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Thought for the Month

The unbelievers will be
Led to Hell in groups:
Until, when they arrive there,
Its gates will be opened.
And its keepers will say,
"Did not messengers come
To you from among yourselves,
Rehearsing to you the Signs
Of your Lord, and warning you
Of the Meeting of this Day
Of yours?" The answer
Will be: "True: but
The Decree of Chastisement
Has been proved true
Against the unbelievers!"

Al-Quran- 39:71

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FOCUS

Historically significant moments arise in the biography of any polity, when it is compelled to rethink, reconsider, and renegotiate the basic norms that it has adopted as the foundations of its political practices. It may be so compelled because these norms have been submerged in acrimonious and irreconcilable controversies, or because experience may have simply proved them redundant, or because other more appropriate and attractive political options may have appeared on the horizon. Whatever the specific cause may be, such moments will involve a profound re-envisioning of the political, and correspondingly, a re-examination of the precepts and practices that have governed the polity to date.

If a polity wishes to retain its relevance for the wider society, it will be obliged to evaluate its foundational and normative considerations in light of new reflections and provocations at such historical moments. In these circumstances, polities normally pursue either or all of three options: they adopt new norms that hold the promise of relevance; jettison the ones that have lost their relevance, and strengthen those precepts whose relevance has been established and validated, in and for the body politic.

As we stand poised to appraise a little over half a century of India's experience with democracy, such a historically significant moment has arisen in our society. Practical experience with, as well as some very significant critiques of our basic precepts, have compelled us to reconsider the foundational norms that we had adopted at Independence. It is time that we take stock at it were, of our historical experience; of the problems as well as of the achievements that attend these experiences, of the current situation, and of disputes and provocations. It is time we decide the direction that we should take in order to preserve the spirit of our democratic life. Now, as a prerequisite to this activity, we need to evaluate which of these foundational norms should be strengthened, which should be modified, and which need to be jettisoned. Correspondingly, we can embark upon this venture only when we reconsider our experience in the light of political practice, contestation over these practices, the debates arising out of these contestations, and the alternatives that are on offer.

Several important debates have appeared on the political horizon in recent times, but one of the most crucial and urgent of these debates revolves around the relationship between religious groups in the body politic. For, as I argue shortly, the debate foregrounds the democratic credentials of our society. The debate itself has been prompted by a combination of two explosive political events. One, the recurrence of communal riots, and the covert as well as the overt violence that marks the relationship between the Hindu majority and the Muslim minority, has sparked off a major discussion on the nature of secularism. Some theorists have begun to wonder whether the concept is either adequate or appropriate for our historical and political situation. The other occurrence that has provoked a significant debate, has been the rise and consolidation of what has been referred to as majority fundamentalism or *hindutva*.

From Beyond Secularism by Neera Chandhoke, pp. 1-2

Activities of the IOS Headquarters

Two-day International Conference on India and Muslim World in the 21st Century

A two-day international conference on “India and the Muslim World in the 21st Century” was held on February 15-16, 2013 at Constitution Club, Anexe, Rafi Marg, New Delhi with a recitation from the holy Quran by Maulana Abdullah Tarique. The programme was organised by the Institute of Objective Studies (IOS) at the Constitution Club.

IOS General Secretary Prof. ZM Khan welcomed the guests and introduced the IOS in its 27th year of existence. He talked about the considerable research and publication, seminar and symposia the institute had done so far, as well as about its year-long Silver Jubilee celebrations, over which period it organised 14 international seminars across the country. He also talked about its proposed university.

The conference was formally inaugurated by Union Minister of Minority Affairs, K Rahman Khan, who hoped that India and the Muslim world would unite to prevent the mistakes of the 20th century, which was marked by colonial exploitation and monumental violence.

He said India, “the largest and highly successful democracy”, had a long history of relationship with the Muslim world and Islam, which preaches peace and unity of humanity.

Earlier, the guest speaker Union Minister of Water Resources Harish Chandra Rawat said, “Indian Muslims are an integral and most shining part of our composite culture.” He regretted that Sachar Report notwithstanding, challenges facing the Muslim community were yet to be addressed coherently. In many cases direct

Central intervention was required to set things right.

Areas like health, education, skill development, financing and livelihood needed such Central intervention.

He said divisive issues like temple-mosque controversy were the creation of people who thrived on such division. “The time for such politics is over,” he announced. People from all segments, including minorities and SCs-STs, had an equal right to the country’s resources.

Mr Rawat said that the same law that applied to Muslim terrorists had to be applied to the perpetrators of Jaipur, Malegaon and Samjhauta Express blasts, who were not Muslims.



L-R: Prof. Z.M. Khan, H.E. Mr. Abdul Rahman Ghannam M. AlGhannam, Mr. Harish Chandra Singh Rawat, Mr. K. Rahman Khan, Dr. M. Manzoor Alam, Maulana Dr. Saeed Al Azami Al Nadwi, and Prof. Aftab Kamal Pasha

“The law of the land should be the same for everyone. We cannot have two sets of laws; one for Col. Purohit, another for Muslim youth,” he concluded.

Dr Aftab Kamal Pasha, Director Gulf Studies Programme, Centre for West Asian and African Studies, JNU, observed that for centuries the Indian Ocean was called a “Muslim Lake.”

Even before Islam, people from Yemen, Oman and other Arab lands had close trade and cultural ties with India. The Abbasids established Baitul Hikmah (House of Wisdom) in Baghdad that was a seat of learning where Indian and Arab scholars interacted with each other. Nehru called it a Golden Age.

With the advent of Europeans in the Indian Ocean, a divide and rule policy began which set one group of people against another. The Portuguese landed in Kerala in 1498 and began a campaign against Muslims, creating divisions between them and other faith communities. That policy still continued everywhere. The creation of Israel in 1948 in Palestine was part of that policy.

Dr Pasha said that the Israel-Palestine conflict was unfortunate as Muslims had always given Jews a preferential treatment everywhere. Gandhiji, who sympathised with Jews persecuted in Europe for centuries, opposed the creation of Israel by removing Palestinian Arabs from their homes.

It was the old Western policy of creating divisions against Muslims that was preventing the creation of a Palestinian state despite the support of more than 130 countries to this cause.

Dr Pasha said India under Nehru supported national liberation of Muslims, and at present the country had a 200-billion dollar trade with Muslim countries. Eight million

Indians worked in those countries. Fertilisers like rock phosphate from Muslim

world would be crucial for doubling India’s agricultural produce over the next few years.

Wars had disrupted India’s interests as well. India had no hegemonic ambition. Israel had a seige mentality and extreme policy in Gaza, West Bank, Lebanon, Dr. Pasha said.

Islam emphasises equality, one humanity and justice. The largest number of scholars on Islam were from India; largest number of books on Hadith, fiqh and shariah were produced in India. Intellectual history of India was outstanding.

US-Israeli pressure on Muslims was creating a feeling of despondence.” India is concerned about the rise of Islamic groups. India

has yet to talk to these new groups. We need not be pessimistic about Indo-Arab relations, which would grow”, Dr Pasha concluded.

Institute of Objective Studies chairman Dr Mohammad Manzoor Alam chose not to speak from his printed presidential address. He said a formal vote of thanks would follow, but he would also like to say “thank you” to all the delegates who had come from all corners of India as well as from other countries, including the US, Saudi Arabia, Bahrain, Qatar and Sri Lanka.

He said the generation that built the IOS was ageing and wanted to pass the baton on to the younger generation, with “whom we will share our wider experiences and knowledge”, and they would use their youthful energy to take the mission forward.

Dr Alam said the IOS did not belong to him, but to everyone.

A formal vote of thank was proposed by Prof. Afzal Wani of GGSIP University, Delhi.

The guest of honour, HE Abdur Rahman

Ghannam M. al-Ghannam, Under Secretary, Ministry of Islamic Affairs, Endowments, Dawah and Guidance, Saudi Arabia, said India and Saudi Arabia had a long history of friendly relations. In India, Arabic language and literature flourished over centuries. Dr Ghannam, who got his education in India, happened to be the first person in his country to have got a Ph.D. degree.

“Saudi Arabia believes in peaceful co-existence,” he said. His country saw scope for co-operation in science and technology with India, including in medical education. Already the Kingdom of Saudi Arabia had developed a world-class healthcare system that had great sophistication, Dr Ghannam observed.

Dr Ghannam also talked about the coming together of all faiths for a

peaceful, prosperous world. He mentioned King Abdullah’s tireless efforts at global interfaith dialogue.

Maulana Dr Sayeedur Rahman al-Azmi al-Nadwi, who received the IOS Lifetime Achievement Award later in the evening, chose to speak in Arabic. The award carries a citation, a memento and a cash prize of Rs 1 lakh.

Maulana al-Nadwi, who is chancellor of Lucknow’s Integral University and chief editor of the Arabic Journal Al-Baas al-Islami, was awarded for his scholarship and a large body of work on Islamic studies. The untranslated Arabic speech of the maulana was on trade and cultural relations between India and the Arab world.



Award Ceremony: Maulana Dr. Saeed Al Azami Al Nadwi receives Fifth IOS Lifetime Achievement Award

The session was conducted by Mr. Aga Sultan, Consulting Engineer - Educationist and Former Member, Syndicate and Academic Council Bangalore University, VTU and AICTE (SWRC).

Business Session I

The theme of this session was “Islam in India: Historical Perspective and Cultural Heritage.” The presidium consisted of Prof. B. Sheik Ali and Syed Shahid Mahdi.

In his opening remarks Prof. Sheik Ali said that the early Muslim rulers of India had known only the Abrahamic faiths—Judaism and Christianity—besides their own faith, Islam. In India they came face to face with eastern faiths like Hinduism and Buddhism,

which gave them a different understanding of the Shariah (Islamic law).

In the new, non-Abrahamic environment, they set their religious perspective afresh, giving adl (justice) a primacy over other things. Adl is a major goal of the Shariah. Ghyasuddin Balban, the Delhi Sultanate ruler, said famously that he would not be able to implement the entire Shariah, but he would be happy to ensure justice for everyone. As usual, he had a tense relationship with the ulema.

Prof. Ali said that conversions to Islam did not take place because of Muslim force of arms, but because a lot of lower-caste Hindus felt oppressed by an iniquitous caste system and wanted to get away from it.

In the deep south, Islam was brought in by traders who came by sea as this region had maritime contact with the Arab world since long before the advent of Islam. India then had a rich intellectual tradition and a richer civilisation than most other lands.

Prof. Shahid Mahdi said that the coming of

Muslims to India led to the establishment of Bhakti-Sufi movement, which later culminated into the birth of a new faith, Sikhism. He quoted Maulana Rumi’s couplet: “Tu brai wasl kardan amdi / na brai fasl kardan amdi” (you have come to unite people / not to sow division among them) as a mission statement of Islam.

Prof. Omar Hasan Kasule, Sr. Faculty of Medicine, King Abdullah Medical City, Riyadh, Saudi Arabia, talked about Islam’s project of knowledge. Under this project there had been great interaction between India and Arab Muslim world.

He referred to Abu Rehan al-Beruni’s formidable scholarship on India, which is objective and non-judgmental. Initially, the pundits, India’s scholars, shunned him.

However, he persevered and got ultimately admitted into the circle of scholars. He became such a great scholar of Sanskrit and the Puranas that he was given the title of “Vidya Sagar,” ocean of knowledge.

Prof. M. Fazal, in his paper condemned globalisation as exploitative, while Prof. Ameer Ali said that the medieval Muslims had revolutionised the world with their pursuit of knowledge. Prof. Refaqaat Ali Khan said that Muslims had provided a thrust to Indian civilisation with innovation.

Business Session II

The second business session, chaired by Union Minister for Minority Affairs, K. Rahman Khan, had two themes: (a) “Economic and Financial Relations” and (b) “Islamic Banking and Finance: Global Trends and India.”

Rudy Yakscik from Massachusetts, US, spoke on Disruptive technologies and business strategies as per Islamic finance and business rules.

February 16, 2013 Business Session III

The second day’s programme began with Business Session III. The presidium consisted of HE Abdur Rahman Ghannam M. Al-Ghannam and Prof. Manzoor Ahmad.

In his opening remarks, HE al-Ghannam observed that the first revelation in the holy book of Islam laid emphasis on learning and education. Hence it should be given the respect and attention it deserves.

Prof. S.R. Mondal, professor of anthropology at Jadhavpur University, Kolkata, said India had both civilisational and genetic relationship with the Arab world.

“Today the pen has been replaced with mouse and book with computer,” he said about the age of information technology and knowledge. India, with

its growing knowledge society had a lot to offer the Muslim world in a co-operative arrangement. The IITs and IIMs were a valuable resource to be shared. It was particularly important in view of the fact that Muslim populations were “poor human resource” generally and needed to be developed, Prof. Mondal said.

One of the several advantages for the Muslim world in establishing co-operation with India in education, he said, was that education in India was low-cost, compared to Western countries. Its high quality was attracting a lot of students from Europe and America where it was unaffordable for many, he said.

A number of European and American universities were coming to



A view of the audience

India as were Indian institutions establishing branches in Middle East. He said Saudi Arabia should consider establishing a branch of its Petroleum University in India also somewhere near Dibrugarh where there is a oil refinery.

Dr Mohammad Imran, assistant professor, department of Microbiology, Integral University, Lucknow, said India and Muslim world’s relations were crucial for peace, prosperity and stability of the world in the 21st century. “Arabs and Turks are the natural allies of India in terms of culture and history. Twenty three percent of India’s business is with the Muslim world, out of which the GCC’s share is 90 percent,” he concluded.

Dr Fakhruddin Mohmmad, Secretary, MESCO, Hyderabad, introduced his institution before talking about the educational scenario in India. He also made a power-point presentation about the International Objective University being established by the IOS near Delhi.

Dr Manzoor Ahmad, vice-chancellor, Vivekanand Subharti University, Meerut, said a country’s foreign relations reflected domestic policies and priorities. For years India had been receiving a sizeable number of foreign students in its universities. However, of late the number of foreign students had declined and foreign guest houses of several universities were lying vacant. Pune University and Lucknow University were famous for accommodating a good number of foreign students, but were now almost devoid of them.

He pleaded for raising the teaching standards of Indian universities. He regretted that in the rating of 500 universities by the Shanghai Group not even one Indian university was there.

He pleaded that three foreign universities – Al-Azhar of Egypt, International Islamic University of Malaysia, and King Abdul Aziz University of Saudi Arabia – should open branches in India. He thought several Indian universities, IITs and IIMs would fulfill most of the needs of Muslim countries.

Prof. Allauddin, former vice-chancellor, Jamia Hamdard, advocated placing of knowledge in Islamic perspective. He said upto 10th century Hijrah Muslims took knowledge seriously. Over the last 400 years pursuit of knowledge had declined in Muslim society as a dichotomy between deeni (religious) and asri (contemporary) knowledge evolved. He pleaded for restoration of unity of knowledge.

Prof. Basheer Ahmad Khan, vice-chancellor, Sido Kanhu Murmi University, Dumka, Jharkhand, said

“Education is a basic right for every human being, like food and water. We must get new universities like the proposed International Objective University.

There was a new spurt in building universities in Saudi Arabia, Qatar and UAE. Already, China had 5,000 universities while India had only 1,000. India was to add 1500 to these. He advocated Indo-Arab co-operation in the field.

HE al-Ghannam, in his presidential remarks, offered the services of Saudi distance education universities which, he said, were highly effective.

Business Session IV

This session, chaired by Dr AK Pasha, had as its theme “Foreign Policy and Diplomatic Issues.” In his opening remarks Dr Pasha observed that even before freedom, Indian leaders had close relations with the Muslim world.

Under Maulana Abul Kalam Azad, the Indian Council for Cultural Relations was established after independence. The first Prime Minister, Pandit

Jawaharlal Nehru, had close interaction with Syria, Egypt and Saudi Arabia. During his 1956 visit to Saudi Arabia the Saudis called him the “prophet of peace.”

“The largest number of ministerial visits and delegations come annually from the Muslim world”, Dr Pasha said. When sanctions were imposed on Iraq and Libya, India worked hard to provide enough room for reducing hardship. India regularly used its diplomatic clout to reduce suffering of people in the Muslim world. “The visit of Saudi King Abdullah bin Adul Aziz in 2006 as the chief guest at Independence Day celebrations and the return visit of Prime Minister Manmohan Singh to Saudi Arabia were high marks in mutual relations.” India’s relations with Egypt, Syria,

Algeria and “the entire Muslim world is robust,” he remarked.

Dr Sani al-Faraj, President, Kuwait Centre for Strategic Affairs, Kuwait, sought a broad based relationship with India in economic, political and military affairs. He compared Kuwait to a mouse surrounded by three elephants—Iran, Iraq and Saudi Arabia. Only amicable relations with the three, and among the three, elephants would ensure the safety and security of the mouse.

His area, he said, had been known for trade which linked Muslim holy places to big markets across a stretch of 6,400 miles even in early medieval times. Caravans of 1,000 camels used to traverse the entire trade route from Arabia to India, China and Japan. He pleaded for making it a zone of peace.



L-R: Dr. B.S. Sandhu, Mr. AbdulMajeed Mohammed S. AlOmari, Dr. M.M. Verma, Prof. M. H. Qureshi, Dr. Abdullah Q. Turkistani, Dr. M.D. Thomas and Swami Agnivesh

“India as a naval power should help secure the maritime routes from piracy and other threats for oil and other trade. India’s interests in GCC-oil and other economic interests should also be secured. The Gulf as a business hub, should be of particular interest to India.”

He said a new Kuwait City was being built to accommodate new needs. He made a power-point presentation of the new city called City of Silk. The layout was inspired by the intricate patterns of a silk carpet, which represented some of the finest elements of Islamic art and craft.

Dr Zakir Khan a former Indonesian diplomat and chairman, World Muslim Solidarity Forum of Dewah Dawah

Islamiyah, Indonesia, said big power politics and American hegemony had harmed the Muslim world immensely. However, if the Islamic and other developing countries made a common cause to resist foreign interference they would be able to restore their freedom.

He gave the example of Indian Muslim soldiers of the British army who had been sent to Indonesia by the British rulers to support the Dutch rulers of Indonesia to crush the independence struggle of the people. The Indian Muslims soldiers refused to crush the Indonesian freedom fighters and crossed over to their side.

Islam did not support violence, much less terrorism. However, the Muslim aspiration for freedom from foreign dominance had to be respected.

He condemned the so-called War on Terror, which had led to the unjustified death of a large number of Muslims. On the other hand, Muslims had been helping non-Muslims all over the world in times of trouble.

Prof. Badrul Alam, head of the department of political science department in Jamia Millia Islamia, Delhi, said India had both hard power (the power of military coercion) and soft power

(the power to attract through media, cinema, music, yoga, educational institutions etc.) to make it a dominant player in the region.

Dr Arshi Khan, associate professor, deptt. of political science, Aligarh Muslim University, said that America and Europe were in steady decline as India, China and some others were steadily rising. It was time for greater mutual co-operation between no-Western countries for a better future.

Business Session V Valedictory Session

This session was chaired by IOS General Secretary Prof. Zahoor Mohammad Khan and the valedictory address was delivered by Dr Jasir

Auda, deputy director, Centre for Islamic Legislation and Ethics, Qatar.

Dr Auda said that the Muslim world had always had a close relationship with India. Now was the time to expand the contacts further on government to government and people to people level.

Malaysian intellectual Datuk Seri Mohammad Iqbal said that India and Malaysia were "Joined together by emotional ties." Besides cultural and social similarities between the two countries they enjoyed close economic and educational ties. In Malaysia's Islamic University several Indian academics had been working. Islamic Shariah, halal food and Islamic banking could be some of the shared aspects between the two, Datuk Iqbal concluded.

Dr Abdul Majeed Mohammad S. Al-Umri, director, external services in the Saudi Ministry of Islamic Affairs, said that the heavy representation of Saudis in the conference showed its significance. He hoped that the conference would pave the way for the two countries coming together on practical issues. Now that Saudi Arabia had made giant studies in educational and economic fields, it would be easier for the two countries to establish world peace through dialogue.

The chairman of Delhi Urdu Akademi, Prof. Akhtarul Wasey lauded the IOS for such a remarkable conference that could bring India and the Muslim world still closer.

Prof. Refaat Ali Khan, formerly of Jamia Millia Islamia, said that the Indo-Arab ties, facilitated by the sea, had a long record that went far beyond the advent of Islam.

Prof. Ishtiyaque Danish, IOS finance secretary, proposed a vote of thanks at the end of the two-day conference. It was conducted by Mr. Aga Sultan, Consulting Engineer - Educationist and Former Member,

Syndicate and Academic Council Bangalore University, VTU and AICTE (SWRC).

The following resolutions were adopted at the end.

1. Resolution of conflicts in religions and cultures through dialogue is the only instrument for the restoration and continuation of world peace. This international conference appreciates all efforts in this direction including the establishment of the Centre for Dialogue in Vienna by H.M. King Abdullah bin Abdul Aziz, Custodian of the Two Holy Mosques.
2. All Muslim countries need each other's help in all areas of concern. This conference



L-R: Mr. Mohammad bin Abdul Rahman AlNafea, Prof. Akhtarul Wasey, H.E. Mr. Abdul Rahman Ghannam M. AlGhannam, Prof. Z.M. Khan, Dr. Jasser Auda, Mr. AbdulMajeed Mohammed S. AlOmari and Datuk Seri Mohamed Iqbal

3. The Institute of Objective Studies acknowledges with gratitude the co-operation in organising this conference by the Government of Saudi Arabia.
4. The Government of India may be urged to do the needful in providing essential conditions for proper and genuine development and security to Muslims. The Sachar Committee recommendations must be implemented in letter and spirit as Muslims are an integral part of India as a nation and civilisation.
5. Communalism is to be condemned in all aspects and shades.

6. The Institute of Objective Studies may constitute a committee to work on finding ways and means to foster meaningful co-operation and linkages of India with the Muslim world.

7. The Minister of Water Resources of India has suggested to work for co-operation in areas of water resources between India and Muslim countries. The opportunity should be worked out at all possible levels.

8. The cultural and sports sectors should be tried to create synergy for further cooperation among India and Muslim countries. Besides, the dialogue process as a methodology may be taken up by governments and NGOs in the whole region.

9. Co-operation in the field of education and research should be worked out in view of present needs and capabilities of India and the Muslim world.

10. The Conference shed important light on the need of financial matters in accordance with Islamic values practised by Muslims (and non-

Muslims) in India.

11. India and the Muslim world must work for creating peace and prosperity.

12. It is urgent to try to make Islamic banking possible in India.

Lecture on Indo-Bahrain Relations

Dr. Abdul Gaffar, advisor to King of Bahrain on diplomatic matters, paid a visit to the IOS Headquarters and delivered a lecture on Indo-Bahrain Relations. He put a great deal emphasis on strengthening the close ties that already exist between India and Bahrain. He further said that the bilateral relationship needs to be further increased and deepened on both official as well as public level. He opined that people to

people contract was very important between the two nations.

Going back into history, Dr. Gaffar remarked that India and Bahrain are linked together since ancient time. It is said that the relationship between the two nations started before the emergence of Islam and have been quite cordial all through history. He further said that the two countries came closer and closer after India's independence. Today the age-old relationship is deep and multidimensional and yet can be increased further, he said. He especially said that the two countries can further cooperate in the fields of education, economy and culture.

During the course of his lecture Dr. Gaffar also highlighted the importance of Gulf Cooperation Council and remarked that Bahrain was playing a positive and constructive role in providing stability in the region. He criticized the negative role of Iran and Syria in the region and urged India to play its role positively. He opined that a stable Gulf region was in every one's favour. All the concerned require to behave wisely and responsibly to bring about stability in the region, because unity and stability will bring prosperity and development to one and all, he said. He also said that Islamic banking was flourishing in Bahrain and playing a very important role in its economy.

Speaking on the occasion Dr. M. Manzoor Alam highlighted the important features of India's foreign policy which mainly seeks to establish peace and cooperation between nations. "We are passing through a time when the economic power is shifting from America and Europe to Asia where India is emerging as a very strong economic power", opined Dr. Alam. He also said that in such a scenario it would be in the interest of both, India and Bahrain to strengthen their bilateral ties. As a Think Tank the IOS has been playing its role through conferences and suitable literature. Dr. Alam informed that the IOS had planned to organize a conference in Bahrain to discuss such issues but unfortunately it could not materialize. He opined that there was a need to prepare a healthy literature in this regard in which the IOS can play a vital role. He also touched on the delicate issue of Iran and asked all the

concerned to understand and present related issues dispassionately so that the ways of cooperation may be found. Dr. Alam said that the Muslim world needed to register rapid developments, including inventions, in the field of science and technology. The Muslim world needs to invest a great deal in science and technology education and can seek and receive a lot of help from India, he said.

Prof. Aftab Kamal Pasha, an expert of Gulf Studies at Jawaharlal Nehru University, New Delhi remarked that ideologues like Dr. Gaffar can play a positive and vital role in strengthening the bilateral relations of India and Bahrain. He said that Dr. Gaffar received his higher education at Pune University and has been visiting India frequently because of which he is well aware of India's culture, history, economy and political realities. He is, therefore, well-placed to play a role, said Dr. Pasha.

Prof. Z.M. Khan introduced the IOS and Mr. Mushtaq Ahmad Advocate conducted the programme.

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Judiciary Has Failed

by Ishtiyaque Danish

The views expressed in the article do not necessarily reflect the editorial policy of the Newsletter (editor)

Judiciary is essential in society to settle disputes that arise between individuals or groups. Without judiciary society may possibly degenerate in to a world of crime and injustice. A society without judiciary will indeed be a jungle without law.

Along with essentiality of judiciary it is also necessary that people respect and accept its authority. There is possibility of judges making mistakes which is natural as they too are human. The provision of reviewing court verdicts has been provided for this very reason. However, even if the reviewed verdict is not convincing, the civilized behavior demands that we accept the supremacy of judiciary.

In India people, by and large, accept the supremacy and authority of judiciary. Most people fear and avoid being on the wrong side of law. With negligible exceptions, they also prefer not to indulge in contempt of court. Even media, both electronic and print, normally refrain from discussing and scrutinizing court verdicts. In fact, a wrong perception pervades all across that disagreeing with or criticizing a court verdict amounts to contempt of court.

Contempt of court means to refuse to accept the authority of the court, especially when its

verdict goes against you or the rationale of the verdict fails to be convincing. However, criticizing a judgment on merit in civilized language is not contempt of court. In fact, men of letter should publicly discuss and make critical assessments of court verdicts as such intellectual exercises will only improve the functioning, efficacy and quality of Indian judiciary.

Some time it may happen that lawyers present a case in a wrong way and prompt a bad verdict. It is also quite possible that a learned judge makes a mistake and delivers a wrong verdict. The civilized behavior in such a situation is to accept the verdict with the right to discuss and criticize its rationale. Such practices and behavior would not amount to contempt of court.

Recently a petition was filed before an Honourable High Court. The case was that the Vice Chancellor of a particular university, in view of its statutes and bye-laws, does not have the right to sack Heads of Departments before the expiry of their term. Similarly he does not have the right to become Dean of a Faculty in the presence of two or more professors in the concerned Faculty.

Unfortunately the High Court erred in its judgment when it

refused to admit the petition on the ground that Heads and Deans are additional positions and removal of professors from them is not demotion provided their salaries are not reduced. The Court also opined that removal from the additional position of Head or Dean does not lower a professor's status.

As a common man I intend to humbly submit if a Vice Chancellor has the right to violate the statutes, laws and bye-laws of the institution he is heading. Second, will the arbitrariness on the part of a Vice Chancellor in appointing and removing Heads and Deans whimsically not hinder the progress of democratic culture in the university? Finally, arbitrariness in appointing and removing Heads and Deans from their statutory positions without assigning any reason is against the concept of equal opportunity. In fact, everybody should have the right to become Head or Dean provided he fulfills the minimum basic conditions. By serving as Heads and Deans on rotation basis professors gain necessary administrative experience and prepare themselves for greater responsibility including those of a Vice Chancellor. We must realize that Vice Chancellors will not drop from the heavens; rather they have to emerge from among the common professors.