cow-killing memorial to the Lt. Governor.⁶⁸ He also proposed to the Lt. Governor to debar municipality members from participating in

any activity directed to change rules for cow-slaughter.⁵⁹ The Lt. Governor generally concurred with him and approved his orders on the Hindus' memorial. He also observed that the rules of 1849 had primarily been meant for the newly-annexed parts of the province. Though still in force under the Punjab Laws Act, action had, since long, been taken regarding selection of sites for slaughter-houses and shops. District authorities should, therefore, take long to believe that Muslims' requirements had not been met in this regard. Applications for new sites, without solid proof for real need, should be discouraged while those prompted by religious rivalry, summarily dismissed. The matter should better be raised as little as possible. Though respecting majority's feelings, they should also keep in mind consequences of their decision. There was no need and especially the present case did not call for any general order for debarring municipality members from taking part in anti-cow-killing activities which were carried on, in various parts, in different forms and degrees. Moreover, some of the objections on the decisions of the local administration were quite valid and supported by several Muslim notables.⁶⁰

In February 1888, the Punjab Chief Court set aside a decision of the District Magistrate Rohtak who had sentenced seven persons with imprisonment and fine, for slaughtering cow in the city. The Court maintained that there was no law against cow-slaughter in the city. The Punjab Government had not prescribed any rules for Rohtak, after the Act (IV) of 1872 or before the Act (XVII) of 1878. Deputy Commissioner's order of 1 March 1878 could not be accepted as a rule prescribed by the local government. Similarly, the rules on the subject, if contained in the circular of 1849 could not be described as such under sections 43 and 50 of the Act (IV). It was also not clear whether these had been extended to Rohtak district before or after its promulgation. Moreover, section 43 did not prescribe any punishment for the offenders. Section 50 contained provision for punishment for breach of any rule in the Act, but the Act of 1878 which had considerably amended it, did not contain any such provision.⁶¹ The judgement upset the status quo and removed any inhibition practised with regard to cow-slaughter in the city.⁶² It excited the Hindus who made two representations to

the Lt. Governor at Jhind and Lahore. The judgement, therefore, considerably affected the communal relations and finally led to a serious clash during Muharram in September 1889.⁶² The opportunity was provided by sacrifice of a cow by a few Muslims on Eid-ul-Azha on 8 August 1889. Though performed in an enclosed courtyard in a Muslim neighbourhood, the Hindus reacted strongly when they came to know of it through an Ahir girl who had accidentally entered the courtyard to deliver a message. They gathered near the house and a party led by prominent *baniyas* complained to the Deputy Commissioner and Superintendent of Police, against violation of their religion. The Deputy Commissioner instructed the police to remove the carcass to the slaughter-house and arrest those responsible for the sacrifice. The carcass was removed in the evening through Deputy Commissioner's personal efforts. Though displeasing to the Muslims, it appeased the Hindus who felt satisfied that the injury to their religion had been remedied. Two days later, feelings, however, again erupted when the Muslims came to know that the Hindus intended to build a memorial for the sacrificed cow. The Hindus closed their shops and snapped all ties with the Muslims. They demanded total ban on cow-slaughter, whereas the Muslims insisted upon their right to sacrifice in their homes, as practised in the past and in several adjoining towns.⁶³ On the Eid, seventeen cows had been sacrificed in other parts of the city without any intention to injure Hindus' feelings. The cow in question had been sacrificed in an enclosed courtyard and as privately as possible.⁶⁴ They also alleged that the Hindus' movement was restricted to India and only against Muslims, as their own students going abroad ate beef freely. The Deputy Commissioner held several meetings with leaders of both communities and advised them to maintain order in the city. He told the Hindus that their demand could not be accepted as there was no prohibitive law against cow-slaughter in the city. In several neighbouring towns, Muslims performed their sacrifice at their homes. He, therefore, advised them to wait for government decision on the matter.⁶⁵ The Hindus, however, continued in their aggressive attitude. They established *panchayats*, maintained boycott of Muslims, collected funds for law suits and

instigated Jats of the neighbouring villages, which finally resulted in a serious clash on Muharram in September.⁶⁷ Though recommending that sacrifice should be restricted to certain places or parts of the city, the Deputy Commissioner stressed that no community should be allowed to misuse religious freedom and toleration provided by the government, to impose its wishes or interfere in religious customs of the others, especially when performed in privacy.⁶⁸ The Commissioner remarked that Hindus' demand for total prohibition was unreasonable in view of their strained relations with the Muslims. They could have expected latter's cooperation only as a favour and in reciprocity. He, therefore, recommended that the sacrifice should be restricted only to slaughter-houses. Though unable to meet Hindus' demand, it would take away any excuse for disorder.⁶⁹ The Lt. Governor also agreed that the Chief Court's decision had strengthened Muslims' stand and paved the way for the riot. He maintained that the disturbance was the result of accidental knowledge of the sacrifice and had not been planned by Arya Samaj or the *baniyas*. The problem had assumed a serious nature and demanded immediate attention.⁷⁰ The Governor-General-in-Council also agreed with him and called upon him to immediately submit proposals for rules for the control of cow-slaughter, under section 43 of the Punjab Laws Act.⁷¹

In July 1890, the following rules were framed and notified by the Punjab government. Cows were to be slaughtered only at places fixed, under and in accordance with a licence granted by Deputy Commissioner. The places which had been permitted by a municipality or cantonment authority or had been in continuous use for the past three years, were deemed to have been licensed until required by Deputy Commissioner to obtain licence in writing. Similar conditions were prescribed for the shops for sale of beef. It was not to be exposed or hawked about outside the slaughter-house. Deputy Commissioner could also refuse, suspend or withdraw licence if he considered any site objectionable or superfluous. He could also, with Commissioner's sanction and, in urgent cases in its anticipation, prohibit slaughter or sale at any place, hitherto licensed for the purpose and appoint some other place or places, or temporarily