

condone delay even without filing formal application under Section 5 of Limitation Act, 1963, if the petitioners properly explained the delay in the affidavits filed in support of the I.A.S; filed under Order 9 Rule 13 C.P.C. There is no quarrel with the settled proposition of law. In fact, way back in the year 1957, Division Bench of this Court in *Ramachandra Rao v. Seshaiah*, 1957 (2) An.WR 106 (DB), held that, 'non filing of formal application under Section 5 of Limitation Act, 1963, would not come in the way of the Court exercising power conferred on it under Order 9 Rule 13 CPC. Once the petitioner satisfies the Court by giving valid or cogent reasons, the Court is competent to condone the delay without a formal application under Section 5 of Limitation Act, 1963 being filed. The Division Bench further held that 'non-filing of applications under Section 5 of the Limitation Act, 1963 would itself not be a ground to dismiss the application filed under Order 9 Rule 13 CPC as held by the Supreme Court."

5. Thus, A.P. High Court following its earlier Division Bench decision reported in 1957 (2) An.WR. 106 (DB), which in turn, followed a Supreme Court decision, held in 2007 (5) ALT 222 = 2007 (5) ALD 257, that non-filing of application under Section 5 of Limitation Act 1963, itself, is not a ground to dismiss the application filed under Order 9 Rule 13 CPC for setting aside *ex parte* decree.

6. In 2008 (1) ALT 475 = 2007 (6) ALD 819, the above Division Bench decision or decision reported in 2007 (5) ALT 222 = 2007 (5) ALD 257, were not cited for consideration of the A.P. High Court. Had the said two decisions been cited, the learned Judge, delivering judgment in 2008 (1) ALT 475 = 2007 (6) ALD 819, would not have held that the petition under Order 9 Rule 13 C.P.C., being filed more than 30 days after the date of decree, *i.e.*; the prescribed period of limitation under Article 123 of Limitation Act, 1963, the petitioner has to necessarily file a petition under Section 5 of Limitation Act, 1963, because, without condonation of delay, the petition under Order 9 Rule 13 CPC will have to be dismissed, as being barred by time.

7. So, I am of the honest opinion that the proposition of law laid down by a Single Judge of A.P. High Court in the decision reported in 2008 (1) ALT 475 = 2007 (6) ALD 819, is contrary to the one laid down by a Division Bench of A.P. High Court, reported in 1957 (2) An.WR 106 (DB), following a Supreme Court decision and followed by a Single Judge of A.P. High Court in a decision reported in 2007 (5) ALT 222 = 2007 (5) ALD 257 and hence *per incuriam* and, hence, the said decision reported in 2008 (1) ALT 475 = 2007 (6) ALD 819, is not according to law and hence not binding.

**Memorial Lecture on
"GLOBALIZATION AND LABOUR IN DEVELOPING COUNTRIES"
in Memory of Shri Amancharla Krishna Murthy
by Hon'ble Mr. Justice B. Sudershan Reddy
Judge, Supreme Court of India on 2-2-2008 at Hyderabad**

Let me at the outset express my deep sense of honour on being invited to deliver this memorial lecture on "Globalisation and Labour in Developing Countries" in memory

of Shri *Amancharla Krishna Murthy* a noted social activist and a lawyer of great integrity with a sense of public spirit. To me, as indeed to most of you gathered here, it must

seem particularly appropriate that we honour the life of Shri *Amancharla Krishna Murthy* and his memory, in these times of great confusion regarding the direction being taken in all aspects that may be deemed to be public: states' institutions that are increasingly incapable of integrity with respect to their internal functioning, representing and articulating the aspirations and needs of all the people, especially the poorer segments of the population; the media that devotes itself to the trivial and the sensational, as opposed to providing a meaningful platform for dialogue of the more important issues affecting the people; political space that can reasonably be judged to have become a space of the worst human instincts; the civil society in which all manner of identity based social interactions are only catering to the needs of the select few amongst the identity based social and political groupings; and even amongst the intelligentsia, which is now more enamoured by grandstanding rather than providing thorough intellectual analysis of the current issues and challenges.

I think that at times like this, especially when angst and despair are seemingly the only emotions left for the well meaning citizens, functions commemorating individuals such as *Krishna Murthy* can provide a measure of hope and push us into more positive modes of thought and action.

Without the slightest hesitation I may say that nobility of his character is to be found rarely in the community. His unselfish and courageous magnanimity shines all the brighter. Many apart from his family and close relations remain indebted to him for innumerable acts of love and devotion. To have known him has been to me a treasured privilege. He was a firm believer and champion of private enterprise. There use to be clash of ideas between us when he used to tell me that the bogey of concentration of economic power in private hands is a myth deliberately propagated by those who are bitterly opposed to any form of private

enterprise. He believed that concentration of economic power in the hands of Government planners and babus constituted the real threat to democracy. May be he is watching happily from elsewhere the ongoing process of privatization. My differences with that ideology still persist but I always had respect for his courage of conviction. The best way to pay my tribute to the departed soul is to continue to articulate something radically different in which he had a great belief.

The topic for today's lecture is "Globalisation and Labour". The canvas envisaged by such a topic is necessarily very vast. This is necessarily so because the main terms of the topic have been used with such a wide variety of meanings and in contexts so diverse that entire life – social and ecological is implicated. Above all, these terms are also used within the context of broad ontological visions – about human nature and the consequent limits to social action – and the ethical values that can under gird our lives – both as individuals and as social animals.

Hence, I will address, during the course of this lecture, the broad parameters of the debate about globalization and labour as opposed to getting into the nitty-gritty of each and every proposal made or effectuated and their impact on particular segments of the population. Constraint of time is but one of the reasons for my adoption of such a strategy. More importantly, I believe, such an approach would bring the debate back from the confusing practice of counting the trees at the expense of losing sight of the forest and provide an opportunity to bring back a lost framework into the mainstream debate.

In order to be able to effectively pursue this lecture, let me start with a digression – a digression about social ontology that will set forth the framework for debate and then narrow down to the specific terms of the topic.

Broadly speaking there have been two different visions of the nature of man and consequently these two visions about the nature of man have also specified what we think is possible or not possible in terms of social action, social goals and social organization. Let add a caveat here: it is not that the proponents of either vision argue by that their positing a particular nature as the important one – and opposed to its contrarian other – is the only human nature that is extant in reality with the virtual exclusion of the other. Rather they posit that the human nature that they envision is the dominant one – and hence articulating an ideological vision as to how human's organize themselves and what may be appropriate and realizable social goals. I will use the definition of Thomas Sowell when I use the word vision: I use it in the sense of it being a pre-analytic conception of what the reality is. Inasmuch as it is a vision or a rule of thumb apperception of reality, what it entails is a broad based approach to life – *i.e.*, we end up using broad based strokes to paint our challenges and our options as to how to tackle them. The chances, hence, of being wrong also go up, inasmuch as the variations that are possible, in terms of meeting particular exigencies or localized specifications may be missed.

The two visions of human nature which have influenced us with respect to how we visualize the social life may be placed on the scale of pure self-centredness (bordering on the evil) to the purely altruistic (to the extent of total self abnegation). Along this continuum, we would find certain ontological specifications that are less extreme and more reasonable in terms of appeal to our own notions of what the reality is: that man is both selfish and also capable of altruism. Some would specify that selfishness outweighs altruistic tendencies; others would argue that altruistic tendencies could be enhanced and selfish traits be restricted or at least tempered and make individual action take into account the implications for others welfare also. Depending on the particular trait that is

emphasized, the potential and ideal schema of social action has been envisioned.

For those who believe that a human being is essentially selfish, even if he is also meagerly capable of altruism, then the society could be structured only in the sense of a free market, in which there are minimal restrictions on what the individual is allowed to choose. Primarily supported and articulated by the Austrian School of Economists headed by *F. Hayek* and others, this strand delegitimizes state action in modulating the market and the economy as a perversion leading to inefficient outcomes. For the acolytes of this stream of thought, state failure is to be seen everywhere and irrespective of the particular institutional choices, the state can only fail in its attempts at modulating the economy and individual choices.

There are two other schools of thought that have popularized other particular social organizations founded on the apperception that man is selfish – the communists and the fascists. For them man is not only selfish, he is also essentially exploitative (for the communists) or essentially indisciplined (for the fascists). For these two schools of thought, man ought to be controlled by complete state control. Extreme Hobbesian thinkers will come under this rubric and Marxist thought is also based on this foundational ontology. For Marx, human history is about relationship between material production and culture. So long as productive resources are not socialized, mankind is incapable of achieving true consciousness regarding their essential interdependence. However, this rising to consciousness was to be a part of an inevitable, even if indeterminable *ex-ante*, process of dialectic materialism progressing through different modes of production.

In a certain sense, human history over the past two hundred years, and more particularly the last one hundred years can be viewed as a series of conflicts between the free market capitalists, fascists and communists.

This history is quite well known in terms of the consequences – ever increasingly more devastating wards, to the point that we had to and continue to live on the razor edge of nuclear holocaust, increasing gap between the well off and the less well to do and now the potential spiral of a global ecological disaster. As *Amartha Sen* points out even though mankind has seemingly accumulated sufficient knowledge and achieved such mastery over technique that hunger, deprivation and inequity ought not to afflict anyone in the world. Yet, we see vast swaths of such afflictions, where a majority of people are expected to live on less than one USD per day, with limited or non-existent access to potable drinking water and forever sailing in the slip stream of a minorities lifestyle created pollution.

In contrast to the above, there has been another strand of thought, which also takes its genesis in the enlightenment period. This strand believes that while man is seemingly selfish, education and culture can influence individuals to act in a manner that takes into account the effect of one's actions on others. This strand believes that social organization and culture can be modulated, over a period of time, whereby the forces of empathy, reason and reasonableness can be instituted in the actions of human beings.

Thus the social action, social organization and social goals posited by this school of thought is of the State and its institutions acting as trustees of the welfare of all the people, of state action directed towards management of both marshalling physical resources towards minimal welfare of all segments of the people as well as utilizing them for progressively reaching a state of equality of opportunity for all, if not of absolute result, with social security for those who may not be able to reap sufficient amount of social product to lead a meaningful life. Within this strand of thinking, two other sub-strands that are complementary may also be seen. The one sub-strand

recognizes the intimate relationship between ecology and the extent to which human beings may exploit it – seeking modulation of human needs, through rational and reasonable public debate between short run goals and long run ecological sustainability. The other sub-strand posits as desirable an achievement of sustainable development, within the overall limits posed by ecological balance and technological knowledge, wherein equity is achieved increasingly for larger number of people.

Much of the normative underpinnings of modern human rights program, the rhetoric of liberation and the thrust for freedom and assembling of collective identities in nation states has been premised on this third strand of thought.

In the middle of the twentieth century many new nation states emerged. India, was of course one of them. These nation states emerged through various forms of freedom struggle. These freedom struggles were informed by particular ideas and realization about what happens when we visualize human beings as being essentially selfish, and even evil, and thereby leading to marginalization of vast segments of the population in our discourse about what ought to be the goal of social action. The ruthlessness of capitalism as well as the completely state led communist revolution or state sponsored fascist market organizations were seen as undesirable for societies marked by extreme inequalities – the elite were seen as capable of exploitation in all these forms of organization.

India's founding fathers led the way in terms of realization as to what are the capacities of human nature and the appropriate direction that social organization ought to take. At least at the normative level. Even as I utter that qualification, I must confess to an unease that such a qualification is wrong about our historical experience. The very form that our freedom movement took underlies

the potential of visualizing the human nature as being capable of attempting good for the others even at the cost of sacrificing one's own interests. It has become fashionable for the intelligentsia to suggest that the freedom struggle in India was essentially a bourgeois struggle, with no mass participation.

I think that the intelligentsia dissembles and distorts the historical truth. It simply cannot be true and the prime example is the extent to which non-violence was actually practised, both against the British and also when we turned to the darker sides of our historical identities, in calming us. It never ceases to amaze me that millions could be incited to resistance against exploitation by the foreigner and yet the foreigner was so minimally targetted by violence. If ever there was an example that a good idea that targets human goodness as the foundation for motive force of collective action is feasible, then *Mahatma Gandhi's* use of non-violence as he motive force in India's struggle for Independence must rank as a prime example. It also stands for something more – important for the future. It is a demonstration of another kind of social ontology – that human beings are capable of collective action in which self interest can and will be set aside for the larger good of all.

Our freedom movement and the attempts of our founding fathers to provide us with an organizational structure for nation building ought to be seen as primarily an affirmation of the third strand of enlightenment thought – the one in which human beings and their welfare, based on rational and reasonable apperception of interdependencies of welfare functions (to use an economists phrase) is both an ontological possibility and a moral necessity. This was based on both an appreciation of the secular thought emanating from the West as well as a better appreciation of the finer values that East had to offer – in particular a sociality that could harness human and collective action endeavours for social transformation. I will

submit that the Indian Constitution, especially in terms of its normative functions is a prime example of this belief.

Mahatma Gandhi very famously argued that Independence from the British would mean very little if the freedom for self determination by a population calling itself Indian could not be structured and moved towards social transformation. His first reason was that in a land of such great inherited inequalities, the very notion of freedom would be meaningless if such inequalities were allowed to persist. In case of doubts let us be sure that such inequalities included vast swaths of humanity that was absolutely denied the basic conditions of material existence, reinforced by long established and inherited systems of ascription of lower value and indeed denial of any value to the deprived. His second reason was, in a sense pragmatic – the continued existence of such inequalities and absolute deprivation would hinder the project of building the nation. Given the presence of such vast inequalities, he could foresee that neither unadulterated capitalism, based on unfettered markets nor full blown communism would be an answer. For him fascism could never be an option. One humorous person in 1960's famously stated that if capitalism is exploitation of man by man, then communism was *vice versa*. *Mahatma Gandhi* would have agreed with that assessment.

As an avid reader of history and an experimenter in personal life, the Mahatma realized that a few models have been tried previously – such models included visions of conquest (for both material resources and slaves), conquest for supply of resources and markets for domestic industries (mercantilism and colonialism) and even totalizing ideologies, whether communism or fascism that promised and eventual utopia. Each and every model was essentially based on the notion of an exploitable man – man treated as a factor of production rather than as a wholesome and holistic end of social action.

Mahatma Gandhi realized that our nation and the world required a vision to bind human beings to each other over the long run and inform our social actions; and Mahatma realized that there were limits to visions based on a conception of a selfish human being providing a long run and sustainable motive force to hold societies together.

If indeed the experience of our freedom movement under the leadership of *Mahatma Gandhi* definitively demonstrates the possibility of empathy and respect for the needs of other human beings, by an emphasis on the moral needs of human beings, then we have to ask ourselves the following questions:

- (a) Did we make a mistake in eschewing all encompassing statism, as suggested by *Mahatma Gandhi*, and by choosing the particular forms of social mobilization that we have elected in the first five decades after Independence?
- (b) Given the current forms of globalisation, ought we not to be re-emphasising the strand of enlightenment thought that *Mahatma Gandhi* emphasized?

It is against the background of those two questions that I wish to look at the issues posed by the current forms of globalization.

Over the past two decades one form of economy has been increasingly endorsed as the only form of social organization that is feasible and normatively prior – the so called free market economy. Also called the Washington consensus, it seeks to bring each and every society within the ambit of unrestricted international trade, elimination of governmental controls over the markets and free mobility for capital across boundaries. This is in contrast to the state led and closely monitored development programs initiated by much of the third world countries for the past five decades and indeed even in

most of the developed countries as well. These modalities of social and economic organization are premised on certain assumptions, promises and internal imperatives.

Capitalism, whether at the global, national or sub-national level, is founded on the belief that the only worthwhile human motive that can be used for social organization is selfishness based on short run rationality. Consequently, it should not be difficult to see why its prime consequence is exploitation – of other human beings and of the nature. Capital by its very logic demands ever increasing markets – both geographically as well as in terms of new products. It is also based on the premise that inequality is unavoidable. If man is seen only as selfish, or at least that is the only trait that ought to be pandered to, in our culture and in our economies, then obviously equality cannot be seen as a desirable objective, either in opportunity or result. For those who may be squeamish about the vast differences between the well off and the deprived, then the promise that is held out is that eventually, a lot of people will enjoy much higher levels of incomes and material well being than what is possible and the few would of course enjoy a material well being and control over material resources that has probably been unheard of in human history. Above all, this project is to be protected by normative and legalistic structures imposed by supra-national institutions, thereby taking away the powers of responding to particular needs of local areas – that could only lead to state failure. Or so the fairy tale goes.

Let us disabuse ourselves of one false promise and expose one hidden human tragedy that unfolds in this schema. What the acolytes of the new globalization do not say and the textbooks of economics compresses into a few lines are the limits that our earth may impose on how much we can exploit it before we upset the ecological balance, leading to global catastrophes. In

order for the people of China and India to enjoy the same standards of living as those in the United States, we would need five to six earths! We seem to be living a foolish dream of a fool's paradise!

If there are absolute limits to what the earth can allow in terms of its exploitation, then we obviously need to start thinking about more equitable redistribution of resources and opportunities. That schema is unthinkable within the context of the culture and the system of economy that the current form of globalization is legitimating across the world. Now let us look at the human tragedy that is unfolding. If we did not have the technologies and the know how to help most of the people in the world enjoy a decent life (as opposed to the standards of life enjoyed by people in the United States), then we would not think of those suffering absolute material deprivation – something that keeps them in a dehumanized condition – as a tragedy. That a few billions of people around the world live in such a condition, while we have the necessary technological mastery to achieve better conditions of life for them within the constraints imposed by our planet, is the human tragedy. What is worse is that we do not even recognize the fact that, even if we were to assume, contrary to all of the known limitations that the planet imposes on this project, that sometime down in the future all of mankind would enjoy better lives if we follow the global capitalist model unfolding right now, many billions would have lived out their lives of squalor and deprivation – far more than the few who have enjoyed the fruits of human ingenuity.

This is where the wisdom of *Mahatma Gandhi* stands out amongst all that I have heard and read about in my life. Non-violence that Mahatma practised and tried teaching us Indians was not just about not striking another person, but also of restraint and a reconnection with the moral and spiritual dimensions of human personalities – a

connection that was lost in the arrogance of secular thought combined with the political philosophies emerging out of Europe. He recognized that empathy for other human beings and caring for them was capable of exerting strong and all powerful influence on how we organize our social interactions and social goals. He foresaw that a vision for the society based on such motive forces as empathy and caring for others would be the only spiritually uplifting and ultimately viable vision on which we ought to be basing our social and personal spheres. The genius of *Mahatma Gandhi* lies in the fact that he also realized that such motive forces need to be constantly rejuvenated in the crucible of local social practices in which individuals can act on them and feel the power and sense of well being from sharing and caring for each other. That is why he expressed his distrust of all encompassing statism as the model for India; and instead he advocated the village and the local community as the appropriate levels at which social organization and its goals are debated, set and implemented.

It should not surprise anyone that as our awareness about environmental dangers facing mankind, the two normative approaches stressed by social scientists, social philosophers and activists are the two values that *Mahatma Gandhi* stressed: restriction of material wants that individuals should desire and the society ought to posit as desirable; and two, sustainable and meaningful developmental goals can be devised and appropriated through a decentralized mode of governance. However, the cultural impact of globalization in India seems to take us further and further away from those values. Recently, I was shocked to see an advertising billboard in Banjara Hills, Hyderabad that proclaimed “greed is good”. For a second I forgot that this was the land of *Buddha* and *Mahatma Gandhi*.

So what has globalisation meant for “labour”? Again we need to clarify a few

concepts. The phrase “labour” has a classical political economy meaning – of workers, who provide their skills and labour in return for wages from the capitalist. In the Indian context, sometimes the discourse is about those who are employed in certain specific kinds of facilities, defined by the number of other employees, using particular kinds of resources. I find both these constructs very limited concepts, especially in India, where those who are within the ambit of the legal category are less than 7% of the total population. So if we are going to look at the issues that such formal workers are facing and/or likely to face because of the project of globalization, then it would be a very partial view of the reality. Most of us who are interested can obviously look up any good book or articles and we can learn about the issues and debates with respect to arguments for and against rationalization and/or elimination of much of the legal and regulatory framework already in place. So I will not go into those issues, with the exception of one aspect. As each state in India begins to compete for global private capital, there seems to be a race to the bottom with respect to all socially relevant regulation and with respect to the role of State Governments as trustees of the property of the State and the future of its denizens. While on paper very few of the labour legislations have been abrogated or rescinded, in practice we seem to have substantially reduced our commitments in terms of putting together the necessary resources to implement those regulations and laws. The reduction in effectiveness of unions, as indicated by the manner in which they have acquiesced to various voluntary retirement schemes, non-implementation of work place safety rules, absence of governmental and legislative debates about new safety and work condition issues with respect to new formal employment being generated, *etc.*, are all indications of the race to the bottom by various states. These are all issues that we would need to debate and raise public awareness about.

In this speech, I would rather restrict myself to the broader issues. In this regard I would like to concentrate on broader issues of employment and who has been becoming a part of formal “labour”, what are the inequalities emerging with respect to who gets to join the formal “labour” and what does it mean in terms of our constitutional responsibilities. Are we moving in the direction and towards what I would call “deconstitutionalising” the labour sector?

One of the prime arguments for liberalization, privatization and export led growth strategies advocated by acolytes of globalization is that because countries like India are resource rich with respect to human resources the logic of neo-classical international trade would imply that, through specialization in relative factor endowments, more employment would be created and that they would also enjoy greater wages. There are theoretical as well as empirical arguments against this line of reasoning, apart from the various problems associated with who gets to be a part of this new employment.

One of the principal theoretical arguments against the neo-classical paradigm has been that whether new formal employment is generated or not depends on not merely whether a particular country opens itself to trade, but also what other countries are doing and what their factor endowments are. So at a global level, a country could very well open itself to an export led strategy and still not generate new employment. There seems to be enough empirical evidence to suggest that the neo-classical economics promise has not been borne out. Take the case of India – over the first decade of liberalization India actually was a net loser in terms of formal employment and increasingly a greater percentage of the work force is being pushed into the non-formal sector, which is typically less paying and also less protected. Of course we have the usual media noise about the great IT and BPO sector, but again figures show that despite all the additions in the IT

sector, the losses from cut backs in public sector jobs has meant a net loss! Moreover, as with all globalised opportunities, they could go away in a flash. See what is happening with a tightening of the Indian rupee versus the dollar. We have lost many lakhs of jobs in the textile industry; many BPO and IT sector employers are feeling jittery about a potential recession in United States. No wonder *Amartha Sen* says that we need at least a couple hundred Cyberabads and Bangalore to make a dent in the problem of finding productive and reasonably well paying jobs for our youngsters!

The second problem that I find with the argument that India is going to benefit from an export led, privatized, liberalized and globalised environment is with regard to who will be in a position to be able to compete globally for jobs. For over six decades we have neglected elementary education – for too long have we denied literacy as the ability to recognize one's written name. I am told that even chimpanzees are being taught to be able to do that in laboratories! By not focusing on functional literacy that enables our citizens to be autodidacts and life long learners and neglecting the nutrition of vast hordes of our children, we are dooming hundreds of millions of future citizens of India to a third class existence, to be swept away in global economic maelstroms. Further we should also recognize that given that such neglect affects the downtrodden and the historically neglected groups much more, we are sowing the seeds for greater social identity based conflict in India. The State of A.P. spoke about moving twenty million workers from the rural areas to urban areas; I am told that the latest Planning Commission talks about moving ten million – and I am left wondering how these people are going to fend for themselves, when they have not been equipped with appropriate skills to take up the better paying jobs, if such jobs are indeed available. Of course economists do not talk about those hundreds of millions of

people – rather they talk about broad based trends and numbers as if the people do not matter. For the economists the promise is always that in the long run the labour markets would clear. However, as Lord Keynes said – “in the long run we are all dead”.

Eighty-eight years ago, the founding members of ILO set out a vision:

“Whereas universal and lasting peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required; as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of equal remuneration for work of equal value, recognition of the principle of freedom of association, the organization of vocational and technical education and other measures.”

It is essential and never to forget that:

- (a) Labour is not a commodity;
- (b) Freedom of expression and of association are essential to sustained progress;
- (c) Poverty anywhere constitutes a danger to prosperity everywhere;

- (d) The war against want requires to be carried on with unrelenting vigor within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of Governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare.

The situation calls for a stronger ethical framework: "The governance of globalization must be based on universally shared values and respect for human rights. Globalization has developed in an ethical vacuum, where market success and failure have tended to become the ultimate standard of behaviour, and where the attitude of 'the winner takes all' weakens the fabric of communities and societies."

Addressing these issues sensibly with an eye for all relevant interests and voices will in the coming years be a central test of leadership in all areas of life – Governments including Judiciary, business, trade unions, civil society, Parliaments, political parties, local authorities, international organizations, religious and spiritual

traditions and various emerging forms of citizens' organization.

Ladies and gentlemen let me conclude with this prayer:

"God give us Men/A time like this demands

Strong minds, great hearts, true faith and ready hands;

Men whom the lust of office does not kill;

Men whom the spoils of office cannot buy;

Men who posses opinions and a will;

Men who have honour; Men who will not lie;

Men who can stand before a damagogue

And damn his treacherous flatteries without winking'

Tall Men, sun-crowded, who life above the fog

In public duty and in private thinking."

SECULARISM UNDER CONSTITUTION VIS-A-VIS IMPACT ON POLITICAL PARTY

By

**—B. RAMAIAH, B.A., L.L.M.,
S/o Gangya**

**V. Venkataya Palem (Post),
Khammam (Urban) & (District) A.P.**

Introduction

The Constitution of free India came into force on 26th January 1950, as the preamble declared the people of India solemnly resolved to constitute India into a sovereign Democratic Republic, and to secular for all its citizens Justice, Social, economic and

political liberty of thought, expression, belief faith and worship, equality before law and opportunity and promote among the citizen of the country fraternity assuring the dignity of the individual and the unity of the nation¹.

1. Subs. by the (42nd amendment) Act 1946