

THE RADICAL HUMANIST



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M.N. ROY

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**Remembering M.N. Roy on his
71st Death Anniversary on 25 Jan '25**



Sheoraj Singh, Vinod Jain and Mahi Pal Singh, Treasurer, Chairman and Secretary (from left) respectively, Indian Renaissance Institute, paying tributes at the Samadhi of M.N. Roy & Ellen Roy (covered in green in front of them) at 13 Mohini Road, Dehradun, Uttarakhand, INDIA

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Great news from Nigeria: Humanist leader, Mubarak Bala, is freed at last!

Almost four-and-a-half years after his arbitrary arrest from his home in Kaduna State, Humanists International celebrates the release of Mubarak Bala, President of the Humanist Association of Nigeria.

[Read the press release](#)

I would like to express my heartfelt thanks to everyone who has supported Mubarak's case since the shocking news of his arrest in 2020. His release would not have been possible without the generosity of the global humanist community.

This victory is a testament to the power of collective action. Through tireless campaigning and advocacy, unwavering support from fellow humanists, and the dedicated efforts of our partners, Mubarak is finally free.

While we celebrate Mubarak's release, we also reiterate that he should never have been imprisoned in the first place.

Humanists International remains committed to defending individuals who face persecution for peacefully exercising their rights to freedom of expression, and freedom of religion or belief. We continue to call for the repeal of "blasphemy laws" world wide.

If you share our values and want to support these efforts, please join us today. Thank you for your support and solidarity.

Best wishes,
Gary McLelland
Chief Executive

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Founder Editor:

M.N. Roy

Advisor:

Dr. Narisetti Innaiah

Editor:

Mahi Pal Singh

Editorial Board:

Vinod Jain, Dr. Ramesh Awasthi,
Bhaskar Sur, Dr. Dipavali Sen,
Mahi Pal Singh- Editor (Ex-Officio)

Printer and Publisher:

Sheoraj Singh

Send articles and reports to:

Mahi Pal Singh at Raghav Vihar, Phase- 3,
Prem Nagar, Dehradun- 248007. (Uttarakhand)
(M) 9312206414, 9870764939, 8433255386,
(Landline): 013-53549624.

or E-mail them to:

theradicalhumanist@gmail.com or
mahipalsinghrh@gmail.com

**Please send Subscription/Donation
Cheques in favour of :**

The Radical Humanist to:

Sheoraj Singh,
3821/7, Kanhaiya Nagar,
Tri Nagar, Delhi- 110035. (M) 9891928222.
Email ID: srsingh3821@gmail.com

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Editorial :

Who is Responsible for Deterioration of Democracy in India?

Mahi Pal Singh

When the results of the last Legislative Assembly elections in Haryana were declared, nobody believed them; not even the BJP leaders. All the pre-poll surveys and the exit-polls had forecast a massive, and to say the least, a comfortable majority for the Congress. Even when the results on the counting day started coming, all of them seemed to be coming true. But in the afternoon the trend started reversing and by the end of the day the BJP had got a comfortable majority. The Congress rejected the results. The public in Haryana was baffled as the same public had not even allowed the BJP leaders to enter their villages for election campaign and the audience at the rallies of even the Prime Minister and Home Minister was negligible whereas Rahul Gandhi's rallies and road-shows had attracted people in lakhs. Even the media-persons as well as the public at large were not ready to accept the electoral verdict as the verdict of the people of Haryana.

The worse was to follow in the assembly elections in Maharashtra. Mahayuti, or the National Democratic Alliance (NDA) consisting of the Bharatiya Janata Party (BJP) led by Devendra Fadnavis, the Shiv Sena faction led by Eknath Shinde and the Nationalist Congress Party (NCP) faction led by Ajit Pawar, was nowhere in the reckoning against the Maha Vikas Aghadi (MVA) alliance, consisting of the Congress, the Shiv Sena faction led by Uddhav Thackary and the NCP faction led by Sharad Pawar as all the pre-poll surveys and exit-polls had forecast sweeping majority for the latter. But the results were unbelievable for everybody as all the three factions of the NDA got unbelievably high number of victories, including 132 for the BJP, 57 for Eknath Shinde's Shiv Sena faction and 41 for

the Ajit Pawar faction of the NCP whereas the MVA got only a total of 46 seats.

The MVA parties put a lot of blame on the Electronic Voting Machines (EVMs). The main reason was said to be the machines with 99% battery charged even after a whole day's election, as all these machines, without any exception, had shown 75% or more votes for the only the NDA alliance candidates. The voters of a village in Sholapur district were highly agitated because they claimed that almost the whole village had voted for the MVA candidate who belonged to their village whereas the counting showed that the NDA candidate had got more than 75% votes. In order to prove their claim, the villagers arranged a mock-poll with ballot papers. But the Election Commission and the government did not allow it and about 200 people of the village were arrested, for what crime nobody knows. Perhaps, the Chief Election Commissioner, Rajiv Kumar, is alleged to have been following the diktats of the BJP leaders and favouring the party by manipulating the whole process of elections in its favour. Another methodology adopted by the election commission has allegedly been deleting the names of those voters from the electoral voters' lists who are known to be against the BJP, and including the names of BJP voters in large numbers. The number of these increased votes in Maharashtra alone is said to be 76 lakhs. Another baffling development during the recent elections is a very large percentage, between 5% and 10%, of votes of those voters who reach the polling station before the deadline of 5 p.m. and stand in the queue and actually vote after the deadline. Such voters, as mandated under the election rules, are given tokens which are distributed, starting as number 1 from the end

of the queue so that nobody can join the queue after that. The number of such tokens given to the last voters has to be maintained in the Presiding Officer's diary and can easily be counted for the whole constituency and the state. Surprisingly, when Dr. Venkatesh Nayak, a well-known Right To Information (RTI) activist and researcher, asked for the number of such voters in an RTI enquiry, he was told that the election commission has no such record – an attempt by the EC to hide its black deeds – because divulging these numbers will expose the whole game of manipulation of election results in favour of the BJP.

Non-disclosure of details and non-supply of video recording to Mahmood Pracha, a senior Supreme Court lawyer and poll reforms activist, spearheading the movement against the use of the highly discredited EVMs in elections, even after the orders passed by the Hon'ble High Court of Punjab and Haryana is bound to cast a doubt on the integrity of the Chief Election Commissioner and its officials. The doubt turned into a well-laid conspiracy to hide its misdeeds when the Modi government, instead of letting the Election Commission give the demanded information and video recordings of the polling stations on the polling day, to Mahmood Pracha, brought out an order amending the rules and prohibiting the supply of such records to the public by the EC even after paying the exorbitant fee prescribed under the rules for the supply of such information. The BJP government has been mis-using the office of the Chief Election Commission for its electoral benefits and Rajiv Kumar, the CEC, has been obediently obliging in the hope of getting a post-retirement appointment by the government. In the whole process, it is the people of the country who have been deceived and the democratic institutions and values which have been undermined.

The moot question is who is ultimately responsible for this mess. The ruling party and its leaders always like to do what is in their

interests by using the legislature through its brute majority or even thin majority in Parliament. But that is its prerogative. However, when it undermines the institutions of democratic governance to usurp all powers like a dictator and fulfill its greed for money power and muscle power and to kill dissent and democratic rights and liberties of the people in general and those of leaders of opposition, journalists, minorities and civil society activists through the use of institutions like the Enforcement Directorate, Central Bureau of Investigation and Income Tax Department. But when the highest judiciary ignores illegal or highhanded actions of the leaders of the government, the problem become endemic. After all, the Supreme Court and the High Courts are bestowed with the power of review even of the Acts of Parliament as the custodian of the fundamental rights of the people and the basic structure of the Constitution. If judiciary, which is the only hope for the people of the country, ignores the illegal acts of the government, the people have nowhere else to go and are bound to suffer. In the past, except on some exceptional occasions, even the judiciary has failed the people, particularly during the last ten-eleven years of the Modi rule. It abolished the Electoral Bonds Scheme through which thousands of crores of Rupees had been extorted by the ruling party, but allowed the ruling party to use the looted money for its electoral campaigns and benefits thereby not giving a level playing field to other opposition parties. It caught the theft of election votes by Anil Masih in the Chandigarh municipal election, but after some pretence of doing justice, by declaring the rightful person elected as the Municipal Commissioner, allowed Masih to get away unpunished. It allowed the government to appoint Election Commissioners of its choice by changing the rule of the composition of the Selection Committee laid down by it which consisted of the Prime Minister, the Leader of Opposition and the Chief Justice of India.

(To be Contd....on Page -19)

Articles and Features :

Farmers' demand for a legal guarantee for MSP is the bare minimum

The government officially declares MSP for 23 crops every year. The TV-watching public believes that the government has done a great favour to the farmers. In reality, the government does precious little to ensure that farmers get this “minimum” price.

Kavitha Kuruganti, Kiran Kumar Vissa & Yogendra Yadav

Is a legally guaranteed Minimum Support Price (MSP) to the farmers an idea whose time has come? Today is the 43rd day of the indefinite fast on this issue by farmer leader Jagjit Singh Dallewal. In the midst of this fast, the Parliamentary Standing Committee on Agriculture, Animal Husbandry and Food Processing (with a majority of MPs from the ruling NDA) has made an unprecedented recommendation of “legally binding” MSP. The Samyukt Kisan Morcha, the largest platform of farmers' organisations, is likely to announce a major action plan with the same demand as the farmers protesting at Khanauri.

However, the Union government seems to be in no mood to consider this demand. Notwithstanding the PM's repeated assertion — “MSP hai aur rahega” — the government has not even initiated a dialogue with the protesting farmers. The PM's “New Year gift” to the farmers — a stale declaration about continuing crop insurance and subsidy on fertilisers — bypasses the MSP. On the contrary, the government's recently released draft “National Framework for Agricultural Marketing” for the next 10 years does not even mention the MSP, let alone consider legally binding MSP.

In the midst of this deadlock, the farmers continue to suffer. Take Merta, an important major agricultural market in Rajasthan where moong (green gram) is a major kharif crop. The officially declared MSP for moong is Rs 8,682 per quintal. However, during December 2024, the average price was only Rs 6,467. The farmers

had to sell at a loss of Rs 2,215 per quintal, below the official MSP. Thus, the total income lost by farmers in this one market for this one crop in one month was over Rs 10 crore. In the market at Jalana, Maharashtra, the average price of jowar (sorghum) received by farmers in December was Rs 2,456 per quintal, Rs 915 below the official MSP of Rs 3,371. Maize price in Madhya Pradesh markets was Rs 1,980, whereas the MSP is Rs 2,225. The average market price for soybeans during the three months between October and December was Rs 4,076 in Maharashtra and Rs 4,148 in Madhya Pradesh, while the MSP was Rs 4,892. Herein lies the MSP story and the rationale for the farmers' demand.

The government officially declares MSP for 23 crops every year with a fanfare that makes public believe that the government has done a great favour to the farmers. In reality, the government does precious little to ensure that farmers get this “minimum” price. If the government does not take any action when the market price goes below MSP, the words “minimum” and “support” become meaningless. Clearly, an MSP that is not guaranteed is no MSP. The farmers simply want the government to redeem its promissory note.

However, every time the farmers' demand comes up for discussion, an outcry is orchestrated in the mainstream media, portraying it as unreasonable, operationally impossible or a fiscal disaster. Much of this criticism is either directed at an earlier version of this demand that the

farmers' movement has outgrown or is deliberate scaremongering. The demand for legally binding MSP is logically coherent and operationalisable. What is more, the country can afford it. Here is how it can be done. (We draw upon our article 'A question of how, not why', Frontline, March 22, 2024).

Let us begin by getting rid of the idea that legally binding MSP entails that the government must procure the entire produce of all the crops, or at least those crops that sell below the official MSP. This is neither feasible nor necessary. It is also not simply a matter of declaring any trade below MSP as illegal and relying on a punitive mechanism. This has been attempted and such a legal provision by itself does not work.

The basic principle of a legally binding MSP is very simple: Farmers must have a legal entitlement to receive — and the state would have a corresponding legal obligation to ensure to farmers — at least a remunerative MSP for all agricultural produce. The point of this definition is that the state's obligation is to "ensure" that the farmers receive the statutory price for their produce, not necessarily to "purchase" the farmers' produce. Correspondingly, the farmers' entitlement is to "receive" the statutory price, irrespective of who they receive it from.

This principle can be operationalised through three main mechanisms: Expanded procurement, effective market intervention and assured deficit payment. Let us examine these three.

Expansion and fine-tuning of the existing procurement operations would be the first step in this direction. Higher procurement of millets, pulses and oilseeds and expanding their inclusion in the food security schemes would help redress the present imbalance in procurement. The second modality can be smart market interventions. This can take multiple forms: Limited purchase whenever prices start dipping below the MSP, setting the floor price in APMC market auctions to MSP, fine-tuning international trade policy, improving the existing warehouse

receipt scheme and strengthening the Farmers Producer Organisations (FPO) to bolster the capacity of small farmers to hold their crops until prices rise. Finally, if these methods do not succeed in keeping the market price at or above the MSP level, the government would be legally required to compensate the farmer for the difference between the MSP and average market price. The legal guarantee of a fallback "price deficiency payment" would ensure that farmers' entitlement to receiving the MSP becomes a legal right.

Is a legally binding MSP affordable? The scaremongers use a deliberately misleading calculation to flash astronomic figures like Rs. 14 lakh crore and paint the MSP demand as a ridiculous or impossible ask. These calculations assume that the government would need to purchase every single quintal of every crop. As we have seen above, that is not what the farmers' demand entails. Besides, the actual expenditure incurred by the government would be the difference between the price at which the government purchases and the price at which it sells the crop. Moreover, not all commodities require an intervention; any government intervention is required only when the market price is below the MSP.

We calculated the total cost of legally binding MSP for the top 15 crops (that account for more than 95 per cent of the value of crops for which MSP is declared) for the marketing year 2022-23. The total deficit for all the crops that sold below the announced MSP came to Rs 26,469 crore. This is for the MSP at the rates announced by the government, using a partial cost $[(A_2 + FL) + 50 \text{ per cent}]$ concept. We also performed the same calculations considering the MSP demanded by farmers (or Swaminathan MSP), which is based on Comprehensive Cost $(C_2 + 50 \text{ per cent})$.

The total deficit below the demanded MSP came to Rs 2,00,710 crore.

(To be Contd....on Page -10)

The Questions About Electoral Integrity That the Election Commission Must Answer

Parakala Prabhakar and MG Devasahayam

Citizens in a democracy are entitled to a system that adheres to the essential principles of electoral democracy.

The discourse on the integrity of our electoral process needs a proper framing. In that framing, the place of Electronic Voting Machines (EVMs) should have a far less salience than the compliance with the core principles of electoral democracy. One such cardinal principle is the verifiability that a voter's vote has been "cast as intended; recorded as cast; and counted as recorded." This principle should take precedence over the purported 'speed and efficiency' of EVMs.

The current discourse is framed in a way that makes it willy-nilly gravitate towards technical safety or otherwise of the machines, but not towards the compliance of the process with core principles of electoral democracy.

Not that the machines are unimportant. But we need to steer the discourse clear of what a crop of techno-enthusiasts and gratuitous Election Commission apologists derisively dismiss genuine misgivings about EVMs as "the final point in the descent of our democratic imagination."

The most important reason for the stubborn persistence of doubts about the integrity of our electoral process is the opaqueness in the conduct of the Election Commission of India (ECI). The judiciary, including the Supreme Court (SC), also shares some blame because of its readiness to accept the ECI's submissions at face value and deliver orders in a rush, disregarding the opinion of independent experts of unimpeachable caliber.

The union government, especially since 2019, acted in questionable ways leading to suspicion that the ECI and the ruling party at the Centre collaborate in perpetuating opaqueness.

The latest amendment to Rule 93(2) (a) of

the Conduct of Election Rules notified in the Gazette of India dated December 20, 2024 brings the issue of opaqueness once again to the fore. The Punjab & Haryana High Court delivered an order directing the ECI to make certain records related to the electoral process available to a citizen petitioner.

This is as per the extant rules. But the Union government invoked its powers and "in consultation with the Election Commission of India", hurried to amend the rules to deny citizens' access to important records. This act is essentially an unwitting admission that the promised "administrative, technical and legal safeguards" of EVMs are only notional and cannot withstand public scrutiny.

This inevitably leads to suspicions:

Do the ECI and the party in power at the Centre have something to hide?

Are they afraid of a thorough public examination of the records of our electoral process?

Hopefully not. But if not, what explains this indecent haste to bring on these amendments to Election Rules? Had the ECI complied with the HC direction no one would have had any grounds for suspecting the integrity of our electoral process.

Another attempt by the ruling party at the Centre to scuttle transparency merits recalling.

The amendment it brought in in 2019 made the Information Commission and its Commissioners beholden to the pleasure of the government of the day for their salaries and continuance in office. This move has the potential to compromise the body's autonomy.

The timing of the move is significant. It is done in the wake of several allegations and charges against the ECI regarding the VVPAT count data during the 2019 Lok Sabha elections.

ECI's response to the RTI query by the news portal The Quint revealed its opaqueness:

"Polling Station wise data of Lok Sabha Election – 2019 is not available with the Commission. It may be available with CEOs of all states/UTs. You may obtain information from the office of CEOs of the States/UTs by submitting application under RTI Act, 2005 separately. Your application cannot be transferred to them as more than one PIOs are involved u/s 6(3) of RTI Act, 2005."

But this reply is contrary to the ECI's own circular that requires "all CEOs to submit their VVPAT data to the Commission within seven days of the counting day."

The ECI response is also contrary to the Commission's order which clearly states that even if multiple PIOs are needed to share the information, it is the responsibility of the PIO in possession of the original query to transfer it to the rest of the PIOs.

Even if wrong and misleading, this ECI response had the potential to set in motion an avalanche of RTI applications seeking information and documents on VVPAT of General Elections 2019. This could put the ECI in a tight spot. Therefore, the Union Government's move then to tame the Information Commission by undermining its autonomy.

If the December 20, 2024 move to amend the Election Rules and the 2019 measure to tame the Information Commission are seen together, one begins to wonder whether the motive of the ECI and the present ruling dispensation at the Centre is to prevent a full-fledged and forensic scrutiny of our electoral process by citizens.

Civil society organisations like Vote For Democracy (VFD), Association for Democratic Reforms (ADR), Independent Panel for Monitoring Indian Elections (IPMIE) and others

have flagged several instances of mismatch between EVM votes cast and EVM votes counted in both the 2019 and 2024 general elections. They pointed out the abnormal increase of voter turnout between the provisional voter turnout figures at the official closing time of polling and the final figures – both sets of figures released by the ECI. Such instances were pointed out with clear empirical evidence in the case of many state Assembly elections too.

In the 2024 elections not only were there substantial disparities between provisional and final figures but there were other serious abnormalities also.

For instance, the ECI, to begin with, released only percentages of votes polled but not the gross voting figures. Initially, the figures were overall state level average percentages and not constituency wise gross or even percentage figures.

However, after much hue and cry, on May 25, 2024 the poll body released gross figures state wise as well as Lok Sabha constituency wise for five phases. And after three more days, on 28 May 2024, phase 6 gross polling data, state wise as well as lok sabha constituency wise, was also released.

It released the final figures in percentages after many days of delay. It took full twelve days to release the final percentage figures for Phase 1 polling of the 2024 General Elections. For the other 6 phases the lag was between three and five days.

For Phase 2, oddly, the EC released only nationwide preliminary gross percentage for the entire phase at the end of official polling time.

State wise and Lok Sabha constituency wise preliminary figures even in percentages are not divulged even to this day for Phase 2.

The EC thus made it impossible for anyone to work out the disparity between preliminary figures and the final ones for Phase II. We don't have the preliminary figures to compare the final figures with.

One confronts yet another conundrum here that is beyond anyone's grasp. The EC released Lok Sabha constituency wise final gross figures for 6 phases on 28 May 2024.

And for phase 7, the final gross polled votes figures were released on June 6, 2024. Yes, on June 6, two full days after the counting had concluded and results had been announced.

Yet, even after this long delay, EVM polled votes' figures do not match the figures for counted EVM votes in 538 out of the 542 constituencies that went for polling. Surat Lok Sabha constituency did not go for polling.

Earlier ECI told the SC that it was not bound by law to make Form 17C available to the citizenry. It's assumed that political parties and candidates ought to have those forms that tell the gross number of votes polled in each booth. That may well be. But the ECI's refusal divulge the data to the citizens raises serious questions:

What about a citizen who is neither a candidate nor a political party?

Is she not entitled to know?

Is the media not entitled to know the data to be able to inform the citizenry?

Is our electoral process a game played exclusively among political parties and the ECI?

Who is the fundamental stake holder in this entire process?

Is it not the common citizen of this country?

Is the citizenry not the ultimate sovereign of the country to whom every constitutional body ought to be accountable?

Is the ECI not required to be accountable and transparent?

Why should it be reluctant to make Form 17C data and any other information public for citizens to scrutinise?

Why did the government of the day perpetrate opaqueness by changing the norms governing the Information Commission?

Why did the government in 'consultation with the ECI' hastily amend the Conduct of

Election Rules and make crucial records of election process unavailable for scrutiny by the citizens?

Citizens in a democracy are entitled to a system that adheres to the essential principles of electoral democracy. This is a non-negotiable requirement to maintain the integrity of electoral process. Any act of commission or omission that compromises the fulfillment of this entitlement or subverts it is unacceptable.

Parakala Prabhakar is a political economist and author of The Crooked Timber of New India.

MG Devasahayam, formerly of the IAS, is Coordinator of Citizens Commission on Elections.

Courtesy **The Wire**, 6 January 2025. 🌈

Contd. from page - (4)

Farmers' demand for a...

The actual expenditure would be less than that. Timely market intervention and all other measures mentioned above can ensure that market prices would automatically be close to MSP, and thus the deficits would be significantly lower. At the present rates, a legally guaranteed MSP would cost about 0.5 per cent of the Union budget. Even if we consider the higher rates demanded by the farmers, the total cost would be 4.2 per cent of the Budget, about 0.6 per cent of GDP. Considering the additional purchasing power this would put into the hands of agricultural households in the country setting off positive growth in the economy, this expenditure is eminently justified. It is now a matter of political will.

Kuruganti is co-convenor of Alliance for Sustainable & Holistic Agriculture (ASHA), Vissa is co-founder of Rythu Swarajya Vedika, a farmers' organisation in Telangana and AP.

Courtesy **The Indian Express**, 7 January 2025. 🌈

2024: In democracy's most testing year, disruptions, discontent and defiance

The far-right is now mainstream and billionaires and AI loom large as destabilising forces but messy, loud revolutions show resilience.

Pius Fozan

If 2024 had a personality, it would not have been demure. The word of the year chosen by *Dictionary.com* conjures up images of modesty and quietude – qualities that democracy, bruised and boisterous, could hardly afford in its most testing year yet.

With 64 countries heading to the polls, the year felt less like a celebration of electoral freedom and more like a global stress test for democratic ideals. Yet, the narratives built around its fragility, with the oft-repeated cry that “democracy is in danger”, also rang hollow for many.

The cringe of fringe

Let us bury the comforting fiction first: that the far-right is a fringe phenomenon. This year, it strode from the margins into the heart of political discourse, carried by a chorus of enablers – not just the far right itself, but centrists, centre-right leaders, and even some on the left who flirted with its rhetoric to stave off electoral irrelevance. The so-called fringe has become a new kind of mainstream, reshaping not just policy debates but the tone of entire elections.

Take Europe: far-right victories were not flukes. Whether it was the far-right faction in the 2024 European Parliament elections, Austria's Freedom Party, France's National Rally, the United Kingdom's Reform Party, Portugal's Chega Party, Croatia's Homeland Movement, Germany's Alternative für Deutschland or Georgia's Georgian Dream, the world saw far-right factions gain unprecedented ground. They reflected a broader disillusionment with politics-as-usual.

These parties surged not as isolated incidents but as part of a wider shift in voter sentiment, one shaped by mistrust in traditional institutions and frustration about issues like immigration, economic inequality, and the perceived failures of established political elites.

Germany offers a blunt example. A young German friend explained to me that she, along with many of her peers, felt drawn to extremist parties like the AfD not for ideological reasons, but simply to say “fuck you” to the ruling coalition, which they see as the face of an ossified status quo.

Even the far-left Bündnis Sahra Wagenknecht gained ground in Germany, further proof that 2024 was not about who had solutions but who could channel resentment against the establishment.

It is not that the far right had a better pulse on the people. Rather, it is that the centre – and many ideological opponents – lost theirs entirely. This year was a global referendum on frustration, with voters shouting their discontent at institutions that seemed indifferent to their struggles.

Billionaires rewriting the political script

The financial powerhouses behind this political shift – billionaires such as Elon Musk – have taken a front-row seat in this global disruption. With their wealth and social media megaphones (Musk's Twitter being a prime example), they are single-handedly tilting the power equation in their favour.

Musk, in particular, has waded into politics, whether by funnelling money into Trump's campaign lottery or backing the UK's Reform

Party. He has even meddled in Australia's political dynamics and offered praise for Germany's far-right AfD, tweeting, "Only the AfD can save Germany."

This is not just about political endorsements; it is about controlling the conversation, swelling extremist voices, and using their platforms to destabilise the existing political order. Musk's influence is not just financial – it is transformational, with the capacity to reshape entire electoral outcomes by tilting the political narrative and funding disruptors, thus furthering the erosion of political integrity.

A problem of abstraction

For voters trying to make ends meet, the warning that "democracy is in danger" felt like a luxury they could not afford. When food prices spike, rents soar, and wages stagnate, abstractions about democracy's peril land with a thud. For many, these warnings sounded like pleas to preserve the very institutions that had failed them.

This disconnect left fertile ground for populists and authoritarians to exploit. Bread-and-butter issues like inflation and housing crises drowned out lofty appeals to democratic values. When voters turned to disruptors – be they strongmen or radical outsiders – they did not do so despite authoritarian tendencies but because of a belief that only these figures could break the logjam.

AI: The new disruptor

If social media was the great disruptor of the 2000s, artificial intelligence may prove to be its even more dangerous successor. This year marked the first time AI, widely accessible and weaponised, entered the political arena in earnest. Its influence became disturbingly clear.

In Romania, Calin Georgescu, a political nobody surged in popularity thanks to AI-driven TikTok campaigns, being transformed into a front-runner almost overnight. Indonesia witnessed a disgraced general Prabowo Subianto remade as a cuddly, dance-loving grandfather on TikTok. His AI-curated image

catapulted him to the presidency.

The same tools that rehabilitated these figures are now being wielded with accuracy to distort public perception, build cults of personality, and dismantle trust in factual discourse.

The lesson here is sobering but simple: we cannot afford to repeat the mistakes of the social media era, where regulatory inertia allowed platforms to become breeding grounds for polarisation and manipulation. Safeguards must come now, before AI fully entrenches itself as the preferred weapon of extremist politics.

Glimmers of hope in the chaos

Yet democracy, battered and beleaguered, showed remarkable flashes of defiance. Around the world, people resisted – sometimes with unimaginable courage – to fight for what democracy could be, rather than what it has become.

In Georgia, citizens mobilised against a repressive government, refusing to back down even as crackdowns escalated. In South Korea, mass protests forced the impeachment of a president who had attempted to strangle democracy under the guise of martial law.

Bangladesh saw voters reject the path to a one-party state, delivering a shockwave to embedded authoritarianism. And in Pakistan, despite the outlawing of Imran Khan's party and his imprisonment, voters defied suppression to propel his independents to victory.

These were not quiet revolutions. They were messy, loud, and deeply imperfect – but they were alive.

A generation's reckoning

And then there is the next generation. Saddled with the mess left by their elders, they have emerged as democracy's most unlikely defenders. Gen Z and millennials have proven themselves unafraid to challenge cemented power structures, leveraging technology and collective action in ways that older generations can only marvel at.

(To be Contd....on Page -19)

Does Babasaheb's Ideology match with the Hindu Nationalist Politics?

Ram Puniyani

As the insult hurled on Babasaheb by Amit Shah in Lok Sabha is coming under heavy criticism from all over the country, the right wing Hindu Nationalist ideologues are trying to create a narrative that Babasaheb was on same page as the politics of those from Savarkar- RSS- and BJP in particular. (Balbir Punj on X: "The resurrection of Dr Ambedkar " / X) They are trying to pick and choose selectively from Ambedkar's (BA) massive work, a bit from here and a bit from there, to construct a picture as to how much Babasaheb appreciated the ideology of Hindutva.

They go on to quote that Swami Shraddhanand was the "the greatest and most sincere champion of the Untouchables" by BA. They ignore the fact that that same Swami was involved in Shuddhi, 'Conversion of Muslims to Hinduism'. This is what annoyed the Muslim clerics. To this Shuddhi, Ambedkar responded, "If the Hindu society desires to survive, it must think not of adding to its numbers but increasing its solidarity and that means the abolition of caste. The abolition of castes is the real sangathan of the Hindus, and when sangathan is achieved by abolishing castes, shuddhi will be unnecessary." It was parallel and opposite to Tanzim by Tablighi Jamaat which was trying to convert Hindus into Islam. Though Shraddhanand later became part of Indian National Congress, he was also part of Hindu Sangthan, a part of revitalized Hindu Mahasabha committed to Hindu Nation.

New constructs are being floated that Ambedkar and Savarkar are two sides of the same coin. True that Savarkar started the Patit Pawan temple which allows entry of dalits into temples. As per Babasaheb this will create a seperate temple where only dalits will visit. "An

editorial in the April 12, 1929 issue of "Bahishkrit Bharat" states that Ambedkar had opposed the construction of the Patit Pawan temple from the very beginning. He believed that these temples would later be called temples for the untouchables." However Ambedkar did appreciate Savarkar's efforts. Though he felt they were irrelevant.

These are some points which are raised by Hindutva ideologues. They go hyper while describing Ambedkar's relation with Congress. Some of them argue that after the death of Gandhi and Patel, Nehru became authoritarian and ignored the opposition. As Amit Shah said Ambedkar resigned from the Nehru Cabinet for his differences with Nehru on the issue of Article 370, Foreign policy and on the condition of SC/STs. The real crux is that the major point of Ambedkar resigning from Cabinet was his disappointment due to the shabby treatment given to Hindu Code Bill. A huge opposition and meetings were organized by RSS. Their volunteers were coming and demonstrating in front of Parliament. The peak of this was the massive protest in Ramlila Maidan on 11December 1949, in which effigies of Ambedkar and Nehru were burnt.

Opposing the Hindu Code bill The Organiser, 7 December 1949, "We oppose the Hindu Code Bill. We oppose it because it is a derogatory measure based on alien and immoral principles. It is not a Hindu Code Bill. It is anything but Hindu." The result of this aggressive campaign by RSS, on the Hindu code Bill was that it had to be delayed and diluted. This was the painful moments for Babasaheb, due to which he resigned,

The question of Manusmriti, Chaturvarnya, was the crucial part of differences between

Ambedkar on one hand and Savarkar to BJP on the other. While in 1927, 25th December Babasaheb burnt the Manusmriti, the second Sarsanghchalak of RSS, M.S. Golwalkar went on to write eulogies for Manusmriti. Savarkar details his support to Chaturvarnya and praises Manusmriti “‘*Manusmriti* is that scripture which is most worshipable after Vedas for our Hindu Nation and which from ancient times has become the basis of our culture-customs, thought and practice. This book for centuries has codified the spiritual and divine march of our nation. Even today the rules which are followed by crores of Hindus in their lives and practice are based on *Manusmriti*. Today *Manusmriti* is Hindu Law. That is fundamental.” And “The worst [thing] about the new Constitution of Bharat is that there is nothing Bharatiya about it... [T]here is no trace of ancient Bharatiya constitutional laws, institutions, nomenclature and phraseology in it”.

The central point of difference of Ambedkar from the Hindutva ideology is totally put under the carpet. In 1935 Ambedkar spoke in a meeting in Yeola near Nasik, On October 13, 1935, B.R. Ambedkar dropped a ‘bombshell’ when he said, “I will not die as a person who calls himself a Hindu! As per him this religion has no place for liberty, compassion and equality. In the revised edition of his book ‘Thoughts on Pakistan’ he opposed the formation of Islamic Pakistan as that may pave the way for Hindu Raj or Rashtra and that will be a big calamity for its people.

As he declared this, there were many

pressures on him to embrace Sikhism or Islam. Dr. Moonje from Hindu Mahasabha struck a pact with Ambedkar that if he avoids conversion to Islam, Hindu Mahasabha will not stand to oppose his move. Babasaheb’s own deeper studies led him to choose Buddhism.

Today BJP is trying to project that they have honored Babasaheb by erecting his statues, raising the International Museum in his memory and other symbolic things. These are identity related issues while the crux of Babasaheb’s values remains undermined. When the Mandal Commission was implemented BJP resorted to Kamandal politics. As Advani was arrested during his Rath Yatra (as a part of Kamandal politics), BJP which was part of the parties supporting V P Singh’s Government withdrew its support and V.P. Singh’s Government fell.

Congress along with Hindu Mahasabha opposed Ambedkar in Lok Sabha elections. Still it was Congress again which ensured that he was made a member of Rajya Sabha. He was made a member of the Interim Government and also Chairman of the drafting committee of Indian Constitution. BJP’s anxiety to prove that Ambedkar was part of Hindutva politics is a pure concoction to derive legitimacy from the memory of a person who totally stood against their very ideology of Hindu Nation. What an irony, those who stood/stand for Hindu nation are trying to project Ambedkar, who was opposed to Hindu Rashtra and wanted to have democratic, secular republic, as a part of their ideological parivar! 🌈

The Radical Humanist on Website

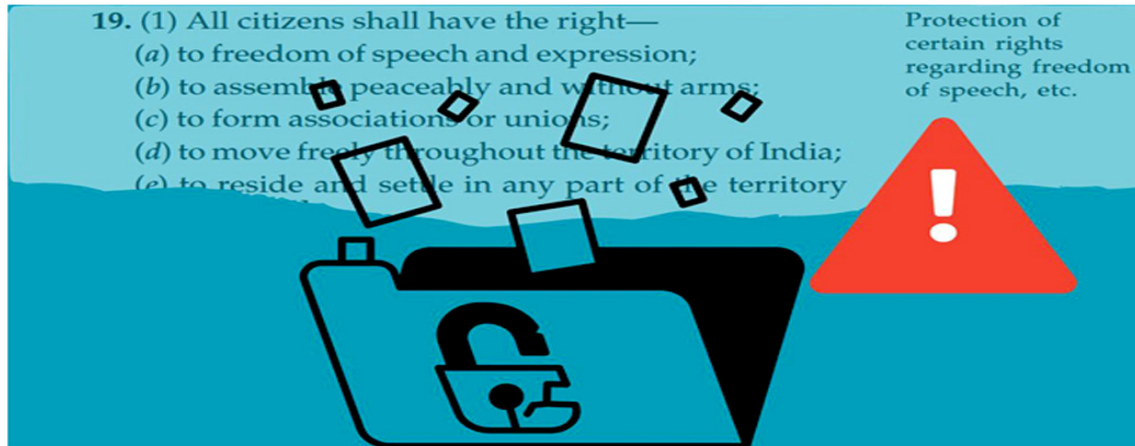
‘The Radical Humanist’ is now available at <http://www.lohiatoday.com/> on Periodicals page, thanks to Manohar Ravela who administers the site on Ram Manohar Lohia, the great socialist leader of India.

– Mahi Pal Singh

The right to information is fundamental but it is being undermined

The narrative that the transparency activists and applicants are troublemakers must be challenged.

Shailesh Gandhi



Created via Canva.

In a video posted online in August, a Supreme Court judge can be seen scolding a young lawyer for having sought information about a municipal corporation under the Right to Information Act. “What are you going to do with all this information?” the judge asked as he lambastes the lawyer for seeking details of recruitment and budget. The judge called this a “classic case” of misusing the Right to Information Act since the lawyer is an “officer of the court” and added the Supreme Court would impose costs on him.

“It is high time all this is put to an end,” the judge said.

A few months later, the Madras High Court in December ruled that RTI applicants must give reasons for seeking information under the act. A division bench of Justice N Paul Vasanthakumar and Justice K Ravichandrababu said the intention of the law is not for information “to be given like pamphlets to any person unmindful of the object behind seeking such

information”, according to *The Hindu*.

It is difficult to believe that a citizen can be asked why they sought information from a municipal body

It is difficult to believe that a citizen can be asked why they sought information from a municipal body. I have heard many public servants ask why a citizen is seeking certain information. Accepting this new norm paves the way for being asked to explain why someone wishes to speak or publish something.

Fundamental rights are human rights recognised by the Constitution. Since the right to information has been accepted as a fundamental right of citizens, under Article 19 (1)(a) guaranteeing freedom of speech and expression, nobody has the right to ask for reasons. Democracy is understood as the “rule of the people, for the people and by the people”. Citizens are sovereigns and therefore seeking what belongs to them: information.

Parliament has made this clear in Section 6(2) of the Right to Information Act:

“An applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him.”

The judiciary had reiterated this position even before the Right to Information Act was passed.

The first clarion call for the right to information came from Supreme Court judge Justice KK Mathew in 1975. Ruling in the Raj Narain case pertaining to alleged electoral malpractice in the election of Indira Gandhi, then the prime minister, the judge emphasised that “there can be but few secrets” in a government of responsibility where all the agents of the public must be responsible for their conduct.

“The people of this country have a right to know every public act, everything that is done in a public way by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing. Their right to know, which is derived from the concept of freedom of speech, though not absolute, is a factor which should make one wary when secrecy is claimed for transactions which can at any rate have no repercussion on public security.”

Parliament codified this right in 2005 by passing the Right to Information Act.

Justice Ravindra Bhat gave a perfect explanation of the Right to Information Act in 2007, stating that “a rights-based enactment is akin to a welfare measure, like the Act, should receive a liberal interpretation”.

Tackling the issue of exemptions to the act, he wrote: “The contextual background and history of the Act is such that the exemptions, outlined in Section 8, relieving the authorities from the obligation to provide information, constitute restrictions on the exercise of the rights provided by it. Therefore, such exemption provisions have to be construed in their terms...” The judge referred to other judgements that

support this view and added that “adopting a different approach would result in narrowing the rights and approving a judicially mandated class of restriction on the rights under the Act, which is unwarranted”.

But the entire approach to citizens’ right to information changed in August 2011 with a Supreme Court ruling in the case of Aditya Bandopadhyay vs CBSE. In paragraph 33 of the judgement, the court said, “Some High Courts have held that section 8 of RTI Act is in the nature of an exception to section 3 which empowers the citizens with the right to information, which is a derivative from the freedom of speech; and that therefore section 8 should be construed strictly, literally and narrowly.”

In paragraph 37, the court observed that the right to information was a “cherished right” and a formidable tool in the hands of “responsible citizens” to fight corruption and transparency”. It called for the strict implementation of the provisions of the act but said that public interests such as confidentiality of sensitive information and efficient operation of governments were equally important:

“Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information.”

The judgement cautioned against the misuse or abuse of the law in becoming “a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens”. The Supreme Court further said:

“Nor should it be converted into a tool of oppression or intimidation of honest officials

striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising 'information furnishing', at the cost of their normal and regular duties."

These observations were used enthusiastically by various public servants to deny information to citizens. In suggesting that the confidentiality of sensitive information should be kept in mind, the judgement introduced an exemption that was not envisaged by Parliament. The law clearly intended to give access to all information held by public authorities, except that mentioned in Section 8 (1) and Section 9. It suggested that right to information queries must meet the standard of "improving transparency and eradication of corruption".

By also implying that the law could be used to oppress and intimidate honest officials doing their duty, the judgement emboldened public servants to refuse information based on their assessment of what information must be given under the law. There has not been a single recorded case of oppression and intimidation of public officials. At the same time, there have been numerous instances of RTI activists and applicants being murdered, assaulted and threatened.

The Research, Assessment & Advocacy Group has found that about 50% of queries relate to information that should be available suo moto – in this case, provided openly and voluntarily – under Section 4 of the Right to Information Act. Another 25% relate to public servants not responding to complaints and representations by citizens. This indicates that a majority of the right to information queries are a consequence of public authorities not fulfilling their duties.

Unfortunately, despite this situation, the Supreme Court's observations are being used widely to suggest that this fundamental right should be recognised on a case to case business. A narrative has been created that the right to information is inferior to the right to speak and publish. It also sends the message that right to information activists and applicants are likely to "obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens".

As to the charge of public servants requiring a disproportionate amount of time to answer queries, one needs to understand that the Right to Information Act expects information to be provided as it exists. Some officials claim that it takes a lot of time to trace information. They must first understand the reason for keeping records, which is primarily for referencing. If records take long to locate, they will not be useful for referencing.

Again, the Right to Information Act is clear that records must be catalogued and indexed, computerised and quickly accessible. It is unfortunate that public authorities do not implement the provisions specifying this in Section 4(1)(a) and (b).

Across the country, the Supreme Court's observations were quoted enthusiastically and complaints were lodged against RTI activists. In some instances, the police filed first information reports against RTI users while referring to public spirited citizens as extortionists and blackmailers, serving to legitimise assaults on them.

This narrative must be challenged. Citizens and the media need to discuss and defend their fundamental rights. As the freedom to speak and publish have been expanded, the Right to Information Act is being weakened beyond what the law and the Constitution permit.

Shailesh Gandhi is a former Central Information Commissioner.

Courtesy **Scroll.in**, 4 January 2025. 🌈

15 firms make 70% donations to the largest electoral trust

Aditi Agrawal

Of the ₹ 1,075.68 crore that PET disbursed to six parties, the BJP received the lion's share at ₹ 723.785 crore, or 67.3%.

Fifteen business groups accounted for about 70% or ₹ 785.985 crore of the ₹ 1,075.71 crore that the Prudent Electoral Trust (PET), the largest electoral trust in the country, received in FY24, documents available on the Election Commission of India (ECI) website showed.

Of the ₹ 1,075.68 crore that PET disbursed to six parties, the BJP received the lion's share at ₹ 723.785 crore, or 67.3%, followed by the Congress at ₹ 156.4 crore or 14.5%. The BRS received ₹ 85 crore or 7.9% followed by the YRCP at ₹ 72.5 crore (6.7%) and the TDP at ₹ 33 crore (3.1%). The Janasena Party received a lone donation of ₹ 5 crore from PET.

While the ECI recognises 19 electoral trusts, the contribution reports of only 14 are available on the ECI website. Of these 14, only five electoral trusts, including PET, received donations in FY24. The top donors to PET were Arcelor Mittal Nippon Steel India and DLF, each of which donated ₹ 100 crore.

Of the ₹ 75 crore ArcelorMittal donated on January 6, PET transferred ₹ 65 crore to the BJP and the remaining ₹ 10 crore to Congress on January 8. The ₹ 25 crore that Arcelor Mittal donated on February 26 was transferred to BJP on February 28. This was followed by Hyderabad-based Maatha Projects that donated ₹ 75 crore.

CESC gave ₹ 80 crore. Calcutta Electric Supply Corporation, or CESC, is part of the RP-Sanjiv Goenka Group. Another RP-Sanjiv Goenka Group entity, Haldia Energy donated ₹ 10 crore.

Maruti Suzuki India donated ₹ 60 crore on March 30, 2024, one of the only two donations

made that day. The other was a ₹ 5 crore donation by Om Sri Venkateswara Construction Group. Between March 30 and March 31, PET disbursed funds only twice - ₹ 70 crore to BJP and ₹ 22.43 crore to Congress on March 30.

The Hero Group, through its subsidiaries Hetero Labs and Hetero Healthcare donated a total of ₹ 55 crore. The Hyderabad-based pharmaceutical group was the first company in India to launch a generic version of the Remdesivir injection during the pandemic.

Apollo Tyres donated ₹ 50 crore.

TVS Motors, through TVS Motors and TVS Credit Services donated ₹ 50 crore. TVS Motors has an 80.69 per cent stake in TVS Credit Services.

Megha Engineering and Infrastructure Limited (MEIL), which had emerged as the second biggest buyer of electoral bonds, donated ₹ 25 crore directly and another ₹ 25 crore through its subsidiary Western UP Power Transmission in May 2023. Cipla donated ₹ 30.195 crore. Bharti Airtel, directly and through its subsidiaries Bharti Telemedia (Airtel's DTH service provider) and Nxtra Data (Airtel's data centre company) donated as total of ₹ 29 crore.

PET received 56% of all donations, valued at ₹ 602.834 crore, for FY24 in 46 days between February 15 and March 31. The Supreme Court had struck down the electoral bonds scheme as unconstitutional on February 15.

On March 18, the apex court had instructed the ECI to disclose the details of electoral bonds bought and redeemed after April 12, 2019. Between March 19 and March 31, PET got donations worth ₹ 527.435 crore, or 49 per cent of all donations it received in FY24. PET gave the biggest cheques after disclosures about the electoral bonds had been made public - ₹ 218.5

crore on March 28, and ¹ 118.175 crore on March 30, both to the BJP.

The Chennai-headquartered Mugugappa Group, at ₹ 132.5 crore, made the biggest donations to an electoral trust, just not to PET.

Five companies from the Murugappa Group donated to Triumph Electoral Trust, making it the second largest electoral trust after PET. Except for ₹ 5 crore that Triumph disbursed to the DMK in March 2024, the remaining ₹ 127.5 crore donated by the conglomerate was donated

to the BJP.

While recipients of electoral bonds did not need to be made public until the Supreme Court's March 2024 ruling, electoral trusts must declare the names of the donors as well as the names of the parties receiving the donations. However, the trusts are not required to reveal which donor's donations were routed to which party.

Courtesy **Hindustan Times**, 21 January 2025. 🌈

Contd. from page - (5)

Who is Responsible for Deterioration of...

The government pre-empted the move of the Supreme Court and held the meeting of the Selection Committee a day before the SC was scheduled to review the change of rule and instead of the CJI it included one more representative of the government and appointed the two Election Commissioners of its choice. But the court just watched mutely. The appeals by election reforms activists and political parties as well as candidates of the assembly elections against the EVMs filed in the Supreme Court, fell on deaf ears. The country is now watching the theft of electoral verdict in the two assembly elections of Haryana and Maharashtra and the BJP and the Chief Election Commissioner are busy in celebrating the occasion. The people have lost faith in the EVMs and the impartiality of the Election Commission. The highest judiciary must now open its eyes and see what the people can see clearly and act accordingly lest they should lose faith in it also. Otherwise, given the way democracy is being held hostage, the future of democracy in the country looks bleak. There will be nothing more unfortunate than that. 🌈

Contd. from page - (12)

2024: In democracy's most testing...

This generation, unshackled from blind faith in traditional institutions, rejects the status quo as fervently as the disruptors they sometimes unwittingly enable. Yet their vision is clearer, their voices sharper, and their commitment to tackling issues like climate change, inequality, and human rights more urgent than ever. If democracy has a future, it is in their hands – and perhaps that is where it belongs.

Not so demure after all

The year 2024 laid bare democracy's vulnerabilities but also its resilience. It was not a demure year, not for the ideals of freedom and equality, nor for the people who fought for them. The narrative of "democracy in danger" may have faltered, but the fight for democracy itself is far from over. It is messy. It is loud. And it is alive.

Pius Fozan is a photojournalist and public policy graduate from the Willy Brandt School and Central European University.

Courtesy **Scroll.in**. Dec 31, 2024. 🌈

Has Jammu and Kashmir really ‘prospered’ after 2019? Data suggests otherwise

PM Narendra Modi claimed that the union territory has left behind ‘difficult days’ and wished for it to be ‘more prosperous’.

Safwat Zargar

On Monday, 13 January 2025, Prime Minister Narendra Modi inaugurated a strategically important tunnel in central Kashmir’s Ganderbal district.

The 6.4-km Sonamarg tunnel on Srinagar-Leh national highway takes an important step in ensuring round-the-year connectivity to the Ladakh region. This is the second major infrastructure project Modi has flagged off in the region in the first two weeks of 2025.

In an indirect reference to the scrapping of Jammu and Kashmir’s special status and statehood in August, 2019, Modi said the union territory is “regaining its identity as ‘paradise on earth’, leaving behind the difficult days of the past”.

“J&K is the crown of India and I want this crown to be made more beautiful and prosperous,” he said, in an address to the gathering at Ganderbal.

However, a look at different parameters of Jammu and Kashmir’s economy and other development indexes suggests that in the past the erstwhile state performed better than most Indian states on economic and social indicators – and that its “prosperity” may have taken a beating since the Bharatiya Janata Party government brought in radical changes to its constitutional features.

Social and economic indicators pre-2019

With its small population, Jammu and Kashmir contributes only 0.8 % to India’s gross domestic product. Nonetheless, the erstwhile state’s human and social development indicators have always been better than the rest of the country.

Take the case of poverty. According to the National Sample Survey Organisation, the share of India’s population considered poor was 22 % in the year 2011-12. Jammu and Kashmir’s poverty levels stood at less than half of that number with 10.3%.

Jammu and Kashmir stands out in a comparison of human development indicators. For example, between 2009 and 2016, average life expectancy in Jammu and Kashmir (for both males and females) has been above the national average. The erstwhile state’s literacy rate was 67 % as per the 2011 census, a number slightly behind the national literacy rate of 73 %.

On female sex ratio, Jammu and Kashmir performs better than the rest of the country. Against 929 females born per 1,000 males in India, Jammu and Kashmir registered 976 female births. This data is based on the findings of National Family Health Survey-5 conducted in 2019-21.

It is also a better performer when it comes to under-five-year-old child mortality. In India, 42 children per 1,000 births do not live up to their fifth birthday. In Jammu and Kashmir, that number is just 18.5 children per 1,000 births.

Soaring unemployment

During his address on Monday, Modi said the government’s efforts to establish major infrastructural projects in the union territory had provided “new opportunities” to the youth of Jammu and Kashmir.

However, official data reveals that the region is struggling with alarming levels of unemployment – which have worsened since 2019, the year New Delhi downsized Jammu

and Kashmir from a state to a union territory.

In November, for example, the latest Periodic Labour Force Survey data revealed that Jammu and Kashmir's overall unemployment rate rose to 11.8 % in the July-September quarter of 2024 from 10.2% in the same quarter in 2023.

In the 15-29 age bracket, the unemployment rate was 32%, compared to the national average of 15.9%.

The figures were not surprising.

According to a *Scroll* analysis of annual Periodic Labour Force Survey data, the overall unemployment rate in Jammu and Kashmir between 2017 and 2019 was below the national average.

However, from July 2019 – a month before Jammu and Kashmir's special status was unilaterally cancelled – till June 2024, J&K's unemployment rate has been consistently above the national unemployment rate.

This pattern is also visible in the unemployment rate of the key workforce of the 15-29 age group. Before 2019, the annual unemployment rate in this group was lower than the national average. But it has consistently remained above the national rate of unemployment since the second half of 2019.

While the impact of the Covid-19 pandemic on employment was a pan-global phenomenon, India's overall unemployment rate after the pandemic years has shown a decent decrease, from 4.8 % in 2019-20 to 3.2% in 2023-24, according to the Periodic Labour Force Survey.

In comparison, J&K's unemployment rate has not budged, from 6.7% in 2019-20 to 6.1% in 2023-'24.

The unemployment rate in the 15-29 age group in Jammu and Kashmir is more worrying. It soared to 17.4% in 2023-24, according to the Periodic Labour Force Survey, against the national average of 10.2%.

The alarming signs of joblessness in Jammu

and Kashmir are everywhere. In December, more than 5.5 lakh candidates took part in the written examination for 4,002 posts of constables in Jammu and Kashmir police.

Increasing debt

It's not only employment. The government is struggling even with funds.

Take the case of the debt levels of the Jammu and Kashmir government. As revealed by the 2024-'25 budget for the union territory, Jammu and Kashmir's total liabilities stood at Rs 1.12 lakh crore in 2022-'23 – the highest ever. In 2019-20, the same liability stood at Rs 83,573 crores.

Economic experts have flagged this staggering amount of debt. As per the budget, the union territory's debt-to-GDP ratio for 2024-'25 stands at 51 %. Debt-to-GDP ratio is a metric that shows a country's ability to pay back its debt by comparing it with the country's annual economic output. Higher the debt-to-GDP ratio, the more difficult it is for the economy.

Given J&K's over-dependence on the Centre, lack of a thriving private and industrial sector, and decades of political instability, liabilities have always plagued Jammu and Kashmir even when it was a state. But the latest number is staggering even by J&K's standards. For example, in 2011-'12, the erstwhile state had a liability of Rs 36,256 crores.

These numbers question New Delhi's assertion that the scrapping of Jammu and Kashmir's special status and statehood has ushered into a new dawn of economic development for the region.

Decreasing output

On the fifth anniversary of the abrogation of Article 370, a rights group in New Delhi came up with a scathing report about the state of Jammu and Kashmir's economy following the nullification of its special status and statehood.

(To be Contd....on Page -23)

When the Opposition refuses to hold

Vandita, Opinions Editor

It was a week when the INDIA alliance seemed to be coming apart, in Delhi as in Maharashtra. In both places, the strain that the Opposition coalition, formed to take on the BJP ahead of the Lok Sabha polls, seems unable to withstand comes from an impending electoral test. The assembly election has been announced in Delhi, for which the campaign is unfolding. It has pitted members of the INDIA bloc against each other openly — Congress against the AAP, (which is fighting off the BJP's challenge in its bastion), and TMC and SP, which have thrown their weight behind the AAP, against the Congress. In Maharashtra, urban local body and zilla parishad polls, including the one for the high-stakes Brihanmumbai Municipal Corporation, are on the political horizon. Here, the Uddhav Sena has indicated that it will be going solo, instead of fighting them as part of the INDIA alliance, or its state-level version, the MVA.

In one sense, this unravelling could be said to have been written into the original compact — even when they came together, it was evident that these parties have separate and often conflicting interests and agendas, and their setting aside their differences was primarily born of the fear that they would not be able to take on the might of the BJP at the national level separately. Now that the moment is gone, the parliamentary contest is over, it would seem that local politics, with its local imperatives of survival and growth, has rushed back in.

The fact that Congress, the centre-piece of the INDIA bloc, is still far too shrunk and weak despite increasing its Lok Sabha tally to 99-seats, makes it unable to play the role of negotiator and navigator in chief. It also contributes to making the alliance look less than a coherent whole, and more vulnerable to being

buffeted by the short term calculations of its individual parts.

But whatever the reason, the visible inability of the INDIA bloc to carry on after the Lok Sabha election in some recognisable structure or form has a long-term cost. It reinforces a dispiriting message in a democracy — of a lack of an alternative to the dominant party. While the BJP works towards its ends purposefully, whether it wins an election or loses it — after a defeat, it is quick to pick up the pieces — its political opponents seem always prone to giving up and losing sight of what brings them together, and/or defining their unity too narrowly.

At the national level, therefore, the crumbling of the INDIA bloc plays perfectly to the BJP's script — the BJP has always accused it of being an opportunistic platform, united only by the negative agenda of defeating the BJP. It suits the BJP that its opponents should be different regional parties in different states, and that there should only be a makeshift national-level adversary — its nationwide plans and ambitious projects have a free run if its challengers are much smaller platforms with agendas of a limited scope and width.

If the BJP looks unruffled and complacent, not humbled, despite its own setback in the Lok Sabha polls in which voters denied it a majority, therefore, it is not merely because of its victories in Haryana and Maharashtra. It is also because even in between elections, the INDIA block is not exactly giving it a run for its money.

The lack of a coherent and purposeful Opposition that can keep the BJP on its toes shows up in many ways, across the polity. It allows the BJP to, for instance, continue to run its coalition government as if it were led by a single party with a majority. It is not incidental that the present ruling arrangement, in which

the BJP depends on the TDP and JD(U) to make the majority mark, has no institutionalised forum for coordination or for allies to air their concerns or grievances.

Even within the BJP, important things have not changed, despite the rebuke to it implicit in the LS verdict. As a report in this paper revealed, the centralisation of decision-making continues unchecked, taking a toll on inner-party mechanisms and processes. More than six months after the 18th Lok Sabha was formed, the BJP Parliamentary Party, once a vibrant forum, has not met. Meetings of the BJP parliamentary board, the apex decision-making body, have become few and far between. This means that chief ministers for states are picked by the top leadership in the manner of an ambush, even surprising the rest of the party. For the Delhi polls, the first list of 29 names was finalised without a meeting of the party's Central Election Committee.

In its third term, the Modi government continues to evade questions and bypass

institutions. Towards the end of the week, came PM Modi's first podcast interview, he spoke to billionaire entrepreneur and investor Nikhil Kamath. Kamath was candid about the fact that he wasn't a journalist, his interview consisted mainly of asking the PM to give self-help tips on how to be a politician to young wannabe entrepreneurs who form the bulk of his audiences.

That, in his third term, the PM chose to talk, for over two hours, on subjects ranging from losing a parent to the difference between oratory and communication and his views on public responsibility, on a soft-focus show that allowed him an extended selfie, while consistently staying away from Parliament and institutional media forums, is also because he knows there will be no penalties. It is another indication of just how untrammelled and unaccountable, in the absence of a vigilant and coherent opposition, he feels.

Courtesy **The Indian Express**, 12 January 2025. 🌈

Has Jammu and Kashmir really...

Contd. from page - (21)

According to the 'Forum for Human Rights in Jammu and Kashmir', the erstwhile state's Net State Domestic Product grew by 13.28% between the financial years of 2015 and 2019. Following its bifurcation and downgrading into a union territory, the rate of growth stood at 8.73%.

The monetary value of the goods and services produced within the boundaries of a state or UT during a given period of time is called Net State Domestic Product.

This decline was also noted in the economic output of an individual within Jammu and Kashmir. "The per capita NSDP growth rate was 12.31% between April 2015 and March 2019 but it was 8.41% between April 2019-March 2024," the rights group said.

Amidst this economic slump, the inflation in Jammu and Kashmir has consistently remained above national average. According to the J&K government's economic survey for 2023-'24, the inflation rate in J&K between 2018-'23 has gone below the national average only in two year.

Courtesy **Scroll.in**, Jan 15, 2025. 🌈

He who passively accepts evil is as much involved in it as he who helps to perpetrate it. he who accepts evil without protesting against it is really cooperating with it.

- Martin Luther king, Jr.

Three and a half decades of victory of neoliberals

Prem Singh

If we look at the journey of neoliberalism/privatisation in India for the last three and a half decades, we find that the game has been completely in the hands of neo-liberals. Now it can be said without any ifs and buts that corporations, through neoliberal consensus, rule the present India (not the Constitution; the Constitution has become a mere object of quarrelling debates). Team-Modi has also declared that they are not only privatising but corporatizing the system. That is, neoliberalism/privatisation has culminated into corporatisation of India. Therefore, the much-talked New India (*naya bharat*) may be called corporate India (*nigam bharat*).

Before discussing this topic further, it would be appropriate to look at the brief history of the journey of neoliberalism in India. The duo of PV Narasimha Rao-Dr. Manmohan Singh, as the Prime Minister and the Finance Minister of India, had laid its foundation in 1991 in the name of New Economic Policies; and then easily handed over the reins to the duo of Vajpayee-Advani. Running skilfully and successfully on the corporate *kartavya* path, they handed over the baton to Sonia Gandhi and Dr. Manmohan Singh. Sonia Gandhi and Dr. Manmohan Singh's advisors also ran along with them in the race; to advise them that the new *kartavya* path has to be run in such a way that the thrown out masses feel that there is a place for them also in the newly formed corporate India.

The story that follows is not very old. However, it will certainly be called unpleasant. One may call it *maya* (illusion) of the corporate world that the very advisors suddenly snatched the baton from Sonia Gandhi and Dr. Manmohan Singh handed it over to Narendra Modi. Every system bears its own dynamics. The neoliberal

system too has its dynamics. Systems know when and in what role to include or use them in their favour. The neoliberal system too included/used the progressive and secular camp of India in its favour and is doing so till date. Some ground for this task of neoliberal system was prepared by the fourth conference of the World Social Forum (WSF) held in Mumbai in 2004. WSF, which later became popular as 'NGO Fair', was formed in Brazil in 2001 against the forces/system of global capitalism or globalization/neoliberalism by such NGOs, civil society activists and intellectuals who were themselves dependent on the funds/prizes of the same system. In 2007, a coalition of such elements formed India Against Corruption (IAC); under its aegis, 'anti-corruption movement' took place in 2011; and within no time, the decision of decisive victory of neo-liberalism took place in the country. India, which got freedom from colonial slavery after a long struggle and sacrifices of Indians, became an integral part of the neo-imperialist network.

In fact, progressive and secular actors had placed their bets on 'Chhota Modi' (younger Modi), but the bet on 'Bada Modi' (elder Modi) worked. For some time, progressive and secular actors lived in the deception that this sudden incident outside their plans was merely an aberration, which they would soon correct. They strangely and surprisingly united with Chhota Modi. Ignoring the fact that the neo-liberal system is in itself a corrupt and dishonest system, they propagated the lie that Dr. Manmohan Singh is corrupt and dishonest. Some of them even started claiming that if the corrupt Congress is removed from power, they will straightaway make Chhota Modi the Prime Minister of India.

Especially the enthusiasm of the governmental communists and the socialists aspiring to become governmental was worth seeing. When there is a drama, there is bound to be excitement. When their new hero resigned from the post of Chief Minister of Delhi and reached Banaras to defeat Narendra Modi in the Lok Sabha elections, then the advisors also reached there for campaigning. Ganga Maa had called Bada Modi to Banaras. Hence Chhota Modi, before filing his nomination, also took a dip in Ganga Maiya under the full surveillance of the media. Both the media termed as *godhi* (lapdog) and *pratirodhi* (resistant) today, were jointly broadcasting that dip live. In this way, the corporate-communal nexus of Indian politics became completely sacred!

But Narendra Modi made the aberration rule of the game. However, there was no great feat of Modi in doing this. The fundamental deviation had already happened in 1991, when the country's economy was taken off the axis of the Constitution and the values of the freedom movement and placed on the axis of global economic institutions and multinational companies. Modi simply decisively made the country's Constitution, resources and labour subservient to domestic and foreign corporate powers. To ensure that this subservience remains permanent, and the people of the country do not unite against the corporate rule, on the one hand he started the practice of spreading communal/casteist/tribal hatred in the society, and on the other hand, distributing cash hand-outs. The electoral opposition and most of the intellectual class/civil society, while cursing Modi day and night, started the exercise of running on the path determined and directed by Modi.

One would ask that the Rashtriya Swayamsevak Sangh (RSS) has not been mentioned in this story yet. Yes, RSS was very much there all the time. Till Vajpayee's time,

RSS used to feel some reluctance in corporate slavery. It probably thought, or should have thought, that the stain of supporting colonial slavery during the freedom struggle can be washed away to some extent by opposing neo-imperialist slavery. But as soon as RSS tasted absolute power, it got drowned in the joy of absolute slavery. Various types of *sangh vicharak* (RSS thinkers) got indulged in a campaign of discrediting and distorting the values, movements and icons of the Indian freedom struggle. RSS accepted with great pleasure that the *atmnirbhar bharat* (self-reliant India) being built by team-Modi by selling off national resources, borrowed foreign capital and third-rate digital technology is its much relished '*swadeshi bharat*. Just like there is an excitement for wedding, RSS, full of excitement, has become the vanguard of neo-imperialist slavery. The funny thing about this stance of RSS is that it also keeps distributing certificates of patriotism, bravery, sacrament and de-colonised mind!

2

Anyway, a turning point came in the journey of neo-liberalism in the country in 2010-11. The two decades-long struggle against neoliberalism was destroyed and there was a neoliberal consensus among the political and intellectual elite of India. Earlier, it would be said that the grip of neo-imperialism was tightening on the country. After 2010-11, India was accepted as an integral part of the neo-imperialist network. Now, there was no need for any neoliberal to remain hidden like before. They all openly joined the open hard core supporters of neoliberalism – whether they were in the secular camp or the communal camp. The neoliberals of the secular camp seemed to boast that they would suck out the poison of communal fascism flowing in the veins of neoliberalism. Hence, there was nothing to worry about. But they all started keeping silent on the communal/casteist/family politics of the

opposition. In doing so they deliberately blocked the possibility of creating any space for alternative politics vis-a-vis the corporate-communal nexus.

A recent sample of the neoliberal consensus can be seen in the quarrelling debate on the Constitution in Parliament; and the sentiments and views expressed on the contribution of former Prime Minister Dr. Manmohan Singh after his demise. Not a single MP, columnist or editorial raised the question that the New Economic Policies implemented in 1991 were a decision contrary to the Basic Structure Doctrine of the Constitution; that various constitutional provisions related to the legislature-executive-judiciary were not created with the objective of establishing a capitalist system in India. The secular-progressive camp, while complaining and protesting against the devaluation, distortion and misuse of constitutional democratic institutions by the Modi government, fails to see that these institutions were not created to build and run a distorted type of corporate capitalist system in the country. They were meant to fulfil the constitutional objective of establishing an egalitarian society and secular state, not an inequitable society and communal fascist state/politics.

There is no interference of civic consciousness in the corporate India that is in front of us. To make India a socialist secular democratic republic, an essential effort had to be made to develop civic consciousness among Indians. This could not be achieved by merely conducting elections and forming governments. In a vast, traditional, complex and plural society, the development of modern civic consciousness/civic spirit/sense of citizenship could only be done by the collective, continuous and coherent efforts of concerned leaders and intellectuals. Whatever may be the reasons for this, it did not happen during and after independence. Today, the flood of

communalism is overflowing not only in politics but also in society. The civic identity of Indians is vanishing in the darkness of religion and caste based identities. There is no serious effort visible to pick up the thread of the lost task of developing civic consciousness. As if the corporate-communal nexus has become the accepted destiny of India under the neo-imperialist yoke.

3

While taking the “historic”, “bold” and “crisis-solving” decision to make India’s economy subservient to global financial capitalism by implementing the New Economic Policies, Dr. Manmohan Singh had thrown a challenge that ‘if there is any other option, tell us’! The propaganda was done, which has not stopped till date, that in 1991 the country was caught in a deep economic crisis, and its economy was on the verge of sinking. Thanks to Narasimha Rao and Dr. Manmohan Singh that they saved the sinking ship of the country. But no leader, economist, governor of the Reserve Bank, economist advisor to the Prime Ministers/governments and progressive intellectuals tell which and how much of the population of India had to be affected by that economic crisis? Did that crisis come on the daily wage/contract workers of the unorganized sector, artisans, hawkers, small shopkeepers, small traders, farmers, fishermen, cattle-keepers, gardeners, boatmen, organized sector workers, government-non-government Class IV employees, unemployed youth – who would be 80-85 percent of the country’s total population – who dig wells every day to feed their families and others too, or came on the minority of the population – the political-intellectual-administrative-business-high professional/celebrity elite?

No one even tells who has been economically empowered with the implementation of fifth, sixth and seventh pay commissions that came after liberalization?

Were the “beneficiaries” of these pay commissions also the biggest beneficiaries of the quota-permit raj that has been cursed day and night since 1991? Did they create a market-oriented India for themselves and their progeny after sucking the blood of “socialist India”? So that they can spend the “earnings” of arrears/salary/allowances received from increased pay scales on various foreign brands of liquor to cars in the open market; so that they can buy and sell property worth crores in black; provide expensive education to their children abroad; travel by air within the country and abroad at government expenses; get the most expensive treatment done for free by joining the panel of private hospitals This list can be as long as you want. If you add to this the consumerist opulence of leaders, industrialists, domestic and foreign builders, top professionals and celebrities, it will become a monumental book.

There was a talk of poor and rich India before 1991 as well. But with the New Economic Policies, it was decided to make India pauper at the bottom and super rich at the top. Those who had taken full advantage of the mixed economy, they themselves created the hoax of open market economy. They were considering themselves poor as they were deprived of the consumerist glamour of America and Europe. All of them could not settle down in America or Europe. They decided to make India an integral part of the global consumer market. And they did it very well. The operators and supporters of this distorted capitalist system, which has caused suicides of lakhs of farmers, hunger/malnutrition/illness/illiteracy of crores, displacement of crores, unemployment of crores of Indians, and has sowed seeds of hatred in the society, fearlessly preach that economic inequality is the key to a strong economy.

It would have been a blessing if the advocates and players of corporate India could have been happy by merely taking loans and drinking ghee. In their greed to plunder infinite

luxury, they started selling water, forests, land and public sector undertakings. Governments, leaders and bureaucrats started playing the role of middlemen. Liberalised India, Shining India, New India, Economic Power India, Super Power India, Smart India, Digital India, Hindu India, Vishwaguru India are the various expressions of the India of these super rich people.

However, it could also have been possible that in the event of the country’s economy going bankrupt, some sacrifice could have been made to protect the country’s independence, sovereignty and self-reliance. Independence, sovereignty and self-reliance could have been protected by adopting simplicity, frugality and labour. A little sacrifice would not have been a big deal in comparison to the sacrifices made by Indians to gain independence from British imperialism. There was no need to learn any new lessons separately for this in Gandhi’s country. If the decision was to join the open market economy, then at least that process could have been done on its own terms. But the choice was made for the pleasures of slavery. It needs to be remembered that the ‘Architect of New India’ and his team merely signed the documents prepared by neo-imperialist institutions. Not even a single line of those documents was written in India. Every word of the Indo-US nuclear deal, much praised by the advocates of corporate India, was also written outside India in America.

Here the question can be raised that when the history of the victory march of neo-liberalism has been given in this article, then the history of the struggle against neoliberalism should also have been given. I have written and spoken about the anti-neoliberalism struggle many times in many places. Such occasions will keep coming in the future too. However, telling that story again would only anger the multi-faceted neoliberals even more.

(To be Contd....on Page -37)

Legal Article :

Principle Bail Is A Rule & Jail Is An Exception Is In Line With Article 21 Of Constitution; It Guarantees Right To Fair Trial For Accused: Calcutta HC

Sanjeev Sirohi

It is definitely entirely in the fitness of things and so also is most refreshing, most reassuring and most rejuvenating to see that in full consonance with the time tested most sacrosanct principle of giving priority to “bail over jail the Calcutta High Court in a most learned, laudable, landmark, logical and latest judgment titled Shyamchand Mondal vs The State of West Bengal & Anr in Case No. CRR 3593 of 2023 while exercising its criminal revisional jurisdiction on the appellate side and in which hearing was concluded on 5.12.2024 and then judgment was finally pronounced on 20.12.2024 directed the Trial Court to proceed expeditiously in a POCSO case and observed that bail is a rule and jail is an exception. It must be added that for sake of clarity, the Calcutta High Court also further clarified that this is in line with Article 21 of the Indian Constitution which guarantees the protection of life and personal liberty to all citizens of India. It must be noted that the accused had opted to approach the Calcutta High Court with a revision application that had been preferred against an order of the Special Court in a case that had been registered under Sections 376/306 of the Indian Penal Code and Section 4 of the POCSO Act, 2012.

It definitely ought to be noted that the Single-Judge Bench comprising of Hon’ble Ms Justice Shampa Dutt (Paul) minced just no words to say in no uncertain terms that, “Article 21 of the Constitution of India guarantees the ‘right to life and personal liberty’ to every individual and no one should be deprived of it

except according to the procedure established by law. It guarantees the fundamental right to live with human dignity and personal liberty.” Absolutely right! It must be most strictly implemented in letter and spirit also to serve its true purpose!

At the very outset, this most progressive, pragmatic, persuasive and pertinent judgment authored by the Single-Judge Bench comprising of Hon’ble Ms Justice Shampa Dutt (Paul) of Calcutta High Court sets the ball in motion by first and foremost putting forth in para 1 that, “The present revisional application has been preferred against an order no. 51 dated 15.07.2023 passed by the learned Judge, Special Court, Lalbagh, Murshidabad in POCSO Case No. 07/2017 arising out of Jiaganj P.S. Case No. 23 of 2017 dated 04.02.2017 under Sections 376/306 of the Indian Penal Code and Section 4 of the POCSO Act, 2012.”

As we see, the Bench discloses in para 2 that, “Vide order dated 15.07.2023 the learned Trial Court held as follows:-

“.....Heard Ld. Special Prosecutor. Since the materials on record attracts prima facie commission of offence U/s 302 of IPC as well which is a higher section than with which the accused Shyamchand Mandal has been charged and facing trial I hereby invoke the liberty granted by the Hon’ble Apex Court in Pradeep Ram Vs State of Jharkhand reported in (2019) 17 SCC 326 calling upon accused Shyamchand Mandal to appear before the Court on the date fixed (29.09.2023) to

answer as to why his earlier bail is not liable to cancellation in terms of the authority reported in Pradeep Ram vs. State of Jharkhand reported in (2019) 17 SCC 326 and same is required to be heard after serving the notice on the defacto complainant. Inform all concerned accordingly.....”

Briefly stated, while citing the relevant case law, the Bench points out in para 4 that, “The Supreme Court in Himanshu Sharma Vs State of Madhya Pradesh, Criminal Appeal No (s). _____ of 2024, (Arising Out of SLP (Crl.) No(s). 786 of 2024, held as follows:-

“11. While cancelling the bail granted to the appellants, the learned Single Judge referred to this Court’s judgment in the case of Abdul Basit (supra). However, we are compelled to note that the ratio of the above judgment favours the case of the appellants. That apart, the judgment deals with the powers of the High Court to review its own order within the limited scope of Section 362 CrPC. Relevant observations from the above judgment are reproduced below:

“14. Under Chapter XXXIII, Section 439(1) empowers the High Court as well as the Court of Session to direct any accused person to be released on bail. Section 439(2) empowers the High Court to direct any person who has been released on bail under Chapter XXXIII of the Code be arrested and committed to custody i.e., the power to cancel the bail granted to an accused person. Generally the grounds for cancellation of bail, broadly, are, (i) the accused misuses his liberty by indulging in similar criminal activity, (ii) interferes with the course of investigation, (iii) attempts to tamper with evidence or witnesses, (iv) threatens witnesses or indulges in similar activities which would hamper smooth investigation, (v) there is likelihood of his fleeing to another country, (vi) attempts to make himself scarce by going underground or becoming unavailable to the investigating agency, (vii) attempts to place

himself beyond the reach of his surety, etc. These grounds are illustrative and not exhaustive. Where bail has been granted under the proviso to Section 167(2) for the default of the prosecution in not completing the investigation in sixty days after the defect is cured by the filing of a chargesheet, the prosecution may seek to have the bail cancelled on the ground that there are reasonable grounds to believe that the accused has committed a non-bailable offence and that it is necessary to arrest him and commit him to custody. However, in the last mentioned case, one would expect very strong grounds indeed. (Raghubir Singh v. State of Bihar [(1986) 4 SCC 481].”

Do note, the Bench notes in para 5 that, “In the present case:-

- i) The initial section under which the accused was charged is Section 306 Indian Penal Code.
- ii) The accused had been granted bail.
- iii) The trial has commenced and there has been no prima facie violation of conditions of bail.
- iv) The reason for such consideration being that there is a prima facie case under Section 302 IPC.”

Needless to say, the Bench specifies in para 6 stating that, “Investigation has ended. Cognizance taken. Trial has commenced.”

It is worth noting that the Bench notes in para 7 of this robust judgment that, “There is no observation that the accused has:-

- (i) Misused his liberty by indulging in similar criminal activity.
- (ii) Interfered with the course of trial.
- (iii) Attempted to tamper with evidence or witnesses.
- (iv) Threatened witnesses or indulged in similar activities which would hamper smooth conduct of trial.
- (v) There is likelihood of his fleeing to another country.
- (vi) Attempted to make himself scarce by

- going underground or becoming unavailable to the investigating agency,
- (vii) Attempted to place himself beyond the reach of his surety, etc..”

In addition, the Bench then points out further in para 8 of this noteworthy judgment that, “Nor has he violated the conditions of bail granted.”

Most significantly, most fundamentally, most forthrightly and most remarkably, the Bench then lays bare and so also encapsulates in para 9 what constitutes the cornerstone of this most commendable judgment postulating that, “Bail is a Rule and Jail is an exception. This is in line with Article 21 of the Indian Constitution which guarantees the protection of life and personal liberty to all citizens of India. Article 21 of the Constitution of India guarantees the ‘right to life and personal liberty’ to every individual and no one should be deprived of it except according to the procedure established by law. It guarantees the fundamental right to live with human dignity and personal liberty. As per the fundamental principle of the Universal Declaration of Human Rights a person is assumed to be innocent unless proven guilty. Therefore, no one shall be deprived of personal liberty unless specified by a fair and just procedure. Bail is an essential element of any criminal justice system, as it guarantees the right to a fair trial for the accused. Bail is a mechanism that secures liberty to the accused without providing any unjustified benefit to them.”

Further, the Bench then specifies in para 10 stating that, “CRR 3593 of 2023 is allowed.”

Be it noted, the Bench notes in para 11 that, “The order no. 51 dated 15.07.2023 passed by the learned Judge, Special Court, Lalbagh,

Murshidabad in POCSO Case No. 07/2017 arising out of Jiaganj P.S. Case No. 23 of 2017 dated 04.02.2017 under Sections 376/306 of the Indian Penal Code and Section 4 of the POCSO Act, 2012, is hereby set aside.”

Furthermore, the Bench directs in para 12 holding that, “Trial Judge to proceed expeditiously with the trial.”

What’s more, the Bench holds in para 13 that, “All connected applications, if any, stand disposed of.”

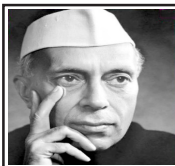
For clarity, the Bench clarifies in para 14 observing that, “Interim order, if any, stands vacated.”

Still more, the Bench directs in para 15 holding that, “Copy of this judgment be sent to the learned Trial Court for necessary compliance.”

Finally, the Bench then concludes by holding and directing in para 16 of this notable judgment that, “Urgent Photostat certified copy of this judgment, if applied for, be supplied to the parties expeditiously after due compliance.”

In conclusion, it thus merits no reiteration that all the Courts in India must pay heed to what the Calcutta High Court has held so very clearly, cogently and convincingly in this leading case and act accordingly. There can be just no gainsaying that the most fundamental tenet of criminal jurisprudence that, “The principle that bail is a rule and jail is an exception” is in line with Article 21 of Constitution which guarantees the right to fair trial and protection of life and personal liberty to all citizens of India must be most strictly implemented as held so very commendably in this leading case also by the Calcutta High Court! No denying or disputing!

Sanjeev Sirohi is Advocate. 🌈



Slogans are apt to petrify man's thinking... every slogan, every word almost, that is used by the socialist, the communist, the capitalist, the communist, the capitalist. People hardly think nowadays. They throw words at each Other.

-: Pt. Jawaharlal Nehru

The Humanist Frame

The Human Animal

(Summarized by **Vinod Jain**)

C.H. Waddington

The biologist who looks from his professional standpoint at the human race sees man, of course, first as an animal: 'Homo sapiens', one of the species belonging to the family of primates, who are a subclass of the mammals and a branch of the great vertebrate stock. Even that bald identification carries with it many implications and it is as well to begin by enquiring just what they are.

From the earliest beginnings of scientific enquiry until quite recently, biology has been in two minds as to how to envisage (form a mental picture of) the essential nature of animals and plants. One tendency has been to see them as nothing but rather elaborate machines. Descartes can be taken as an early and fairly extreme exponent of this view. The other tendency has been to suggest that, quite apart from any question of a specifically human soul in the theological sense, all animals and plants contain in their essence some non-material or vital principle. Even many of those who provided straight forward causal or mechanical explanations of some particular activities of living things have frequently argued that, over and above such detailed processes, or, if you like, behind them, there must be some essential, living, non-material agency. This was the view, for instance, of Harvey who, with his discovery of the circulation of the blood, actually did considerably more than Descartes himself to reveal some of the mechanical processes on which animal life depends. The logical opposition between these two views grew deeper as knowledge of material mechanisms became more clear-cut and more precisely formulated. It reached its height perhaps in the latter years

of the nineteenth century, at a time when the physical scientists were profoundly convinced that matter consists of billiard-ball atoms and that is all there is to it. By this time the practical successes of physical theory were so great, and had won for it such a dominating position in scientific thought, that the few remaining vitalists (Those who believe that life originates in a vital principle rather than chemical and other physical forces), such as Driesch, had almost the position of isolated eccentrics.

Within a decade or two, around the turn of the century, the whole picture changed radically, and the long-standing 'vitalist-mechanist controversy' effectively vanished from the scene of biological thought. It disappeared because it was borne in on both sides that they had been over-simplifying matters. On the one hand, the physical scientists discovered that it is inadequate to reduce matter to a collection of impenetrable and unchanging billiard-ball-like atoms. They found themselves instead forced to think in terms of subatomic particles, wave-mechanics, relativity and the interconvertibility of energy and matter, and even at a loss to support the principle of causal determinacy. No force was left in the statement that living things were nothing but matter, since it had transpired that matter itself was a most incompletely comprehended (understood) mystery.

At the same time, thinkers about biology realized that when simple units become structurally arranged into complicated systems, these systems can exhibit new properties which can be understood by hindsight (understanding of a situation or event after it had happened) but not necessarily by foresight (the ability to predict

and prepare for future events and needs).

It became obvious, in fact, that the explicative power of organization is so enormous that any temptation to invoke a vitalistic principle over and above this, almost totally vanishes. We can safely say that living things are complex arrangements of 'matter', but since we have scarcely any clue to what matter is, and the main information we have about complex arrangement is that it is almost incredibly efficient at producing unexpected results. This statement can do little more than allay uncalled-for philosophical qualms, and in point of fact adds next to nothing to our understanding of the situation.

Biologists were then able to devote themselves with an open mind to the study of their proper subject-matter, the living world. One aspect of their endeavour has been to try to discover what should be taken as the basic units out of which living things are built. Putting it very briefly, the conclusion that has emerged so far is that the most characteristic processes of life depend on the activities of protein molecules operating as organic catalysts or enzymes which speed up certain reactions to rates much faster than they would otherwise show; but that the specific character of these enzymes is determined at a more fundamental level by the hereditary factors, or genes which an animal or plant inherits from its parents.

The most important point is an extremely general one, namely that all biological organization, whether of cells, individual organisms or populations, is involved in temporal change. Life is through and through a dynamic process. Any mode of thought which attempts to attribute to man or any other organism any form of unchanging essence, or any character that is conceived as 'being' rather than 'becoming', flies in the face of our whole understanding of biology.

The flux of becoming which is so characteristic of all living things is perhaps most

clearly and inescapably expressed in the phenomena of embryonic development. We can watch a fertilized egg begin its life as a small almost featureless lump of living material, and gradually develop into an adult of considerable obvious structural complexity. In many cases, for instance in birds, it carries out this performance inside an eggshell which effectively insulates it from outside influences, except of such a crude and general kind as a reasonable temperature. It is clear that the fertilized egg must already contain within it substance whose reaction with one another suffice to ensure the production of the various different organs and tissues out of which the adult is built.

These pathways of change, along which the various parts of the egg proceed as it develops, are inherent in the constituents of the egg at the time when it begins its development after fertilization.

It is more to the point here to turn to consider the other major type of temporal change with which biology is concerned. That is, of course, the process of evolution. The whole realm of living things as we know them today has been brought into being by evolution; and this, of course, includes man. The notion of evolution is by now not solely a theory about certain processes which may go on in the living world, but is one of the essential dimensions within which biological thought must take place. We cannot think of living things in modern biological terms without at the same time employing the concept of their evolution.

The succession, throughout the history of life on the earth, of a series of dominant types of organization, each with a clear-cut advance on what went before—the unicellular organization succeeded by the multi-cellular, the primitive multicellular types, such as sponges, succeeded by more complex types such as sea-anemones and worms, those again by insects and fish, the fish by amphibia, reptiles, birds and mammals.

How, in terms of these concepts, do we see the situation of man? His appearance on the world scene is clearly not a case of mere stasigenesis (inactivity, stagnation), since he has changed from his non-human ancestors. Again, his mastery of conceptual thought and social communication mark off his biological organization as something radically different from that of his nearest biological relatives, the higher apes.

If one inspects the anagenetic changes which have gone on in the sub-human animal world, it is not too difficult to discern some of their general characteristics. For instance, one of the most important of them has been an increasing independence of the external environment, exemplified, for instance, in the evolution of creatures that can live on dry land or even in the air, as well in the sea, and of animals which can maintain a constant body-temperature. Again, there has been an evolution of more precise and sensitive sense-organs, and a concentration of the nervous system into a single central and ever further-evolving brain, leading to improved capacities of knowledge and feeling and awareness in general, and to the emergence of mind as an increasingly important factor in evolution....No creature has been able to become so independent as man of the accidents of its environment; no creature has such faculties for experiencing not merely the elementary processes of the world, but the relations between them. The capacities with which man's evolution has endowed him are an immensely extended carrying - forward of the main progressive lines of pre-human evolution into radically new realms.

The most important respect in which the appearance of the human race extends the lines of advance of the sub-human world are in connection not with the results brought about by evolution, but with its very mechanism. Evolution depends, of course, on the passing from one generation to the next of something

which will determine the character which that following generation will develop. Man, alone among animals, has developed this extra-genetic mode of transmission to a state where it rivals and exceeds the genetic mode in importance. Man acquired the ability to fly not by any noteworthy change in the store of genes available to the species, but by the transmission of information through the cumulative mechanism of social teaching and learning. He has developed a mechanism of evolution which overlies the biological mechanism depending solely on Genes. Man is not merely an animal which reasons and talks, and has therefore developed a rational mentality which other animals lack. His faculty for conceptual thinking and communication has provided him with a completely new mechanism for the most fundamental biological processes of all, that of evolution.

Most of those sympathetic to Humanist thought, will realize that it is man's duty, not only to mankind but to the living world as a whole, to use his special faculties of reason and social organization to ensure that his own future evolution takes forward the general trend. This is, I think the accepted Humanist position, as it is put forward for instance by Julien Huxley, Needham, and others, and accepted by bolder minds even among those who adhere to traditional religions, such as Canon Raven and Pierre Teilhard de Chardin.

The basic Humanist position, derived from considering man's place in the biological world, is that in approaching such problems we have to consider them in relation to what we know of the actual course of progressive evolution in particular of the human world. Evolution is the very essence of living. Life could, indeed, be defined as the state of a system which is capable of evolving. Man evolved by a mechanism that belongs to him alone, and which he alone can modify and improve. 

(To be continued)

The Politics of Development and Peasants' Eviction

Sanjay Kumar Gambhir

Jharkhand is developing fast, but not the Jharkhandies. Chhotanagpur and Santhal Parganas together account for only a fortieth part (2.5 percent) of the total geographical area of the country, but more than a fourth part of the total mining activities in the country is performed in this small region alone. Nearly a fifth part of the total public sector investments in industrial activities in the country is performed in this small region alone. Nearly, a fifth part of the total public sector investments in industrial activities is located in this region. In the private sector, besides the TISCO & TELCO factories of the Tatas, there are several big, medium and small industrial units located in the region. The Aluminium factory at Muri, Copper plant at Ghatshila, Lead smelter at Tundoo, Uranium mining at Jadugoda and Mica INDUSTRY at Girdih have a strategic importance. Other important industrial activities include Cement, Bricks, Tiles, Glass & Glassware production in each of the production in the region account for almost the whole of the production in Bihar State.

Beginning from 1894 the year in which railway connection was established with Jharia Coalfield, the growth of mining activities in this region has been spectacular. The steel plant at Jamshedpur was constructed a few years later. Since the fifties the works of the Damodar Valley Corporation, the Fertiliser plant at Sindri, the Heavy Engineering factory at Ranchi and the giant steel plant at Bokaro have been the landmarks in the development of this region. The number of towns in Chhotanagpur, Santhal Parganas region has increased from 13 in 1901 to 34 in 1951 and then 96 in 1971. There are very few areas in the country which are developing fast.

Jharkhand region has registered one of the fastest rate of urban growth. But who lives in the town; out of the total urban population in

Jharkhand areas, only 17 percent were scheduled castes & scheduled tribes, according to the 1971 Census. The Sadnis may account for a slightly higher proportion. But it is doubtful whether all the Jharkhandis together will account for even a half of the total population. That explains why the localities in Bokaro Steel City ner the names of districts in gangetic Bihar & UP.

The ten percent (roughly speaking) immigrants in Jharkhand appropriate more than fifty percent of the industrial jobs. But to say it is really a statistical jugglery. The Jharkhandis benefit from the development of Jharkhand region in the same manner as the growth of slums are also included in urban development. Among the urban population, the Jharkhandis are predominatly slum dwellers, the immigrants being the prosperous urban folk. The industrial employment, unskilled workers are the Jharkhandis and well paid workers are outsiders. The officers come from North Bihar; orderlies may be Jharkhandis. The contractors are outsiders, the labourers are recruited locally. The small panshop owner is a Jharkhandi, the big traders and merchants are Punjabis, Gujaratis, Marwaris. The professionals are outsiders, the maid-servants' job is monopoly of the Jharkhandis. As klong as the miners' job was a low paid unregulated job, the Jharkhandis had some pie. But when after the nationalisation, the wage rates increased almost twice, they ceased to be the beneficiaries.

Even the insignificant share of development benefits which they receive today would not have accrued to them had not the Jharkhandis struggled relentlessly for these. In order to receive some amount of compensation hundreds of adivasi families displaces from the land acquired for the construction of the Heavy Engineering Plant at Ranchi; had to wage

militant struggle for several years. The displaced families at Bokaro had kept the Administrative Building of the Steel Plant gheraoed for the three consecutive days in 1969. Only after that the Steel Plant authorities announced policy to reserve the grade IV services for them. Even recently, in April 1978 four Jharkhandi villagers – tribes and nontribals – laid down their lives while defending the rights of their brothers from encroachment.

Sabarnarekha Hydrel Project Scheme

It is true that Damodar, Subarnarekha or Koel-karo projects with their capacities to produce thousands of megawatts of electricity, facilitating the development of the country. But whose development? The Jharkhand area comprising half of Bihar state and only 2.5 percent of the whole country produced 90 percent and 7 percent of total electricity generated in Bihar and India respectively even though it is overlooked that the coal produced in this region is the source of thermal power in many other electricity generating units all over the country. To make another statistical point the per capita consumption of electricity in Jharkhand region is possibly the highest in the country. But development benefits in Jharkhand are not enjoyed by the Jharkhandis. The consumption is appropriated by the industries had there been urban people alone. The proportion of villages electrified in Jharkhand region is one of the lowest in the country.

Why should not the Jharkhandis oppose the construction of the Koel-karo project? It is to bring prosperity that is meant for others; for the Jharkhandis, it has relevance only in the eviction of thousands of agricultural families from their homes. It is a notorious fact that the promised compensations in money and employment are never easily obtained. People in the adjoining villages to these power plants may in all likelihood see electric lamps even after completion of the projects. The peasants in the villages near the gigantic Sindri Fertilizer factory

have rarely used fertilisers. The women of Chandwa village have to go far off to get some drinking water, although the water supply station for Ranchi town has been constructed on their once cultivated land. Over large parts of Jharkhand the paddy fields have been destroyed, the coal has been taken away leaving dark black holes of abandoned pits to symbolise the destiny of Jharkhand.

By their repeated revolts in the nineteenth century, the advasis had won for themselves concessions for protective land legislation under British administration. The legislations continue, but the dead weight of industrial impact and rapid advance of commercialisation make the facts little felt. During the first three Five-Year Plans more than 50 thousand scheduled tribes and ten thousand scheduled caste families were uprooted from their ancestral homes to make land available for the construction of public sector industrial projects alone. The total number of displaced families was much higher if we consider the private sector industries also and remember that coal mines at the time of this enumeration were in the private sector. The progress of land acquisition for industrial purposes has remained high in the more period when the gigantic projects like Bokaro Steel Plant and Tenuke Super Thermal Power plants have been added. The recent inclusion, for example, Koel Karo project threatening to destroy 200 villages and submerge 45,000 acres of agricultural land after the construction of a reservoir.

While there may be some justifications in terms of national interest for such alienation there is none whatsoever to support the massive cases of alienation by landlords, speculators or even by common outsiders making a mockery of the protective land laws. At Lohardaga town for example, 78 percent of scheduled tribe families were alienated from their lands by way of mortgages. The scheduled castes and Sadanis are easier prey because unlike the scheduled

tribes they do not enjoy any legal protection in matters of the land alienation. From the outskirts of Bokaro Steel City the scheduled have been driven away within the last few years by means of – which can aptly be described as savage. It is true that the problem is most acute in the towns and urban peripheries where land prices have hiked up. However, twelve urban agglomerations and fifty single towns along with numerous industrial villages, block headquarters and marketing centres, strewn throughout etc over wide areas. In Jharkhand there are 62 acres of urban area per 1000 acres under the cultivation leaving alone many other settlement not classified as urban in the Census. In addition, the effect of industrialization extends even to remote rural areas by peculiar ways. For example, many of those workers retrenched during the nationalisation of coal mines were compelled to sell their lands held in villages in order to survive during the period of unemployment. Agricultural labour was in abundant supply after the retrenched miners had gone back to the village and landlords of that village resolved to cut down the already meagre wage rates of agricultural labourers.

Agriculture related patron-client relationship were essentially there between land owner and farm servants or share croppers. But, on the demand side there has been an increase in the possibility of hiring in cheaper labour seasonally from outside without involving patron obligation. While individual migration of younger males appears to be the most common pattern, individual women also migrate. Seasonally especially among tribal communities, as do entire families lived in groups through contractors or through money lenders seeking to ensure that their loans are repaid. In Indian context, the erosion of family support and support for kins and friends has been documented especially in the context of tribal communities, traditionally characterised by team work in agriculture and mutual labour exchange and community support

arrangement. This region has remained a source of cheap labour not only inside the region but throughout India. It is the tribals of this region who cleaned the forest of Assam, the Sunderbans, North Bihar & etc.

The vegetable grown in Baghundi, Balarampur, Rahe, Bundu, Tamar Ranchi, straightway brought to Calcutta market by the agents to the multi-national agribusiness houses depriving the local people and the producers. The local peasants are forced to sell their products at the cheap rate as desired by the Management. If we look into the background of the workers of the Tea stall, Hotels, Dhaba etc, we will find that this entire area became the cheap labour supply 'basket' to Rourkela, Jamshedpur, Bhilai, Hatia, Bokaro, Dhanbad, Jharia, Durgapur, Raniganj, Chittaranjan and etc.

Since we are suggesting increased productivity in all sectors of a country's economy, it follows there must be a balance between agricultural and industrial development and the development of infrastructure – roads, railways, harbours and other services to maintain the economy. In urging for balanced economic development in all sectors, we are not suggesting that priority for agricultural development should be abandoned but emphasizing that it must be related to that in other sectors, the starving, the hungry, the ill-fed are still with us and food production must have its priority but within a balanced overall development strategy.

The peasants of Jharkhand throughout the history of the colonial and present rule been cheated and still they are giving the names to their children as 'Hakim', 'Daroga', 'Mukherjee', Ukil, 'Mahajan', 'Baboo', 'Daktar', 'Master' etc as a symbol so that there will be no exploitations to them. This is result of their psycho-fear. For many in fact the educated man is someone to fear and distrust. When their own kin or sons and daughters became

exploiters, then they suffer from real culture of silence. But the big question? How can the problem be solved? It can be solved mainly by ensuring that all innovations and change at farm and village level is sound technically, economically and socially. And perhaps the solution can be helped in some cases by guaranteeing the farmers against loss.

The important role of women in agriculture has generally been insufficiently recognised; but in Jharkhand they are the standing partners of

production. The peasants of Jharkhand are neither irrational nor unintelligent in their choices although they are slow to adapt to changing circumstances. But their major problem is that of survival must be understood and appreciated in any scheme to get them to adopt new techniques which will lead them to either loss or profit and they must have right to refuse.

Sanjay Kumar Gambhir is Executive Body Member, Jharkhand Buddhijibi Manch. 

Three and a half decades of...

Contd. from page - (27)

Voices were raised in the entire country in favour of independence, sovereignty and self-reliance, and there were also active resistances. Despite the fact that many obstacles were erected in the path of struggle and its potential, a tremendous resistance against the globalist forces continued during the two decades of neoliberalism. Voices challenging the forces of globalization continued to exist not only in alternative political streams and civil society, but also in mainstream politics. Globalism is actually neo-imperialism, which should be opposed with the strength of the values of India's freedom movement and the Constitution along with new ideological innovations - such a message used to have some effect on the consciousness of the teenage and young generations of the time. The possibility of victory of the values of the freedom movement and the Constitution had been created by it. If that struggle has been forgotten, and its flow has not been transmitted to the new generations, then it is a proof of the flaw in our understanding and responsibility.

(To be continued)

(The writer associated with the socialist movement is a former teacher of Delhi University and a fellow of Indian Institute of Advanced Study, Shimla) 

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ETHICS AND POLITICS *

M.N. Roy

A re-examination of the different contemporary political theories—of the Right and of the Left, conservative and liberal, reactionary and revolutionary—reveals the disconcerting fact that in their practice there is little fundamental difference between them, because capture of power, irrespective of the diversity of means advocated for the purpose, is the common postulate of all political theories. The ensuing scramble for power has led to a progressive demoralisation of public life. Morality in public life, therefore, presupposes a political theory which would not make capture of power the precondition for any necessary social change; and such a new political theory must be deduced from a social philosophy which restores man in the place of primacy and sovereignty. Morality being the dictate of conscience, it can be practised only by individuals. Without moral men, there can be no moral society. Until now, all the architects and engineers of new social orders have reversed the order: they all postulated an ideal order as the condition for the free growth of human personalities. The Liberals believed that the ideal of a good life could be attained by good laws. As against their “reformism”, Socialists and later on Communists maintained that economic reconstruction on the basis of common ownership was the condition for human development. The result has been the eclipse of the individual by collectivities; totalitarianism and dictatorship in political practice have been the corollary to collectivist social philosophies.

It is easy enough to place the individual in the centre of a social philosophy. As a matter of fact, individualism was the cardinal principle of the liberal social philosophy and political theory; and Liberalism was the source of inspiration for the magnificent achievements of

modern civilisation. But in practice, the principle of individualism was reduced to an abstract doctrine, the sovereign individual to a legal fiction. The decay of Liberalism encouraged the rise of various collectivist doctrines which denied the possibility of individual freedom, ridiculed the idea as an empty abstraction, and proclaimed that, in order to be free, the individual must merge himself in the mass; in other words, find freedom in self-annihilation. If Liberalism had made a legal fiction of the sovereign individual, the socialist and communist conception of freedom is denial of freedom.

The cause of the decline of the liberal social philosophy was the ambiguity about the sanction of morality. It started with the excellent principle that the individual was a moral entity and, as such, sovereign. That is an ancient belief; in Europe, Christianity popularised it: man is moral because he possesses the soul, which is a spark of the divine light of the universal moral order. In the beginning, that was an elevating idea; inspired by it, European humanity threw off the thralldom of the patriarchal and communal organisation of the mediaeval social order. But the religious faith in man's moral essence limits his sovereignty; indeed, it is a negation of the liberating concept. In the last analysis, it implies that man as man cannot be moral; to be so, he must feel himself subordinated to a super-human power. With this paralysing sense of spiritual subservience, man can never be really free. Man's struggle against the doctrine of the, necessity of his eternal spiritual subservience was the outstanding feature of the earlier stages of modern civilisation. Liberalism was born out of that struggle, which reached the high-water mark in the eighteenth century. The Enlightenment represents its afflorescence.

The shock of the French Revolution

frightened Liberalism out of its wits. Natural religion was opposed to Materialism, and the sanction for morality was traced to a transcendental moral order. As against the transcendentalism of the earlier nineteenth century moral philosophy, liberal social reformers and political theorists advanced the utility principle of morality. If in the former, ethical values were metaphysical concepts beyond the test of human experience, the latter deprived them of any objective standard, and that amounted to a negation of morality. Between the two, the civilised world was thrown into a moral confusion.

At the same time, the practice of parliamentary democracy and *laissez faire* economics reduced the individual to a helpless position. The cumulative effect of moral confusion and social atomisation destroyed man's faith in himself. The collectivist ridicule of the idea of individual freedom corresponded with the experience of the bulk of the community. Having lost faith in himself, the individual welcomed the hope, offered by collectivist social philosophy, of finding security in the power of the masses. The human factor disappeared from politics. To sway the masses by appealing to base instincts and evil passions came to be the essence of political practice.

It is clear that moral philosophy itself must be placed on a sound basis before it can have a wholesome influence on social doctrines and political practice. The crucial question, therefore, is: What is the foundation of ethics? Can man be moral by himself? Until now, the prevailing opinion has been that man can behave morally only under compulsion, either supernatural or social. This view about the source of morality nullified the time-honoured belief that man is a moral entity; but that belief must be resurrected, and freed from its original limitation, if a really revolutionary social philosophy is to prescribe a rational political theory and a moral political practice.

A great advance in this direction was made during the earlier centuries of the history of modern civilisation, when its pioneers made certain secular postulates about the nature of man and his place in nature. Their bold speculative thought, progressively reinforced by the expanding knowledge of nature, culminated in the scientific Materialism of the eighteenth century. The approach was humanist, which discarded the dogma of special creation and traced the origin of man in physical nature. Growing out of the background of a law-governed Universe, man must be a rational being; as such, he establishes the original society as an instrument for the development of his personality. The revolutionary discoveries of biology in the nineteenth century bore out the speculative postulates and rational hypotheses of the earlier thinkers. But just at that time, the ambiguities and inadequacies of Liberalism set the civilised world adrift towards a moral confusion.

The confusion was more confounded at the turning of the century, when new discoveries of the physical sciences seemed to render untenable the classical concepts of substance and causality which were the corner-stone of scientific naturalism. A neo-mysticism, claiming the authority of science, challenged the pretensions of Humanism. Not only the objective validity, but the reality of human knowledge was disputed. Exaggerated emphasis on epistemology confused cosmological and ontological thought. An intellectual crisis aggravated the moral crisis.

Psychology preached irrationalism on the authority of science; in the garb of vague concepts, intuition, mysticism and transcendentalism returned to ethics. Man is irrational; he is instinctively moved by the blind urges of dark forces; therefore, the sanction of morality either in private or public life is the penal code and the police, or the priest. Except under the surveillance of these temporal and spiritual

custodians of law and order, the law of the jungle would reign. The irony of our time is that the dreaded law of the jungle reigns supreme, nonetheless.

The only way out of this vicious circle is indicated by a moral philosophy which finds the sanction of its values in the rationality of the human being. But what is the sanction of the rationality of man? What is Reason? Is it again a metaphysical category, or a biological property? In the former case, the problem of the sanction of morality is not solved by tracing it in rationality. That is only referring one problem to another. As an expression of the reason in nature, rationality can be regarded as a biological function, and physical determinism is the Reason, in nature. Otherwise, the classical concepts of natural law and moral order are meaningless. Modern sciences, physical as well as biological, put a content of objective truth in those concepts which were originally hypothetical.

These trends of thought have a direct bearing upon the practical problems of contemporary society. The problems confronting the world of today are expressions of the crisis of our time; they clearly call for a new social philosophy which allots a high place to morality in public life. The disgust with politics, that is, an unscrupulous scramble for power, and disapproval of economic exploitation of the majority by a minority, are no longer confined to the Left. They are shared practically by all. Leaders of political power, and disapproval of economic exploitation of the majority by a minority, are no longer confined to the Left. They are shared practically by all. Leaders of political majority by a minority, are no longer confined to the Left. They are shared practically by all. Leaders of political power, and disapproval of economic exploitation of the majority by a minority, are no longer confined to the Left. They are shared practically by all. Leaders of political disgust with politics, that is, an unscrupulous

scramble for power, and disapproval of economic exploitation of the majority by a minority, are no longer confined to the Left. They are shared practically by all. Leaders of political parties actually engaged in the struggle for power sanctimoniously condemn power-politics. Parties enjoying the patronage of the upper classes proclaim their intention to establish a classless society; businessmen, big and small, call themselves Socialists. One hears the cry for morality on all sides; it has become incumbent on public men to talk of moral values.

Yet, there is little sign of improvement anywhere. The law of the jungle, scramble for political power and lust for economic loot reign supreme; no single country can plead not guilty of the charge without laying itself open to the graver charge of telling the untruth.

Nevertheless, the mere fact that the absence of moral scruples in public life is generally deplored, that lip loyalty is pledged to moral values, is significant. If, in practice, politicians cannot be true to their profession, that is not necessarily a proof of dishonesty. They are caught in a vicious circle. Engaged in a game, one must play it according to the rules. The fault of moralising politicians is the failure to realise that, so long as power remains the object of political practice, it cannot be handicapped by irrelevant scruples, it must be guided by the dictum that the end justifies the means. Caught in the whirl, the best of men are bound to be pulled down the lowest depth, which may appear as the pinnacle of power.

The crying need of the time is to harmonise ethics with a social philosophy and political practice. The sovereignty of man, which must be the foundation of any revolutionary social philosophy, can be deduced only from the fact that man is a moral entity. It has been a time-honoured belief, which could not be sustained in practice; now the belief must be replaced by the knowledge of the fact that man is moral because he is rational. The Universe is a moral

order governed by laws inherent in itself. Man grows out of that background.

Ethics must be the foundation of the social philosophy which is the crying need of our time. In order to avoid the quicksand of transcendentalism and the pit-falls of relativity, ethics must be integrated in a general philosophy. We do not want to build yet another castle in the air, which will not stand the test of the next storm. A humanist ethics based upon a naturalist rationalism can be built only on the rock-bottom of a mechanistic cosmology and a physical-realist ontology. Therefore, we must begin by examining the problems raised by modern science. The next step is to find the connecting link between the world of dead matter and living nature. It is no longer a missing link it solved the problem of the origin of life. If it is discovered that life originated in course of the mechanistic

process of nature, human rationality can be deduced from the background of the law-governed physical Universe; the imaginary gulf between physics and psychology is thus bridged and the most baffling problems of philosophy, the epistemological problems, are solved. Truth ceases to be a metaphysical concept; it stands out as the content of positive knowledge. In the light of the basic nature of truth, the nature of other values is more clearly visible, and they can be rationally arranged in a proper hierarchy. Having thus obtained our moral values in the world in which man has his being and becoming, we shall be able to harmonise them with a social philosophy which indicates the humanist approach to the economic and political problems confronting the contemporary world..

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