

THE RADICAL HUMANIST



ESTABLISHED : APRIL 1937
(Formerly in the name of 'INDEPENDENT INDIA'
from April 1937 to March 1949)

Founder
M.N. ROY

Vol. 87 Number 12

MARCH 2024

Rs. 15 / MONTH



648

On Farmers' Protest for MSP Guarantee 2.0



THE RADICAL HUMANIST

Vol. 87 Number 12, March 2024

Monthly journal of the Indian Renaissance Institute
Devoted to the development of the Renaissance
Movement and to the promotion of human
rights, scientific temper, rational thinking and
a humanist view of life.

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**The Radical Humanist, Current Account
Number 0349201821034, IFSC Code
CNRB0002024, Canara Bank, Totaram
Bazar, Tri Nagar, New Delhi- 110035.**

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Obituary:

Fali S. Nariman, an eminent jurist and Senior Advocate and a friend of the radicals and also a life subscriber and donor of The Radical Humanist passed away in the early hours of February 21 at the age of 95. His career as a lawyer spanned over 75 years with the last 50 years being spent as a senior advocate of the Supreme Court of India. On behalf of the radical humanist community I pay our respectful tributes to him and also convey our heartfelt condolences to the members of the bereaved family and friends.

Mahi Pal Singh,
Editor, The Radical Humanist

FORM - IV

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|---|---|
| 1. Place of publication: | Delhi |
| 2. Periodicity of publication: | Monthly |
| 3. Printer's name: | Sheoraj Singh |
| Nationality: | Indian |
| Address: | 3821/7, Kanhaiya Nagar, Trinagar,
Delhi- 110035. |
| 4. Publisher's name, Nationality, & address: | Same as in (3) above |
| 5. Editor's name, Nationality & address: | Mahi Pal Singh , Indian, Phase-3, Raghav Vihar,
Prem Nagar, Dehradun-248007 (Uttarakhand) |
| 6. Name and address of individuals who own Institute the newspaper & partners or shareholders holding more than one percent of the total capital: | Indian Renaissance Institute
3821/7, Kanhaiya Nagar, Trinagar,
DELHI - 110035. |

I, Sheoraj Singh, hereby declare that the particulars given above are true to the best of my knowledge and belief.

March 1, 2024

Sheoraj Singh, Publisher,
The Radical Humanist

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**

Articles and Features :

Supreme Court sets aside Chandigarh mayoral poll results, declares AAP Councillor Kuldeep Kumar winner

The Hindu

Noting how democracy was thwarted at the grassroots, that too, by misusing the office of the Returning Officer to change the course of the election results, the Supreme Court on Tuesday flexed its extraordinary constitutional power under Article 142 to deliver Aam Aadmi Party a victory by declaring its candidate, Kuldeep Kumar, validly elected as Chandigarh Mayor.

After watching the video of the polling at Chandigarh mayoral polls, a Bench headed by Chief Justice of India DY Chandrachud concluded that Returning Officer Anil Masih made a “deliberate attempt” to deface eight ballot papers in order to swing the poll results in favour of Kumar’s rival and BJP candidate, Manoj Sonkar.

The court also held that Masih made a patently false statement in the Supreme Court on February 19 that the eight ballots had been defaced before it reached him.

The court issued show cause notice to him, giving him three weeks to explain why criminal action should not be initiated against him.

Congratulating Kumar, AAP chief Arvind Kejriwal in a post on X wrote, “This became possible only because of Indian democracy and the Honorable Supreme Court. We have to preserve the impartiality of our democracy and autonomous institutions at any cost.”

The court was hearing the plea of AAP candidate for the election Kuldeep Kumar, accusing Returning Officer Anil Masih of electoral malpractices.

The Returning Officer faced the wrath of

the top court which ordered his criminal prosecution for allegedly giving false statement before it and his “misdemeanour” during the counting of votes. The SC said Masih had put marks on eight ballot papers to create a ground for treating them as invalidly cast.

“That apart, it is evident that the presiding officer (Masih) is guilty of serious misdemeanour in doing what he did in his role and capacity as a presiding officer,” a bench headed by Chief Justice D.Y. Chandrachud said.

The bench, also comprising Justice J.B. Pardiwala and Justice Manoj Misra, directed the Registrar (Judicial) of the apex court to issue a notice to Masih to show cause as to why proceedings should not be initiated against him under Section 340 of the Code of Criminal Procedure for allegedly making false statement before the court. It said he can file his response to the notice and the matter would be taken up after three weeks.

In its verdict, the Supreme Court bench said Masih’s conduct as the presiding officer has to be deprecated at two levels. “Firstly, by his conduct he has unlawfully altered the course of the mayoral election... Secondly, in making a solemn statement before this court on February 19, the presiding officer expressed falsehood for which he must be held accountable,” the bench said.

It said as a Returning Officer, he could not have been unmindful of the consequences of making such a statement before the Court.

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

S Y Quraishi writes: By striking down Electoral Bonds Scheme, Supreme Court has lived up to its role of democracy's guardian angel

The Court said the scheme violates the right to information. It rejected almost every argument of the government's lawyers with hard-hitting remarks like 'Constitution does not turn a blind eye only because there is a possibility of misuse'

S Y Quraishi

February 15, 2024 will go down in India's history as a golden day. The **Supreme Court has struck a decisive blow** on behalf of democracy, which it has held as the basic structure of the Constitution. The five-member Constitution Bench, in a unanimous verdict, upheld every challenge to every aspect in the electoral bonds case, declaring the scheme unconstitutional. It ordered the SBI to stop issuing electoral bonds immediately and submit all information of the bonds sold, and the names of all the donors and recipients, to the Election Commission of India (ECI).

The Court said the scheme violates the right to information. It rejected almost every argument of the government's lawyers with hard-hitting remarks like "Constitution does not turn a blind eye only because there is a possibility of misuse". And "Curbing black money is not the only ground for electoral bonds". In retrospect, the launch of the scheme through the Union budget of 2017 was itself intriguing. The late finance minister, Arun Jaitley, started with two promising statements: "Without transparency of political funding, free and fair elections are not possible". And: "For the last 70 years, we have failed to achieve this transparency". Our natural expectation was that his third sentence will achieve what he seemed to have set out to do.

Instead, he introduced a scheme that reeked of secrecy and opacity. The excuse was that donors want secrecy as they are afraid of reprisals (obviously from the ruling dispensation).

Add to it, the amendment of Section 29(C) in RPA 1951, which has immunised donations through electoral bonds from scrutiny by the ECI, which allows corporates to transfer unaccounted money. The introduction of electoral bonds was not an isolated action. The Finance Act of 2017 introduced amendments to several laws, including the Reserve Bank of India Act, Companies Act, Income Tax Act 1961, Representation of the People Act, and Foreign Contribution Regulation Act, to pave the way for electoral bonds.

Three significant changes did not receive adequate attention. Firstly, the limit of 7.5 per cent of profits that a company could donate was not just raised but completely eliminated, allowing a company to donate 100 per cent of its profits to a political party. Even loss-making companies could now make political donations, potentially legitimising crony capitalism. It was heartening to see the SC comment on it. Moreover, Section 29B of the Representation of the People Act, 1951, prohibits political parties from accepting contributions from foreign sources, and Section 3 of the 2010 Foreign Contribution (Regulation) Act restricts foreign contributions to candidates, legislative members, political parties, and party office-holders. When, in 2014, Delhi High Court found that Congress and BJP had accepted foreign funds in violation of the FCRA 1976, the BJP government passed a retroactive amendment via a 2016 Finance Bill, replacing the 1976 Act with the modified

2010 statute. This move effectively shields any foreign financing of elections from scrutiny. This is a matter of great national concern.

Significantly, independent institutions like the RBI and ECI had raised serious doubts before the inception of the scheme. According to documents furnished by Huffington Post, the RBI had expressed its concerns to the government on the scheme by underlining that it would allow “unauthorised and non-sovereign entities to issue bearer bonds”, in turn undermining the “core principle of central banking legislation” (RBI Act). Additionally, it said the scheme would encourage money laundering and the introduction of electoral bonds was worthless since “existing banking instruments like cheque and demand drafts” could achieve the same purpose. However, the government remained unmoved in its path to achieve opaque political funding, ironically in the garb of transparency.

In 2017, the ECI in its letter to the law ministry warned that electoral bonds would help in hiding illegal donations and lead to mushrooming of shell companies to turn their black money to white. The government brushed off its concerns. It is important to remember that citizens’ right to know was settled by the apex court in 2003 when it mandated candidates to declare their financial dealings and criminal cases while filing nominations. The Supreme Court ruled that the right to know about public officials is derived from the constitutional right to freedom of expression.

Now that we are back to square one, let’s look at the available options to cleanse electoral funding. One option is to eliminate private funding altogether and introduce public funding for political parties. Another option would be to establish a National Election Fund to which all donors could contribute. The funds could be allocated to parties based on their electoral performance. This would eliminate the so-called concern about donors’ reprisals.

During the hearing, the apex court, however, flagged a new issue — the possibility of misuse of money received by political parties for activities like funding terror or violent protests, and asked the Centre whether it has any control on the end use.

On two occasions, however, the Supreme Court had refused to stay the electoral bonds scheme as requested by a plea filed by the Association for Democratic Reforms. This had created despondency and apprehensions about the course the case would take. There were disturbing moments when constitutional bodies like the ECI and RBI took a u-turn on their earlier opposition to the scheme. I was appalled to hear the argument of the Solicitor General that citizens have no right to know the identity of donors/recipients. The Attorney General told the SC, in his written submissions, that the citizens’ right to know is subject to “reasonable” restrictions. How can keeping the potential quid pro quo between donors and the government a secret from the public be a “reasonable” restriction? These statements would behove a banana republic, not the world’s largest democracy.

This is a very significant judgment which will have a long-term effect on our electoral democracy. The Court has struck down not only the Electoral Bond Scheme but also all the provisions that were made to bring it into effect in the Income Tax Act, Companies Act etc.

I have always described the Supreme Court as the guardian angel of our democracy. This faith was, however, wavering lately. Now I add that it is the last refuge in a troubled democracy.

The writer is former Chief Election Commissioner of India and author of ‘India’s Experiment with Democracy — the Life of a Nation through its Elections’

Courtesy **The Indian Express**, February 16, 2024 

Why the Supreme Court struck down the electoral bonds scheme

The court ruled that voters' right to information is far too important to be curtailed on the pretext of privacy or checking black money in electoral finance.

Vineet Bhalla



Congress MPs Ghulam Nabi Azad, Anand Sharma and others stage a protest over alleged electoral bond scam in front of the statue of Mahatma Gandhi during the Winter Session of Parliament in New Delhi in December 2022. | PTI

The electoral bonds scheme introduced by the Bharatiya Janata Party in 2017-'18 is unconstitutional because it disproportionately restricts the fundamental right of voters to information about the source of funds accepted by a political party – knowledge of which is essential if voters are to exercise their freedom to vote effectively. This is the crux of the Supreme Court's judgment striking down the scheme on Thursday.

The judgement was delivered by a five-judge Constitution bench of the Supreme Court comprising Chief Justice of India DY Chandrachud and Justices Sanjiv Khanna, BR Gavai, JB Pardiwala and Manoj Misra in response

to petitions filed in 2017 and 2018 challenging the scheme. The bench had heard the petitions on three days in October and November last year.

The scheme allowed individuals and corporations to buy financial instruments called electoral bonds from a designated bank. These could be used to make anonymous donations to political parties in denominations of Rs 1,000, Rs 10,000, Rs 1 lakh, Rs 10 lakh and Rs 1 crore. The parties were also exempt from reporting the source of the donations received via electoral bonds to the Election Commission.

Because of the legal opacity afforded by electoral bonds, parties could even get away with receiving donations from foreign sources .

From the time the scheme was introduced in 2017-'18 until 2022-'23, electoral bonds worth Rs 12,979 crore were sold. Of this, the BJP received Rs 6,566.12 crore. This was more money from electoral bonds than all other parties combined.

The 232-page judgment consists of two opinions – the majority opinion written by Chandrachud on behalf of himself and Gavai, Pardiwala and Misra and a concurring opinion written by Khanna. Khanna's opinion differs slightly from Chandrachud's on the legal reasoning it adopts.

However, both opinions held the scheme to be unconstitutional and ordered that the Election Commission of India publish on its website by March 13 the details of all electoral bonds purchased since April 2019. This will include the name of the purchaser, the denomination of the bonds and the details of each electoral bond encashed by political parties.

This is the reasoning adopted by the Supreme Court in its judgment.

Information about funding of political parties is essential to voters

The judgment made it clear that all information that promotes democratic participation must be available to citizens. This is why personal details of electoral candidates are furnished to voters. Though the disclosure of such information may violate the right to privacy of candidates and their families, it is essential that it be disclosed because it furthers public interest.

The requirement to disclose information about electoral candidates is extendable to political parties, the judgment said. Information about the funding of political parties is essential for exercising informed choice at the ballot box.

The judgment offered three reasons for why the party is the "relevant political unit" in India's democratic electoral process: voters associate voting with political parties because of the centrality of symbols in the electoral process; the form of government where the executive is

chosen from the legislature is based on the political party or coalition of political parties that has secured the majority; and the Tenth Schedule of the Constitution accords prominence to parties.

Information about political funding would enable a voter to assess if there is a correlation between the government's policy making and the financial contributions it has received from particular individuals or entities. Such possible *quid pro quos* are currently rendered invisible by the electoral bonds scheme, the court said.

The judgment acknowledged that the Constitution guarantees the right to informational privacy of political affiliation. Such informational privacy would extend to financial contributions to political parties too. However, the right to privacy of political affiliations does not extend to contributions that may be made to influence policy, it said.

Such contributions, Khanna noted in his opinion, cease to remain private and enter the public domain due to their ramifications on policy.

The purpose of election bonds is not a reasonable restriction under the Constitution

Since most fundamental rights are subject to reasonable restrictions prescribed in the Constitution, the court went on to examine whether the restriction placed by the electoral bonds scheme on citizens' right to information is constitutionally reasonable.

Chandrachud observed that the right to information under Article 19(1)(a) of the Constitution can only be restricted based on the grounds stipulated in Article 19(2). These are: "the sovereignty and integrity of India, the security of the state, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence". He noted that the aim of curbing black money the purpose of electoral bonds, according to the government – is not traceable to any of the grounds in Article 19(2).

In response to the government's contention

that curbing black money could be linked to the grounds of “public order”, Chandrachud clarified that “public order” has a narrow meaning relating to “public safety and tranquility” and concerns relating to local law and order.

The judgment also rejected the argument that the bonds provided donors anonymity in relation to political parties to which they had made their contributions. The judgment pointed out to gaps in the scheme that could enable parties to find out particulars about the contributions made to them.

Hence, the bonds ultimately provided “selective anonymity” to “economically resourced contributors who already have a seat at the table...vis-à-vis the public and not the political party”, the judgment concluded.

Ostensible purpose of electoral bonds can be fulfilled by less restrictive means

Chandrachud assessed the balance of alternative means of making contributions to political parties on the right to information and their ability to fulfil the purpose of combating black money in electoral finance.

He concluded that for sums below Rs 20,000, contributions through other means of electronic transfer would be the least restrictive. For amounts above Rs 20,000, he said that

contributions through the instrument of electoral trust would be the least restrictive.

Thus, there were alternatives that “fulfil the purpose and impact the right to information minimally when compared to the impact of electoral bonds on the right to information”, the judgment said. It stated that electoral bonds can be distinguished from other modes of contributions through the banking channel such as cheque transfers, transfers through the Electronic Clearing System or direct debit only because to these bonds allow anonymity.

Unrestrained corporate contributions ‘manifestly arbitrary’

The court also observed that the scheme permitted unlimited donations by companies, which is “antithetical to free and fair elections”. This would authorise “unrestrained influence of companies on the electoral process”, is said, and violates the principles of free and fair elections and political equality.

It maintained that this provision was “manifestly arbitrary” for treating political contributions by companies and individuals alike and not differentiating between political contributions made by profit-making and loss-making companies.

Courtesy **Scroll.in**, 16 February 2024. 🌈

Supreme Court sets aside Chandigarh...

Contd. from page - (5)

The bench noted that before recording Masih’s statement during the hearing on Monday, the Court had placed him on notice about the serious consequences if he was found to have made an incorrect statement.

The Supreme Court on February 19 had voiced its deep concern over the “horse-trading” and said it will examine the ballot papers and video recording of the counting. It said instead of ordering fresh polls, it may consider declaration of results on the basis of votes already cast.

The BJP had won the Chandigarh mayoral polls on January 30 defeating the comfortably placed AAP-Congress alliance candidate after the Returning Officer declared as invalid eight votes of the coalition partners, drawing accusations of tampering with ballots.

Manoj Sonkar of the Bharatiya Janata Party (BJP) had defeated Kuldeep Kumar after polling 16 votes against his rival’s 12 to bag the Mayor’s post. Sonkar, however, resigned subsequently, while three AAP councillors defected to the BJP.

Courtesy **The Hindu**, 21 February 2024. 🌈

Ashok Gulati writes on farmers' protest: Policies favour the consumer, not the producer

The first necessary policy action is to remove all bans on agri-exports, stocking limits on private trade, and stop unloading wheat and rice in the open market at below the economic cost of the Food Corporation of India. These are all anti-farmer policies.

Ashok Gulati

Farmers, largely from Punjab, are protesting on Delhi's borders. The government must deal with them rationally — study their demands and sit down with them to resolve the problem at the earliest.

The farmers' demands include making minimum support prices (MSPs) legally binding and fixing MSPs according to the so-called Swaminathan formula — it suggested 50 per cent profit over comprehensive cost, often referred to as Cost C2. This cost concept includes not only all the paid-out costs of farmers and imputed value of family labour (Cost A2+FL), but also imputed rent on owned land and imputed interest on owned capital.

The difference between Cost A2+FL and Cost C2 is roughly 25 to 30 per cent for most crops. The current MSP formula that the Modi government has accepted is minimum 50 per cent margin over Cost A2+FL. So, if this is replaced by Cost C2 plus 50 per cent margin, in most crops covered under MSP regime, the MSPs will go up by 25 to 30 per cent.

The farmers have some other demands including loan waivers, pension for farmers and agricultural labourers, a minimum wage rate of Rs 700/day and allowing MGNREGA workers to work on farmers' fields. Accepting them could have significant economic implications, including putting severe pressure on the fisc and raising food inflation. So, any decision on the farmers' demands needs cool headed thinking, keeping emotions and politics out of the negotiations. It is election time and everyone tries to put pressure to get the best possible deal for their economic well being.

One thing that must be understood by policy makers negotiating with farmers is that the real issue behind these economic demands is that farmers basically want significantly higher incomes. There is nothing wrong in that — almost everyone wants a higher income with least uncertainty. The question is whether the government has the wherewithal to pay without wrecking the economy. It is difficult to put a figure on the fiscal cost of this package. It will depend upon how many of the 23 commodities the government will have to buy at enhanced MSP, the level of market prices and the amount of loan waiver and pensions. It is, however, clear that the budget for this package will be large, and it could throw a big spanner in the Centre's fisc calculations.

So, what would be the best way to increase farmers' incomes? Before I respond to this basic question, a few things must be noted. The 23 crops under the current MSP regime constitute only 28 per cent of the value of agriculture and allied produce. If the government agrees to raise the MSP of these 23 crops based on Cost C2 plus 50 per cent margin, and make it legally binding on all buyers, why should this formula not be applicable to other agri-products?

It would be interesting to note that the biggest agricultural produce of India is milk, and its value exceeds the value of paddy, wheat, all pulses, and sugarcane combined. Why should milk producers, or for that matter any livestock producer, or even any horticulture producer not get the same treatment as the 23 MSP crops of today? So, the demand for higher MSP will not be confined to 23 crops. Livestock and

horticulture together constitute more than 50 per cent of agri-produce, and they have been growing without any MSP. In fact, their growth is much higher (5 to 8 per cent) than the growth in cereals (1.8 per cent) over the last two decades.

There is a lesson here. The future of Indian agriculture's potential and farmers' incomes lies more in livestock, fisheries, and horticulture. And, these commodities need a well-integrated value chain approach like the Amul model in milk or the vertically integrated poultry sector, which is actually growing at the fastest pace. The market risk is taken by the integrators.

In the 23 crops under the MSP regime, the best way to augment farmers' incomes is to raise their productivity in a sustainable manner and enable them to access the best markets not only in India but across the world. While augmenting productivity requires a lot of investments in agri-R&D and irrigation — this takes time — the issue of access to best markets can be achieved in a relatively shorter time.

The first and foremost policy action that is needed is to remove all bans on agri-exports, stocking limits on private trade, and stop unloading wheat and rice in the open market at below the economic cost of the Food Corporation of India (FCI). These are all anti-farmer policies designed to favour consumers.

The fundamental problem of today's agri-food policies is that they are highly tilted towards consumers at the cost of farmers. This mindset needs to change, especially when the government claims that just 11 per cent of the population live under poverty.

Take the Central budget. Out of roughly Rs 47 trillion, subsidies in the agri-food space account for about Rs 5 trillion, of which 80 per cent is geared towards consumers to keep food prices low. The food subsidy of Rs 2.12 trillion and even the fertiliser subsidy of Rs 1.88 trillion (RE of FY24) is a pass on to consumers as it keeps the costs and thus MSP prices low. This entire gamut of subsidy policies needs a re-visit and reorientation where 75 per cent could be geared towards producers in the form of a price stabilisation fund or policies like PM-Kisan, and only 25 per cent goes to well targeted vulnerable consumers. It is time to stop revdis, and get on with real rational policy making. Policy makers have a big job at hand, but believe me, it can be achieved, if they have the will to do so. I sympathise with policy makers who have to balance the interests of producers and consumers.

Ashok Gulati is Distinguished Professor at ICRIER. Views are personal

Courtesy **The Indian Express**, February 19, 2024. 🌈

Articles/Reports for The Radical Humanist

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Please send your digital passport size photograph and your brief resume if it is being sent for the first time to the RH.

A note whether it has also been published elsewhere or is being sent exclusively for the RH should also be attached with it.

- Mahi Pal Singh, Editor, The Radical Humanist

Congress finally has MSP mudda against Modi. But 2 more steps to go for it to work in 2024

Legal guarantee of MSP as per Swaminathan Commission formula tops the farmers' list of demands. The Congress has aligned itself with an ongoing and powerful struggle on the ground.

The outcome of the 2024 Lok Sabha election and arguably the fate of our Republic hangs on this one question: Modi or mudda? So far, we have heard only Modi or pseudo issues like the Mandir inauguration that are an echo of Modi. Finally, one mudda has entered the electoral arena.

This happened in Ambikapur, a small and remote town in Chhattisgarh, during the Bharat Jodo Nyay Yatra. Congress president Mallikarjun Kharge and yatra leader Rahul Gandhi chose a public rally here to make the first major announcement in the run-up to the Lok Sabha election: if elected, the Congress commits to legal guarantee of Minimum Support Price (MSP) to all the farmers as per the Swaminathan Commission formula.

The significance of this announcement was not lost on any political observer. This stance represents a major departure from the policy stand taken by the Congress party, not just during its time in power but also from its election manifesto of 2019, when it was in opposition. Anticipated in the Raipur resolution of 2022, this was the first serious and substantive commitment to a long-standing demand of the farmers' movement.

For the farmers' movement, this is a major landmark, as it is the first time a major national party has embraced all three key elements of their primary demand. One, the present method of determining MSP should be changed in favour of the "Swaminathan formula", whereby the MSP is fixed at comprehensive cost (C2 cost as per the agriculture ministry's terminology) plus 50 per cent. Two, this should become a

legal right and not remain another scheme whose implementation depends on the will of the government of the day and its officials. And, three, this right should be available

to all farmers, not limited to those cultivating the 23 crops currently covered under MSP announcements.

The timing couldn't have been better. After two years of relative silence, farmers are back on the streets. Both platforms of SKM have called for action. The original SKM has called for Bharat Bandh on 16 February. This coalition still contains some of the largest farm unions such as Bharatiya Kisan Union (BKU) led by Joginder Singh Ugrahan and Rakesh Tikait, Karnataka Rajya Raitha Sangha, Left-affiliated Kisan Sabhas, and various Punjab and Haryana unions, including that of Balbir Singh Rajewal. The breakaway coalition, which calls itself SKM (Non-Political), is currently leading the "Dilli Chalo" agitation that has grabbed media attention.

Although both these forces have not joined hands, some operational unity cannot be ruled out, given that the SKM has come out to denounce the Haryana Police action against the protesting farmers led by SKM (Non-Political). For the present purpose, the relevant point is that both these major representatives of the Indian farmers are fighting for the same cause.



Yogendra Yadav

Legal guarantee of Swaminathan Commission MSP tops their charter of demands. The Congress has aligned itself with an ongoing and powerful struggle on the ground.

What it means for 2024

So, do we already have a game-changer? A mudda that can take on Modi? Not quite. Not yet. As a political worker explained to me years ago: “*Chunavi mudda apne aap banta nahin hai, banaya jaata hai*” (The election issue doesn’t arise on its own; it is created). There are at least six conditions required to turn something into an effective electoral issue. Congress’ declaration of legal guarantee of MSP has already met four of these. It has to work on the remaining two.

The first condition is that, for a significant section of voters, there has to be a real pain-point waiting for relief. Farmers don’t get remunerative prices for their crops and they know it. Every official document, including daily reports of the Agmarknet and the seasonal reports of the Commission on Agricultural Costs and Prices (CACP), confirms that a small group of farmers, for a select few crops, manage to secure what the government considers the bare minimum fair price. Except wheat and paddy, government procurement is a sham. “*Fasal ka labhkari daam*” (remunerative price for crops) is a cry of the farmers’ movement since the 1980s.

The second condition is that the problem should have a solution that the victims relate to. Legal guarantee of MSP fits this description perfectly. The pain-point has a policy solution that the elected government can be held responsible for. It is easy to understand and concrete enough to mobilise the farmers. The only difficulty used to be that most of the farmers had not heard about MSP. The farmers’ historic morcha against the three black laws did not achieve MSP, but it did succeed in making MSP a household word for the farmers’ families. This is not limited to big farmers with marketable surplus, but cuts across all classes. They may

not understand the intricacies of MSP, but every farm activist knows that this is something they are entitled to and are denied. All farmer leaders—including those from RSS-backed Kisan Sangh—are wedded to three words: MSP, Swaminathan, and legal guarantee. The Congress declaration ticks all the three boxes.

The third condition is differentiation: the issue must be such that the other side cannot highjack it. MSP fits that as well, as the Modi government has boxed itself in a corner by vehemently rejecting this demand. What makes it worse for Prime Minister Narendra Modi is that this issue exposes his hypocrisy. After all, as Gujarat chief minister, he was the one to spearhead the demand for “legal status to MSP”. Farmers’ movement has not forgotten this. The government’s inaction on MSP even two years after the conclusion of the farmers’ protest in 2022 leaves it with no excuse.

The fourth condition is appropriate timing. As explained above, for once, the Congress has got its political timing just right. It’s less than two months before the election, too late for the government to make amends, and not too early for the voters’ recall during the campaign period. The Noida-based “notional media” has been forced to take note of the farmers’ woes. MSP is in the headlines again, just before the national election campaign is set to kick off.

Job’s not done yet

That still leaves two more vital conditions: public communication and political campaign. The Congress declaration has not yet reached even the farmer activists, let alone an ordinary farmer. Mainstream media may have been forced to play out the images of farmers’ confrontation with the police, but it is not going to mention the Congress’ declaration. The Congress has to find ways past this media blockade to reach out to the farmers. And it must do so without wasting much of its energies on meeting cynical policy objections.

(To be Contd....on Page -18)

Modi's Politics of the Ram Temple

Narendra Modi has proved through execution of this event in Ayodhya that amongst all his contemporaries in politics he knows ordinary Indians like none other, notes Sheela Bhatt.

Sheela Bhatt

There is a tsunami of support for the Ram temple in Ayodhya amongst Hindus in the Hindi belt of India. None can deny that all over India there is tremendous interests in the *pran pratishtha* of the Ram temple in Ayodhya.

There are a few ifs and buts while acknowledging the undercurrent for the Ram temple, but it is visible that the RSS and BJP crusade has achieved its impossible goal by resurrecting enormous Ram literature, Ram *bhajans* of the Ganga belt and recalling of mythical stories of Ram through social media.

For the first time after Independence, India is witnessing a stunning mix of religion, government, politics, temple tourism, construction of a permanent Hindu religious infrastructure, popular use of traditional temple music, mythological literature and religious rituals at one public event.

There are many shades of Indian views about the Ayodhya event.

a. There are overwhelming numbers of Hindus who think construction of the Ram temple is the desirable end to the five centuries-old dispute. They are overjoyed to see the emergence of a magnificent temple. Modi and the Sangh Parivar has amplified this narrative and have joined these Ram *bhakt*s to start a new chapter in Indian history.

b. Another set of people think the demolition of the Babri mosque in December 1992 was a grave sign of intolerance and one of the saddest days in India. Their argument has gone a little bit into the background after the Supreme Court judgment of 2019 that clearly gave 'land ownership' to the Hindu side.

c. Also, there is visible division within the Muslims. Barring a few strong political and radical voices, most Muslims are not against the Ram

temple, but most of them feel confused about the future of Indian society. There are many Indians who would like to see the event putting an end to the long-standing dispute that divided Hindus and Muslims.

d. There are anti-BJP secular-liberals who strongly believe in a strict separation of religion and State and who think this is a non-negotiable condition to run a multi-cultural country like India.

However, all different opinion holders need to remember that without the Supreme Court judgment, the ongoing construction of the Ram temple and the *pran pratishtha* would not have been as peaceful as it is now.

The Congress has boycotted the January 22 event saying that the event is a political project of the BJP/RSS and that religion is a personal matter.

The Congress had no option but to reject the invite of the Ramjanambhoomi Trust in view of the complete identification of Modi and the BJP with the event, but the language of its media statement has hurt the Congress politically.

The Congress's press release did not directly address the Ram *bhakt*s which it needed to relate to. Nor did it checkmate the BJP by launching an equally vigorous counter campaign.

Congress leaders doesn't have the wherewithal to participate in such a mass connect programme. Also, their Nehruvian ideology that believes in separation of the State and religion would have restrained them to do convincingly what Modi is doing right now.

Modi's 11 day-long fast, sleeping on mats, visiting temples and displaying religiosity before cameras is highly political for his critics, but intensely customary as it can be for Ram *bhakt*s.

However, in matters of religion, culture or

nationalism no event of size of January 22 can be dismissed as the BJP's propaganda only.

There are many layers to what Modi has tried to achieve in Ayodhya.

He has proved through execution of this event in Ayodhya that amongst all his contemporaries in politics he knows ordinary Indians like none other.

Through his party machinery and cadres of the Sangh, Modi has cemented his personality and his karma with the emergence of the Ram temple. He forced all contemporary political leaders to follow him to Ayodhya as he has taken the lead many decades earlier. The Congress failed to sense this climax as soon as the Supreme court judgment arrived in 2019.

In Delhi many staunch critics of building the Ram temple where once the Babri mosque stood claim that this is the 'new world order'.

This is not a new India.

This deeply religious India is not at all a new India.

Those who are supporting Modi's efforts in building a Ram temple aren't people who have formed a so-called new world order.

It was the Nehruvian India of 1947 to the late 1980s that was the new Indian order.

In Nehru's towering presence, the non-Nehruvian India was low key as the Congress was striving to build a new India based only on scientific temper and was pushing the value system inspired by Western philosophers.

For a fortnight, I have been asking many people in different states a straight question if the current visible support for the Ram temple in Ayodhya is real or if it is whipped up only due to 'marketing' by the Sangh Parivar.

The BJP's programme to reach out door-to-door to Ram *bhakts* and mobilise its own cadre 80 days before the Lok Sabha election have helped fuel religious passion, but even Congress supporters privately agree, in my conversation with them, that an overwhelming support for the Ram temple in Ayodhya exists and it goes beyond

Modi and the BJP.

There is not an iota of surprise in the support that Modi and the BJP is getting because 'Ram, Ayodhya and Ramjanambhoomi' have always been an emotional issue.

With the BJP's heady mix of religion and politics many other things have got added.

Majorly, a huge availability of literature on Ram, of Ram and many versions of the Ramayan have got resurfaced in popular culture. Some of this literature belongs to the 17th and 18th centuries.

Bhakti sangeet binds North and South India. In the current season, Ram *bhajans* spread through social media have re-created magic of Ram. The BJP has exploited the opportunity to activate its cadres by asking to clean temples in the villages and towns, by reaching out to voters with Akshat, by requesting them to lit *diyas* on January 22. Also, the message was sent by the RSS top brass that no radical or harsh slogans should be coined or raised while visiting people's homes.

This week, Modi has told his Cabinet ministers to mobilise maximum numbers of Ram *bhakts* in their respective constituencies to visit Ayodhya after January 22.

On social media many versions of Shabri's '*Ram aayenge, aayenge... meri jhopadi main Ram aayenge...*' have been played by millions. There is revival of Tulsidas's *dohas* in with modern tunes and with the help of modern technologies it sounds fresh and stirring. Modi's temple tours all over India have contributed in creating a *mahaul* (ambience) among his followers.

Once more, the construction of the Ram temple has turned the passive emotions of people for Ram into active support. Ram is considered the seventh avatar of Lord Vishnu and that makes him special in the non-Hindi belt too.

Feature Presentation: Aslam Hunani/Rediff.com

Courtesy **Rediff.com**, January 20, 2024 

Judges as Devotees

J.L. Jawahar

The Hon'ble Chief Justice of India is reported to have visited the Dwarakadhish temple, with family, on Devabhumi Dwaraka on 6 January 2024. The academician Mr. Ramachandra Guha made some comments on this visit, which hurt Mr. Simantic Dowerah (24 January 2024 Firstpost). He started his reply with a curt statement "controversy sells". It is a statement of truth. But it is unjust to imply that Mr. Guha deliberately raised a controversy to come into the news.

We consider the sage Narada as the one who thrives on controversies. But he excused himself stating that he is not so mischievous as to create any controversy by himself. He explains, what he does is only identify the controversy where it exists and bring it to the notice of the concerned persons to resolve it. But the resolution develops into a divine comedy worth relishing.

But the present controversy seems not that fine to relish as it involves mortal human beings who matter. Faiths and sentiments are involved in it. It is easy to get hurt and make an issue of it when you are forced to face facts and reason. The first question raised by Mr. Simantic Dowerah is why no objection was raised when there were so many visits to temples by innumerable justices earlier and why no objection was taken for Rahul Gandhi visiting Amritsar temple. It is obviously wrong to compare the status of Rahul Gandhi with that of Chief Justice.

Of late, there have been so much of news about Judges of High Courts and of Supreme Court visiting temples. Particularly the judges of the states Andhra Pradesh and Telangana are found in news frequently as devotees visiting temples. When they visit there is some protocol to be observed and it makes it newsworthy. Nobody, not even Mr. Guha, felt it necessary to

comment on it even if it was a bit irritating. The irritation that has accumulated over time might have provoked Mr. Guha to express his 'righteous indignation' on this visit. We don't find persons occupying constitutional positions displaying to the public their spiritual faiths and personal commitments. For example, in the US almost every president visits church on Sundays. But we never come across any report in the media about it. Why this glorification in India? Persons occupying constitutional positions have some limitations on their freedom as what they do implies some message to the people. In fact, all the judges who visited temples did wear only their usual civil attire as they wear when attending any civil function. But the Chief Justice is seen wearing saffron robes while visiting the Dwarakadhish temple. What does it imply? Saffron robes are identified with a particular sect of people leading a particular way of life. We are sure the Chief Justice does not belong to that sect and is not living that way. If it is pointed out by Mr. Guha, how can you call it 'mental gymnastics'? It is gymnastics when you try to exonerate it!

Another point of objection raised by Mr. Guha is about the comment made by the Chief Justice regarding the Dhruva flying over the temple. He is reported to have stated that it "represented to him the unifying force of humanity as governed by the constitution, which binds us together." Mr. Dowerah considered it a 'praiseworthy perspective for a judge to have'. Is it so? The constitution represents everybody in the nation. But the temple is a representative of a sect of a religion. How can we equate both? It is unbecoming of the person who took oath to uphold constitution, to express such an opinion. Mr. Guha naturally took objection to it.

Having made a special study of Gandhi, Guha is tempted to look at everything in

Gandhian perspective, even when it is not relevant. But, when the revered Chief Justice is reported to have been inspired by the life of Gandhi in undertaking visits to the temples, Guha was provoked to point out the inconsistencies of the claim.

It has become a fashion for Hindus to claim that theirs is not a mere religion, but a way of life with philosophical basis. They do not agree that every religion claims so. That is the misfortune; that religion, instead of being confined to spiritual aspects, comes to dominate every temporal aspect of life. Our philosophers tried to justify the invasion. The great exponent of Indian philosophy, Dr. Sarvepalli Radhakrishnan, is reported to have stated “Hinduism is not just a faith. It is the union of reason and intuition that cannot be defined but

is only to be experienced” as quoted by Mr. Deworah in his article. By saying that, the philosopher has escaped from the responsibility to define or explain it. Like Mr. Guha, most of the people too have no fortune of having that experience and so are unable to understand and respect it. But when people whose opinions have consequences are captivated by such an experience it is likely to affect their discretion. That is the apprehension of the common man and that is what Mr. Guha has reflected in his article. Instead of assuaging those feelings, attributing mean motives is a vicious way of argument.

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Congress finally has MSP mudda against Modi...

You can trust the government to deploy its friendly “economists” to pour scorn on this declaration supported by the usual canard. The government has already circulated an off-record note to claim that legal guarantee of MSP is not feasible, that it would empty the government’s coffers. These are plain lies. My colleague Kiran Vissa and I have refuted these claims in these columns. Our colleague Kavitha Kuruganti has shown how MSP guarantee can be given effect.

The simple point worth reiterating is that an MSP guarantee does not require the government to procure all the stock of all the agricultural produce, that it can be achieved with an intelligent combination of expanded procurement, market intervention, and deficit payment. Yes, it would cost a significant amount (though not the ridiculous figures being bandied about), but spending about one per cent of GDP for farmers is a matter of political priority and an investment into the future of the country.

Finally, this has to be matched by political mobilisation and campaigning. The Congress faces an issue here, as it has not worked vigorously among the farmers for a long time. It would take some effort to get the farmers’ organisations to look to the Congress as their natural ally. Besides, the Congress has to get its INDIA partners with it on this issue. In principle, it should not be difficult, given the natural inclination of parties like SP, RJD, and NCP. But this must not get entangled into a political game of one-upmanship. Once the entire INDIA coalition is on board, the ground is ready for an electoral battle on this big issue. We don’t know if this would be a winner. But at least on issues, at last, we have a contest.

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(Edited by Prashant), Courtesy **The Print**, 15 February 2024. 

BJP-RSS's Structural Assault on Hinduism and the Advent of Hindu-Vatican

The BJP has successfully leveraged Ram Mandir to effect a fundamental restructuring of Hinduism, which has no ecclesiastical order, absolutist establishment, governing organisation, or binding holy book. All of this could change.

Progressive forces are legitimately concerned about the Bharatiya Janta Party (BJP) reshaping India's political culture by deploying Hindutva (politicised Hinduism) and *Rashtrawaad* (nationalism), which has profound constitutional and institutional implications. Some have argued that the *pran pratishtha* ceremony marks the beginning of the *Hindu Rashtra* (or more precisely the ethno-nationalist state), while others have argued that it marks the end of a process that began in the 1980s. Either way, it will undoubtedly need concerted and creative efforts to restore the primacy of the constitutional idea of India and to reclaim hearts and minds. But little attention is being paid to how the BJP is extending its *gleichshaltung* (a process by which the Nazi Party established total control of the State in Germany) to religious and spiritual institutions. This religious *gleichshaltung* will irrevocably restructure Hinduism and have a sweeping socio-cultural impact on India.

Firstly, the BJP is leveraging the Shri Ram Janmabhoomi Teerth Kshetra to effect a fundamental restructuring of Hinduism. Currently, Hinduism has no ecclesiastical order, absolutist establishment, governing organisation, or binding holy book. It has many *sampradayas* (traditions), which consist of monastic orders of the Vaishnava or Shaiva traditions, which have their own *akharas*, *ashrams* and *mutts*. Then there are countless temples and temple trusts, the most prominent being the *chaar dhams* (four ancient pilgrimage sites) and the 12 *dyotirlingas* (revered shrines dedicated to Bhagwan Shiva).

The BJP, which infiltrated and misused many of these to further their politico-ideological goals, is now projecting the Ayodhya Temple as India's *Rashtriya* (national) Temple. In this imagining,



Pushparaj Deshpande

akharas, *ashrams*, and *mutts* will be reduced to franchises of BJP's Hindu-Vatican. In doing this, the BJP has reduced the temple (indeed every temple) to a tourist site—New India's Essel World—with all of India waiting in queue with tickets in hand. This is in stark contrast to the *Dharmashastras*, which describe a temple as a *devalaya*, *devayatna*, and *devagriha*—essentially a structure for divinity. But equally problematic is that this will severely undermine the temporal, financial, and administrative powers of existing religious and spiritual organisations. It is abundantly clear that the BJP (which once promised the elevation of status for Hindu religious leaders) has reduced them to props in their larger religio-political agenda. Given this, it will be interesting to see how the *Shankaracharyas*, the *Gorakhnath muth* (headed by chief minister Yogi Adityanath), the *Nirmohi akhara*, *Nirvani akhara* and other smaller *ashrams* (like the *Shri Ram Ashram* in Ramkot, the *Chandrahari temple* at Ram ki Pauri, etc.) will react to this structural assault.

Secondly, the immediate consequence of this

restructuring will be that it will constrict the socio-cultural malleability of Hinduism and alter the way it is practiced. Metaphysically, Hinduism was a synthesis of diverse spiritual and cultural traditions in the Indian subcontinent (that we popularly call India's *Ganga-Jamuni tehzeeb*). This has a normative basis that goes back to the Upanishad which says "*Ayam bandhurayam neti ganana laghuchetasam, Udâracharitanâm tu vasudhaiva kutumbakam*" (only a narrow-minded person calls one his brother and not the other. For those who are large hearted, the entire world is a one big family). Similarly, the Isha Upanishad (that Mahatma Gandhi described as "the whole essence of Hinduism") said "*Ishavasyamid sarva yaktichh jagatya jagat*" (all that we see in this universe is pervaded by God). Similarly, numerous verses in the Rigveda (9/13/8; 6/47/13; 4/1/4; 2/6/4 etc.), and the Samveda (134) go on to urge us to "destroy all malicious inclinations of hatred and enmity towards anyone". The Atharveda (17/1/7) goes even further to urge us to "cultivate love, affection, empathy and good will for all creatures" ("*yanscha paschyami yanscha na teshu ma sumati krudhi*").

That malleability and synthesis are why India always embraced multiple paths to nirvana, which could be realised through a combination of *anyana* (knowledge), *bhakti* (devotion), *karma* (action) and *yoga* (psychical control). Because of this plurality of paths, there have always been *devaghars* (home temples) and domestic rituals in every home (as detailed in the *Grihya Sutras*) which allowed for personal communion with the divine. This metaphysical diversity allowed people to be polytheistic, monistic, agnostic, pantheistic, monotheistic, atheistic or humanist. But all that will vanish when the BJP's Hindu-Vatican reduces Hinduism to the performative and militant. Going forward, it is the BJP-controlled supreme body and pontiff that could

well determine what it is to be a good and bad Hindu. Given what the far right in the Sangh parivar's plethora of institutions have imposed onto India in the last nine years, it is very likely that rigid prescriptions will be imposed on food, clothing (women can't wear jeans or go out at night) and modes of societal conduct (pray only to this God, speak only in Hindi, marry only in this creed and caste, say Bharat Mata ki Jai), etc.

Thirdly, Prime Minister Modi's temple run in South India makes it abundantly clear that the BJP hopes to recreate what it did 40 years ago in the Hindi heartland. For its politico-ideological ends, the BJP will again seduce, infiltrate, and misuse southern temple trusts (and their affiliated institutions) to breach the Great Wall of the Vindhyas. The southern temples which are laying out the red carpet for the BJP don't realise that like the *Akharas* in the North, they too will be used as a foothold for electoral benefits but eventually be cannibalised by the BJP's machinery. They need to just look at how the *Shankarcharyas* and *Akharas* are being treated by the BJP.

Fourthly, this entire episode signals the capitulation of the Sangh parivar to the BJP. Although it plans to celebrate its centenary year in a grand way (2025 is when the *Rashtriya Swayamsewak Sangh* turns 100), it will be an abject bystander to this commemoration. The RSS, which has never been a monolithic organisation, is currently undergoing a serious structural crisis, with its far-right and political wings colluding to programmatically actualise their core ideological projects. In doing this, they end up undermining the main organisation. Although the Sarsanghchalak and RSS' top leadership are trying hard to be relevant, many in its own top rung have surrendered their primacy and agency to the BJP. Going forward, the BJP and the Sangh's hardline will drive the Sangh's social-cultural agenda.

(To be Contd....on Page -26)

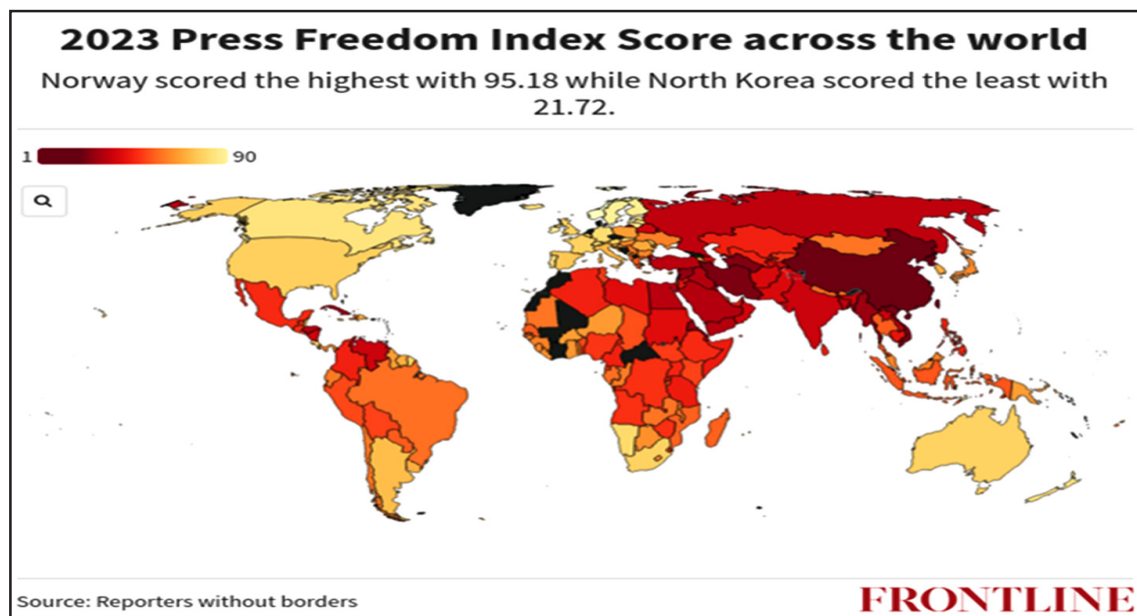
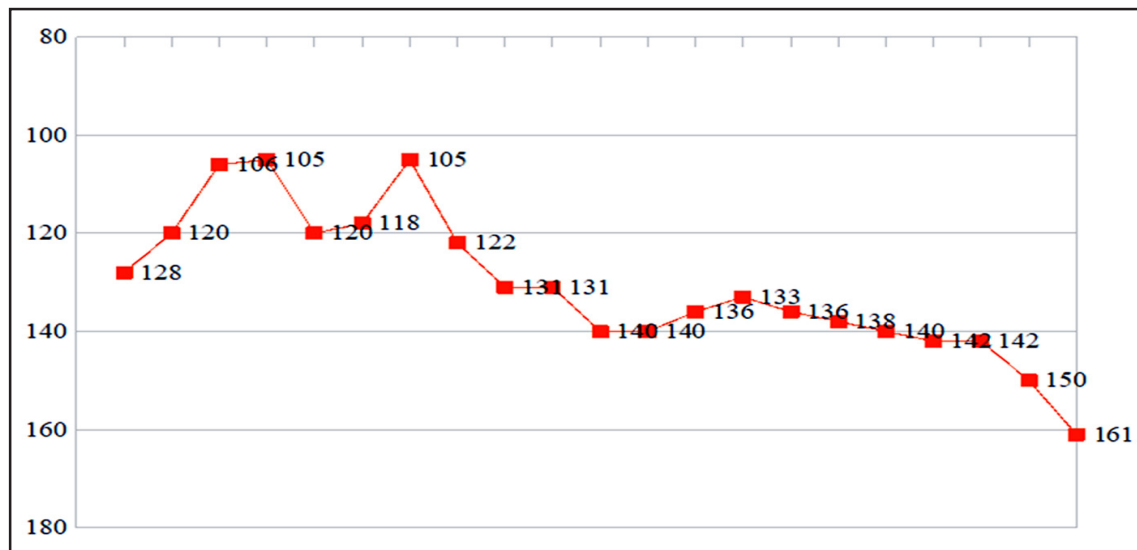
Muzzling the Press

Kalpana Sharma

According to the 2023 report of Reporters Without Borders (RSF), India's ranking in the World Press Freedom Index fell from 150 out of 180 countries to 161, a drop of 11 points within one year. What does this noticeable

decline mean on the ground, in how media and journalists function, and what readers and viewers are served as news? And what are the actions of the government that have contributed to this decline?

Chart: India's Declining Press Freedom Index Rank
(India's Rank out of 180 countries – dropped to lowest level of 161 in 2023)



You could argue, as does the government led by Prime Minister Narendra Modi, that such rankings mean nothing, that they are part of an agenda of people outside the country to denigrate India's democratic credentials.

Yet, even if you do not give a number, or a rank, to declining press freedom, that it has been on a downward spiral for some time is evident to all except those who choose not to accept it.

To understand the reasons for this decline, one must examine not just the actions of the government that have contributed to it but the intent behind specific actions.

BBC ban

The year began with the government banning part one of the BBC's documentary series *Modi's India*.

This episode focussed on Modi's role during the 2002 Gujarat communal riots. It was telecast on the BBC Two channel on January 17 and could only be viewed by people in the UK. Yet, given the nature of the Internet, within days it was available on several social media platforms.

Typically, the Modi government dismissed it as a "propaganda" exercise, yet it went out of its way to ensure that all videos on platforms like YouTube were taken down. It was able to do this by using the emergency provisions of the Information Technology (IT) Act, which allows the government to ask these platforms to remove content that affects the "unity, integrity, defence, security or sovereignty of India". It also sent tax officials to the BBC's Delhi office, accusing the company of tax evasion.

The clear message from these actions was that the government was not going to sit back and permit any media, foreign or Indian, to go beyond a point in questioning or being critical of government policies or the Prime Minister. The tone was set for what was to follow the rest of the year.

Warishe's murder

Less than a month after the BBC episode, a

journalist was killed in Maharashtra. His death was not linked directly to the Central government, but it reminded us of the hazards journalists working in rural areas or small towns face daily, with little recourse to protection or justice. Shashikant Warishe's death in Maharashtra's Ratnagiri district was an unfortunate illustration of this reality. On February 6, Warishe was waiting at a petrol pump with his two-wheeler. He had recently done a series for the Marathi newspaper *Mahanagari Times* exposing a powerful local politician. As he waited, an SUV came at full speed and rammed him, killing him. The vehicle's owner was allegedly the same person Warishe had been writing about.

The vulnerability of journalists like Warishe is an ongoing story, sometimes not even told because they do not have the visibility of journalists working for big media houses. These men and women are the collectors and feeders of news from parts of India that are otherwise readily forgotten by the mainstream media.

Similarly, journalists working in conflict areas like Kashmir, the north-eastern region, and Bastar are vulnerable to threats from the state and from non-state actors. They tread a fine line between these two, as falling foul of either could lead to surveillance and incarceration or death. The fate of several journalists in Kashmir, including 35-year-old Fahad Shah, editor of *The Kashmir Walla*, an online magazine, illustrates this challenge.

Situation in Kashmir

Shah was arrested on February 2, 2022, and the police filed four cases under the Unlawful Activities (Prevention) Act (UAPA) against him. Despite being granted bail by a lower court in three cases, he continued to languish in jail until November 17, when the Jammu and Kashmir High Court granted him bail in the fourth case.

In a moving interview to Betwa Sharma (editor of online portal *Article 14*) after his

release, Shah spoke about what the 21 months in jail had done to him. “Every hour was a struggle. Every breath was a battle. Every day was like a mighty hilltop. It is like you are chained to a stone that has been thrown into the sea and going down. You are trying to swim but can’t get out because you are tied to a stone. It was very heavy.”

When he was in jail, his colleagues struggled to keep the website alive. But the government moved again and blocked the server on which it was hosted. Thus, the combination of arrest and punitive actions worked to silence one of the few voices that were still reporting on the reality of life in Kashmir.

The state of the media in Kashmir since the abrogation of Article 370 on August 5, 2019, remains an example of how a vibrant and lively local media can be squashed into submission through a combination of threats, including arrests, and undermining of economic support. Local newspapers dependent on government advertising, and with offices in premises controlled by the government, had little option but to give in and toe the official line or face closure. In addition, the government devised a media policy that was nothing less than censorship by other means.

The key section in that policy, which was revised in 2020, empowers a government department to “examine the content of the print, electronic and other forms of media for fake news, plagiarism and unethical or anti-national activities”. If it concludes that any media has indulged in any of these, it can stop release of advertisements and charge such publications under existing laws relating to inciting violence, questioning “sovereignty and integrity of India”, or inciting hatred or disturbing communal harmony. The section also states that matters involving “fake” news will be shared with the security agencies.

The intent in this section could not be clearer: monitor, threaten, deprive, and, if

needed, arrest journalists and publishers who attempt to speak out.

The experience of the media in Kashmir might not be replicated to the same extent in the rest of the country, but the government already has a plan to push through something similar for the entire nation through the IT Rules that were introduced in 2021.

Later, on April 6, 2023, the government issued a gazette notification that stipulated that social media intermediaries, like Facebook, for example, should “not publish, share, or host fake, false, or misleading information in respect of any business of the Central government”. The mechanism for determining “fake” news would be a fact-checking unit of the government.

Several media organisations objected strongly to this provision and filed petitions against it before the Bombay High Court, which has said that it is likely to pronounce a verdict on January 5, 2024.

But the very fact that the government came up with such a provision exposes its determination to find ways to control criticism of its actions and policies on independent digital news platforms. Today, space for such critical writing and investigative journalism is almost exclusively on such platforms. If social media intermediaries are stopped from distributing their content, the outcome will be no different from direct censorship.

Against independent media

As 2023 winds down, the government has come up with another attempt at stifling independent media. This is in the form of the Broadcasting Services (Regulation) Bill, 2023, which will cover, apart from cable TV and radio in the old law, OTT (over-the-top) content and digital news.

The Internet Freedom Foundation, in an article on its website, explains that the Bill “extends the Ministry’s regulatory ambit to any person who broadcasts news and current affairs programs through a digital medium (such as

online paper, news portal, website, social media intermediary, or other similar medium). This provision will apply to any individual, and not just media companies or journalists, who chooses to share news as part of a ‘systematic business, professional, or commercial activity’.”

If the Bill becomes law, it will drastically curtail the freedom that digital news platforms currently enjoy through social media intermediaries such as YouTube.

Given that mainstream television news channels, which stand apart from government-owned media only by their theatrics, have been willingly propagating the government’s narrative, these spaces are essential. But if digital news published by individuals or companies can now be monitored and controlled by the government, independent comment will virtually disappear.

How, for instance, would journalists like Ravish Kumar, who left NDTV last year just before the Adani group took over the company and started his own YouTube channel, garnering millions of subscribers in a short time, be able to continue? Or Karan Thapar, who does incisive and informative interviews with many critics of the government? Or others who are not so well known who use this space for broadcasting news and views. Or independent digital news platforms like Scroll, The Wire, The News Minute, Newslaundry, and others dependent on social media intermediaries to distribute their content?

The government’s intent in drafting such a law is obvious. Even though mainstream media has already fallen in line, the government cannot tolerate the presence of independent platforms that are speaking up. It is aware that increasingly, people are accessing news and information through social media platforms rather than established news channels or print media.

Crackdown on NewsClick

This, then, also explains the force with which the government came down on NewsClick, a

digital news platform, in October 2023. On October 3, the Delhi police landed up at its offices and the homes of more than 46 people associated with the portal. After day-long questioning, offices and homes were searched, phones and laptops were confiscated, and Prabir Purkayastha, founding editor, and Amit Chakraborty, HR Manager, were arrested under the UAPA.

A case had already been filed against the portal in August accusing it of accepting “Chinese funding” and that it was part of a “larger criminal conspiracy”. This happened within days of an article in *The New York Times* about Neville Roy Singham, a tech entrepreneur whose foundation has supported several organisations including NewsClick. Singham, according to the story, is close to the Chinese Communist Party.

At the time of writing, Purkayastha and Chakraborty were still in jail and the phones and laptops of over 90 journalists associated with NewsClick still with the police. Here, too, the government’s intent is obvious. It is to send out a message to other independent digital platforms that they are being watched and that the government will not hesitate to go after them.

Even though the Prime Minister and his government proclaim at every opportunity that India is the “mother of democracy”, in their concept of what constitutes a democracy, it is now clear that a free, independent, and questioning media has no place in it.

(Kalpana Sharma is an independent journalist, columnist, and author. Courtesy: Frontline magazine.)

Janata Weekly does not necessarily adhere to all of the views conveyed in articles republished by it. Our goal is to share a variety of democratic socialist perspectives that we think our readers will find interesting or useful. —Eds.

Courtesy **Janata Weekly**, January 14, 2024 

Bilkis Bano case | Supreme Court quashes early release of 11 lifers

Bench reprimands the ruling BJP government in Gujarat for acting “in tandem” with the prisoners to order their early release after “usurping the power” to do so; court orders the men to report back to jail in a fortnight

Lawyer Vrinda Grover addresses media after the Supreme Court verdict on Bilkis Bano in New Delhi, on January 8, 2024 | Photo Credit: Shashi Shekhar Kashyap

The Supreme Court on Monday quashed the order of *en masse* remission granted by the State of Gujarat in August 2022 to 11 men sentenced to life imprisonment for the gangrape of Bilkis Bano and murder of her family, including a two-month-old infant during the 2002 riots.

Terming what befell Ms. Bano, who was pregnant at the time, and her family as a “grotesque and diabolical crime driven by communal hatred”, a Bench of Justices B.V. Nagarathna and Ujjal Bhuyan delivered a scathing reprimand of the ruling BJP government in Gujarat for acting “in tandem” with the prisoners to order their early release after “usurping the power” to do so. Monday’s judgment comes as a blow to the Centre which had approved the men’s premature release.

“A woman deserves respect howsoever high or low she may be otherwise considered in society or to whatever faith she may follow or any creed she may belong to. Can heinous crimes against women permit remission of the convicts by a reduction in their sentence and by granting them liberty?” Justice Nagarathna, who authored the 251-page judgment, asked.

The court ordered the men to report back to jail in a fortnight, declining their fervent plea to sympathise with them and not strip their personal liberty away.

“Can rule of law surrender to liberty earned as a consequence of its breach? Can breach of rule of law be ignored in order to protect a

person’s liberty that he is not entitled to? Should the scales of justice tilt against rule of law? Only when the rule of law prevails will liberty and all other fundamental rights prevail under our Constitution... Rule

of law does not mean the protection of a fortunate few,” Justice Nagarathna responded.

Orders status quo

Ordering *status quo ante*, Justice Nagarathna reasoned that for the convicts to apply for remission again they had to be back in prison first.

The court said Gujarat did not have the jurisdiction to grant remission to the convicts. Justice Nagarathna said Gujarat was not the “appropriate government” under Section 432(7)(b) of the Code of Criminal Procedure, which covered the subject of power to suspend and remit sentence.

SC strikes down Gujarat Government’s remission order of 11 convicts, asks them to surrender

The case was transferred by the Supreme Court in August 2004 from Gujarat to Maharashtra after noting that Ms. Bano had been “coerced to live the life of a nomad and an orphan... the gruesome and horrific acts of violence have left an indelible imprint on her mind which will continue to torment and cripple her”. The CBI Special Judge in Greater Mumbai



Krishnadas Rajagopal

had convicted the 11 men and sentenced them to life imprisonment in January 2008.

Hence, the court clarified, it was the State of Maharashtra, where the 11 men were tried and sentenced, and not Gujarat, where the crime had occurred or the convicts were imprisoned, which was the “appropriate government” to grant remission under Section 432(7)(b). This tenet of law extended even to transferred cases.

Justice Nagarathna held that a Supreme Court order in May 2022 allowing Gujarat to consider the remission applications of the 11 men under the State’s remission policy of 1992 was procured by fraud, suppression and misrepresentation of material facts.

The injustice of exceptionalism

For one, the judge said, the 1992 policy had already been cancelled. Moreover, Gujarat’s remission policy was not applicable to Maharashtra. Besides, one of the 11 men, Radheyshyam Bhagwandas Shah, who had approached the apex court leading to the May 2022 order, did not disclose the fact that the Gujarat High Court had twice held that Maharashtra was the competent authority. The second order of the Gujarat High Court in March 2020 had never been challenged or recalled or set aside.

Fine not paid

Besides, the CBI, the Special Court in

Greater Mumbai which tried the case, the Superintendent of Police and the District Magistrate at Dahod in Gujarat had all refused the man’s plea for an early release. To top it all, the judgment said, the convicts had not bothered to pay the fine imposed on them by the Mumbai court. The petitioners, who included Ms. Bano, had argued that the convicts were to pay a fine of ¹ 34,000 or face 34 years in prison.

Focussing on Gujarat’s role, Justice Nagarathna pointed out that the State had itself agreed in the apex court hearings leading to the May 2022 order that Maharashtra was the competent authority to grant remission. Instead, the State went ahead and released the convicts without bothering to seek a correction of the May 2022 order. Ms. Bano was also not arraigned as a party in the Supreme Court in 2022, denying her an opportunity to object to the plea for remission.

“Fraud and justice never dwell together,” Justice Nagarathna said. The Bench declared the May 2022 order a “nullity and no est in law”.

Sending the men back to prison was one of the “natural consequences” of striking down Gujarat’s remission order, Justice Nagarathna said.

January 08, 2024 

BJP-RSS’s Structural Assault on...

Contd. from page - (20)

Given this, the BJP and the Sangh’s hardline will keep the pot boiling by aggressively spearheading the demolition of mosques in Mathura-Varanasi, pushing the Citizenship Amendment Act-National Register for Citizens, the Uniform Civil Code, One Nation-One Election, Akhand Bharat, etc. It is these pinpricks on the body-polity that will herald in the *Hindu Rashtra* (rather than a formal declaration). This is a watershed moment for India. The *panchajanya* (the conch that Lord Krishna blew to announce the Kurukshetra war) for the battle for both Hinduism’s and India’s souls has been blown. The only question before us is whether we will fight this battle where it needs to be fought, and with the strategic and tactical prowess needed to breach this *chakravyuha* we find ourselves in.

Pushparaj Deshpande is the director of the *Samruddha Bharat Foundation*.

Courtesy **The Wire**, 23 January 2024. 

EVM debate has a solution. And it's neither the ballot paper nor INDIA's new demand

Pure stonewalling or hiding behind claims of technical perfection won't do.

The ECI must prove that its systems are above suspicion.

The EVM debate is back. Though there is nothing fresh about the arguments and counter-arguments, the counter-intuitive results in the recent assembly polls and the impending Lok Sabha election lend it fresh urgency. Unfortunately, it is not clear how this dispute can be settled or even debated meaningfully. EVM sceptics demand a foolproof system that makes tempering impossible. EVM believers ask for forensic proof of electoral fraud in real life. Fortunately, there is a way to bury this unending dispute.

The INDIA coalition's latest meet has brought this debate back on the national agenda. While their unanimous resolution stops short of blaming the EVM for Congress defeats, it registers a serious concern: "There are many doubts on the integrity of the functioning of the EVMs. These have been raised by many experts and professionals as well." Thankfully, the Opposition has not demanded a rollback to ballot paper. INDIA makes a different proposal: "Instead of the voter-verified paper audit trail (VVPAT) slip falling in the box, it should be handed over to the voter who shall then place it in a separate ballot box after having verified his or her choice. 100% counting of VVPAT slips should then be done."

This issue is also likely to come up after the winter vacation in the Supreme Court in a petition filed by the Association for Democratic Reforms.

Given the excitement around this issue, and the sins of my previous birth as a psephologist, I have had to comment repeatedly to make a simple point: While there are increasingly good reasons to suspect that the EVMs *can* be manipulated, we have so far not had prima facie evidence

that they *have* been tweaked to rig an election. I maintained this position when West Bengal CM Mamata Banerjee blamed EVMs for her defeat in 2006 and when GVL Narasimha Rao — now a BJP leader —



Yogendra Yadav

wrote a book titled *Democracy at Risk!* against EVMs with LK Advani ji's blessings. I reiterated the same position after 2014 in response to suspicions about the BJP's big and surprise victories. As you can imagine, this stubborn and public insistence has not made me popular among my political friends.

What's behind the distrust of EVMs

The suspicion against EVMs is based on three assumptions, each of which makes sense. First, there is a distrust of the machine: Any electronic gadget can be programmed and manipulated. In an excellent article in *The India Forum*, Kannan Gopinathan has shown that the introduction of VVPAT has not reduced but actually increased this possibility. Second, the suspicion is accentuated by political distrust of the current establishment. Not even the most gullible political animal would accuse the top two leaders — the only ones who matter today — of moral qualms. Just play this thought experiment in your mind: If someone told this duo that there was a safe and reliable way to hack the machines, would they refuse on moral grounds?

Finally, there is an institutional distrust that turns this suspicion into a full-blown conspiracy theory.

Sadly, the rapid erosion of the autonomy and the authority of the Election Commission of India (ECI) has meant that no one entertains the illusion that the electoral watchdog might resist any illegitimate demand by the ruling dispensation. The ECI has not helped the matters by stonewalling all serious queries about EVMs and instead organising gimmicks like hackathons.

These three valid assumptions only prove that EVM manipulation is a real possibility. But it does not prove that it has happened in a given election. Much less that it has happened at a scale to alter the overall outcome of the electoral verdict.

Take the recent example of the Madhya Pradesh assembly election. The outcome was counterintuitive as many electoral outcomes are. No political observer, journalist, or opinion poll (barring one exit poll) anticipated such a huge BJP victory, a lead of over 8 percentage points. Like all those who travelled extensively in the state, I, too, could not believe the results; I still feel something is fishy about these numbers. But that cannot count as evidence.

The Congress pointed out that there was a mismatch between postal ballots and EVM vote count. Odd, but not unprecedented. There is something strange about the decline in the vote share for smaller parties and independents and almost identical increase in the BJP's vote share. Strange, but not impossible. At the end of the day, after the results in MP, the EVM sceptics are more strident in their conspiracy theories while EVM believers are surer than before that it is the losers' rant.

Yet, this debate cannot be allowed to fester. And the onus is clearly on the ECI. Frankly, the commission has not quite been forthcoming in fostering trust, responding to legitimate queries, and taking on board valid suggestions on this issue. It has long maintained that the EVMs are "stand-alone" machines that cannot be connected, directly or remotely, to any external device. This is simply not true any more after the introduction of VVPATs and the symbol

loading during the election process. Gopinathan shows that this one technical change renders most of the earlier precautions and safety protocols useless. The ECI – or the Supreme Court – must come up with additional procedures to maintain public trust.

3 things ECI can do

For the last few years, I have been making suggestions for small changes that should satisfy EVM sceptics. I fear that unless we work out something on this issue, Indian elections could go the Bangladesh way, where the loser would inevitably reject the results. Here is my revised proposal (to take the design of VVPATs into account, thanks to a conversation with Gopinathan). This does not require going back to the ballot paper, which can introduce more problems than it would solve. And it does not involve handing over the VVPAT slip to the voter as demanded by the Opposition. Though that proposal needs careful thinking, it does not appear feasible at least in the 2024 Lok Sabha election.

The commission can take the following three steps to build public confidence in the electoral outcome.

One, the ECI should place in the public domain the source code of the software being used for the Control Unit, the VVPAT, and the Symbol Loading Unit and allow representatives of political parties to verify its authenticity at the time of elections. That should eliminate suspicions about malware insertion during symbol loading.

Two, the commission should alter the existing process, so that the randomised allotment of EVMs to specific polling booths is done by a draw of lots in the presence of the representatives of the candidates (not through a centralised server) and done *after* the loading of symbols and commissioning of EVMs (not before the loading as is the case now).

This would take care of the possibility of targeting of booths for possible manipulation.

(To be Contd....on Page -42)

“Paper Ballots Are The Only Option”

As general elections 2024 near, fear of votes being ‘lost’ in EVMs rise

Karuna John

On the eve of Republic Day, retired bureaucrat, and coordinator, Citizens’ Commission on Elections Citizens Commission on Elections (CCE) M. G. Devasahayam, and technocrat Sam Pitroda, raised concerns about the fear of votes not being counted, or being erroneously counted, by the Electronic Voting Machines (EVMs).

They said with elections a few months away it was time that the voters demand their rights be safeguarded and ask for paper ballots. Devasahayam and Pitroda, also shared that “an international civil society group” will be constituted to monitor the 2024 Lok Sabha elections. Pitroda described the upcoming elections as the most crucial polls in India that will “decide the nation’s destiny”.

The proposed election observation group will include international observers, electoral experts from India, academics and those involved in conducting elections in India and abroad. Devasahayam and Pitroda said this would lend transparency and credibility to the process and dismissed that political parties may call this out as an external interference in elections.

“The global [monitoring] body will ensure that Indian elections are fair,” opined the two. “The people’s vote is more important,” Pitroda said. According to Devasahayam, if political parties are “confident then they should welcome any kind of monitoring.”

They addressed an online press conference on January 25, which is recognised as National Voters Day in India, to encourage citizens, especially first time voters, to take part in the electoral process, which is essential in a democracy.

According to Pitroda, going back to the basics of voting on, and counting each ballot

paper, was the only way to ensure that the citizens’ voting rights were protected. They also shared that the paper ballot system was the only way forward to ensure a free and fair elections this year, as people had lost faith in the EVMs.

Devasahayam, who has been raising the issue of EVMs and Voter Verifiable Paper Audit Trail (VVPAT) for a long time has himself conducted elections when he was in service as a bureaucrat. The now retired IAS officer said that India was the world biggest democracy and it was a “global issue”.

The two stressed that voters must know their rights and that it was “imperative for voters to make sure that the vote they are casting is the vote being counted” in the upcoming general elections.

Pitroda said that the voters must not be confused between ‘digital India’ and the use of EVMs during elections. “It is about going back to the basics. The voter does not know if the vote they cast [on EVMs] is the vote that has been counted. They are shown the VVPATs for seven seconds and it is dropped in a box. The slips are not counted” Pitroda said.

“The election commission has shut its doors,” Devesahayam added, saying it was the citizens right to know. concerned. We have to convince the voter, not the ECI,” he said. “Each voter should be able to verify that their vote is cast-as-intended, recorded-as-cast and counted-as-recorded”, they said.

The Citizens’ Commission on Elections, headed by a former Judge of the Supreme Court of India, and with top national and international experts weighing in on the subject had in its report titled ‘Reclaim the Republic’ stated that “Due to the absence of End-to-End (E2E) verifiability, the present EVM/VVPAT system

is not verifiable and therefore is unfit for democratic elections.”

This, stated Pitroda had alerted him, as an Indian citizen and voter, and others and has led to public protests “demanding the discarding of EVMs and returning to paper ballots for the forthcoming General Election to India’s Parliament due in the next couple of months.”

Pitroda added that “it is imperative to talk about the importance of our vote and the role it plays in upholding, protesting our constitution and our basic rights. The key is to be concerned about the fact that: ‘are you counting the vote I am casting?’”

He said that 2024 is the “most important election in recent history”, across the roads and that “Democracy is at the crossroads.” According to both the speakers, “there is a huge trust deficit. It matters what the voter thinks, not the EC. It is an issue for a voter. The voter needs to be convinced.”

They claimed that the EC’s response to their representations was “very bureaucratic” and that they were “not convinced.”

According to Pitroda, “now that the elections are around the corner, I don’t believe there is time to look at [EVM] hacking, and what version of software it is. The only option today is paper ballot. Always good to go back to basics.”

He added that democracy is about citizens, for the people, by the people of the people. However, people are afraid to speak up, for fear of being hounded. “We are at a critical phase and must speak up. I have a voice and I want EC to be sensitive and not remain in their own environment, talk with authority and not answer the people,” Pitroda said.

“I have conducted elections, as a super senior citizen I have cast my vote on paper ballot and EVM/VVPAT so I know from personal experience. This is not a matter of numbers, this is a citizen transferring their sovereignty to the elected representative. The voter must

know that her vote is cast as intended, recorded as cast and counted as recorded. This is the essence,” Devasahayam said.

“Now what happens. The voter presses a button, there is a beep, a light, and he does not know... that is why we have doubt. The machine has taken over from the voter. They brought in VVPAT in 2013, however there are ‘two votes’, one in the memory of the EVM, one that is a paper slip that is shown for seven seconds to the voter, and dropped in the box. It is natural that paper slip needs to be counted, however, in 2018 EC said only EVM memory will be counted” he added.

“Since then we have been struggling for it and saying count the paper slip and if needed check with EVM memory. They are doing the reverse. That is fraud number one,” Devasahayam said.

According to him “fraud number two is that elections take months, the EVMs are stored for months, but counting is done in a tearing hurry. Actually counting is critical and they made an excuse that it will take three days... It takes a maximum of one day.

“It is an absurd argument. We have been trying as civil society to represent this however EC doors are closed. They will not listen to anybody. We brought in the best experts from the world to analyse and give the report in 2021.

We asked them to make the paper VVPAT slip bigger, better quality and give it in the voter’s hand to put it in the box. This way the voter is satisfied. Then count the slips. That is the real vote. If there are doubts cross verify. They will not listen or respond to this,” he said.

They said that it was not difficult to go back to the tried and tested paper ballot system as the ballot boxes “are continually being produced in India” and ballot papers are printed after candidates are finalised. “At 2-3 weeks’ notice we can go back to paper ballot. We will not accept anything but paper ballots. It is the only system that complies with

democratic system,” they said.

“On social media lies get amplified. But we do not have enough time now. Find your own truth, don’t listen to social media ‘truth’. Ignore that,” Pitroda said, adding that the recent state election results were not an indicator either. “If someone wants to manipulate they can, give [lose in] one state and win seven.”

It was “the lack of response” from the EC that has concerned the CCE which has made representations on the issue before. On December 08 2023, Devasahayam as the group’s coordinator, had written to, CEC and Election Commissioners, Election Commission of India, sharing with them a memorandum signed by over 16,000 thousand of voters.

The list of demands before the General Election 2024 are as follows:

1. Ensure the integrity of voting and counting

- i. The VVPAT system should be re-calibrated to be fully voter-verifiable. A voter should be able to get the VVPAT slip in her hand and cast it in a chip-free ballot box for the vote to be valid.
- ii. These VVPAT slips should be fully counted first for all constituencies before the results are declared. For this purpose, VVPAT slips should be larger in size and must be printed in such a manner that they can be preserved for a minimum of five years.
- iii. Subsequently, if need be, the results of the counting of VVPAT slips should be cross verified with the electronic tallies of the EVMs for every constituency before the results are declared. In case of any mismatch, the counting of the VVPAT slips should be treated as the final result as also laid down in Rule 56(d)(4)(b) of The Conduct of the Election (Amendment) Rules, 2013. Forms 17A (Register of electors) and

Forms 17C (Account of votes recorded) must be tallied and be publicly disclosed at the end of polling on the polling day itself. Forms 17A and 17C should also be tallied with the manual count of VVPAT slips before the declaration of results.

2. Ensure the integrity of Electoral Rolls

To prevent arbitrary deletions, the ECI must ensure that prior notice is issued to every voter whose name is proposed to be deleted. This has also been directed by the Supreme Court in its recent judgement dated 4-8-2023 in which it was stated “No deletion should be done without following due process of law as contained in the R P Act, 1950 and the Registration of Electors Rules, 1960. In all cases a notice must be issued to the elector and must be duly served on him”. This is critical to ensure that no voter is left behind. ii. The ECI should immediately implement a transparent and public system of Social Audit of Electoral Rolls. Voter’s lists must be publicly displayed in the most accessible manner and also made available on the ECI website in a searchable database. Citizens should be empowered to check their own information as well as that of bogus names and duplicates in their area.

3. Rein-in Money Power:

The ECI must strongly advocate for transparency in political party funding and ensure that money-power does not sway elections and their outcome. It must oppose electoral bonds that provide for unlimited anonymous funding of political parties. However, according to Devasahayam, the EC is yet to respond in any manner. “The silent will have to speak up, the Opposition will have to wake up,” Pitroda said. “We are not beggars, we are citizens,” added Devasahayam, importing the people to amplify this demand for paper ballots.

Courtesy **The Citizen**, 26 January 2024. 🌈

SUNDAY TIMES OF INDIA, CHENNAI
JANUARY 22, 2023

Bose family refuses to endorse RSS event on Netaji

Prithvijit.Mitra
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Kolkata: The family of Subhas Chandra Bose has decided to dissociate from an RSS programme to mark Netaji's 126th birth anniversary at Kolkata's Shahid Minar on January 23, saying the organisation's philosophy was inconsistent with that of the revolutionary's inclusive beliefs. The family urged RSS to first declare that they agree with Netaji's secular and in-

clusive ideals if it is serious about paying tribute to the freedom fighter.

RSS chief Mohan Bhagwat will be the chief speaker at the event. Netaji's daughter Anita Pfaff, in a statement from her home in Germany, has said she doesn't think RSS believe in her father's ideals. "My father was a devout Hindu, but had respect for all religions and believed that everyone could live together. I do not think that the RSS believes in it," said Pfaff.

She said it will be good for India if RSS embraces Netaji's ideology. "Netaji believed in secularism and I don't think RSS lives up to that. If RSS wants to propound Hindu nationalist ideas, it would not match Netaji's ideology and I would not appreciate it if Netaji is used for that," said Pfaff, who wasn't invited to the event."

Readers' Comments

Dear Shri Singh,

Hearty congratulations for the very apt topical cover page of the February issue of the RH and the programme on the occasion of the Platinum Jubilee of the RH movement. It is indeed very heartening to see that we still have some fearless persons who have the courage to call a spade a spade.

Wish you all the best in your relentless efforts in pursuit of the objective of the RH movement.

S.N. Shukla

No Need for UN and International Law

P.A.S. Prasad

A wolf went to a stream to quench its thirst. It was also hungry. Then it saw a lamb downstream drinking water. It wanted to devour the lamb. So before pouncing on the lamb he accused the lamb for dirtying the water. The lamb remonstrated how it could happen when the wolf was upstream and the poor thing was downstream. Then the wolf became furious and shouted at the lamb how the lamb dared contradict its charge. So saying it pounced upon the lamb and had a hearty meal.

A well known Aesop fable.

The above fable both in precept and practice is being used in active action in the annals of mankind varying in font and format.

Related adages are: survival of the fittest.

The ancient Sanskrit saying 'Rajyam Veera bhogyam' meaning a kingdom is a delectable dish of the brave.

After oceans of bloodshed occurring throughout human history on the analogy of the fable of the wolf and the lamb; coming to modern times America takes the crown. America was conceived in violence and genocide of native red Indians. The crude arms of the locals were no match for the superior fire-power of the guns and cannons of the invading whites. This was followed later by the horrendous slave trade inflicting torture and agony to the black slaves in large numbers who were never considered as humans. Of course, America produced great humanists and pacifists like Lincoln, Mark Twain, Harriet Breacher Stowe, Henry David Thoreau, Emerson and Martin Luther King Jr. But Americas evolution and conscience and values have crystalised into a violent society causing and engineering blood shed across the continents. Their gunlaws followed as sacred edicts resulting periodical target shooting of children in schools, people in gatherings, in shops and at random places, actively advocated by

President Trump and his likes and the gun mfg. lobby. Armed conflicts are created for selling the produce of their arms lobby. America was the first and let us hope the last to drop atom bombs on the Japanese killing millions and permanently disabling a like number with the wolfish recuse of bringing the war to an end and more deaths and destruction.

The blood chilling finding of the eminent justice Radha Binod Pal in his dissenting judgement in the Tokyo war crime tribunal for the trial of alleged war crimes roundly accused America for provoking Japan to declare war by writing a letter. Even a smallest country in the world would have declared war if such a letter was sent by America. He stated that the allies were as guilty as the Japanese in perpetrating war crimes. But the allies won the war by dropping atomic bombs. It was victors' justice. They would do as they wanted to do. As expected Tojo and others were sentenced to death and subsequently hanged. But a grateful Japan honoured Justice Pal and his house in Calcutta became almost a pilgrimage for Japanese prime ministers. Thus the wolf fable proved true.

America repeated the same tactic with Iraq accusing Saddam Hussain of piling up of weapons of mass destruction and abuse of human rights. Then they invaded and finished Saddam Hussain and installed a govt of their choice. There were no weapons as alleged. Vietnam adventure made America unpopular at home and in the entire world. They had to withdraw. They helped bifurcate Korea. They failed and abandoned Afghanistan. In Cuba they tried several times to get Castro assassinated and also engineered a few armed attacks but they had to bite dust. They caused assassinations - notable are Che Guvera and Osama-bin- laden. They interfered in several Latin American countries and played toppling

games. The list is endless. They are allowing separatist Khalistan groups planning to create blood shed in India from their soil but accuse of an Indian connection planning the assassination of the leader of the criminal Khalistani groups. With the advent of the United Nations after the Second World War there was optimism that the UNO would effectively check predatory activities. But America proved otherwise. The UN is for others but not for America. They disregarded UN resolutions not to their liking, where American interests were involved and resisted international law and UN were brazenly sidelined.

In this regard Russia is not a babe in the wood. Russia has been a close second to America. Russia has mastered the suppression of human rights of Chechens, internal purging and eliminating those who fled the country across the globe. Russia never hesitated to invade countries to serve Russian interests, be it Georgia, Crimea or Ukraine. International law and UN resolutions are being ignored blatantly. The recent launch of unprovoked full fledged attack and fighting going on still is an example and the reasons advanced by Russia is a textbook analogy of the wolf and lamb fable.

China too has joined the table with more subtle, covert systems. The occupation of Indian territory in the Himalayas is one of them, laying far-fetched absurd claims not only of Indian territories but also of its neighbours in the Pacific region.

Coming to the Israel-Hamas conflict, it is class by itself for flagrant violation of all tenets of international law and the UN. When Netanyahu was advised not to use disproportionate force against Hamas as it is against international law, he brushed it aside and stated that Israel need not abide by any international law as Hamas attack was not in accordance with any law. When the UN Secretary General took an impartial stand in the matter and how Palestinians had to suffer for

no fault of theirs, Netanyahu rudely told him to resign and go. Netanyahu made quite a few statements stressing that he would continue relentlessly with the invasion of Gaza whether any nation supported him or not. It appears he is bent upon the genocide of Palestinians and annex Gaza. This holocaust is actively abetted by Biden, goaded by the wealthy Jewish lobby in the USA. We are hearing that free speech held sacrosanct by America is being curbed as evidenced by the stepping down of Ivy League University Presidents as they were not able to control the anti Jewish agitation by their respective students' unions.

Actually Israel was conceived in sin by the British and allies perpetrated on Palestinians who were made to flee from their homeland and become homeless refugees. The problem is still a festering carbuncle.

Mahatma Gandhi, during the time when plans for creating Israel were being made, advised that Israel should be created with the consent of the Palestinians. Of course this never happened.

It is a bizarre irony that America is pointing fingers at India alleging that India is linked with the plotting of the assassination of a US based Khalistani leader as though it is perfectly right for such terrorist groups organising and plotting and carrying out armed secessionist activities against India from American soil. America, as some one said, is the leading international terrorist in the world.

It can therefore be surmised that in cases of powerful predatory countries, like the wolves in the fable, pounce upon less powerful countries, i.e., lambs in the fable, The UN and international law are of no avail. The resolutions passed in the UN, though sound in the stance and ethics, have proved to be mere sound. It is better if the UN and international law confine their activities to universal welfare bodies like WHO, UNESCO etc. 🌈

Continued from the last issue

The Welfare State System and Common Security - A Review

A Swedish citizen waiting for the train to return home immediately after leaving work. She has bought a Burger for her Dinner. This is her picture after being asked to pose for a photo. The name of this citizen is Elva Johansson and her job is Minister of Labor in Sweden. She has no caravan of cars, she has no line of guards. She doesn't even have helpers. Sweden is a rich, developed country, but they show great discipline in the use of public funds!

Developing countries can learn from this Lady the use of taxpayers' money.



Social security and welfare state contributed to better health and longevity in Canada, and other Scandinavian countries. But it also caused certain demographic changes. It is very interesting to note one important observation made by Vivekanandan when he says: "In concrete terms, demographic change would mean that the number of people getting into the job market would be less than the number of people retiring. It would also mean a reduction in contributory revenue, and an increase in social expenditure." "Demographic change due to low birth rates and high life expectancy is a potential threat to welfare states in many parts of the world. Indeed, the population crisis question, especially the prospects of a shrinking population and its consequences, became a live public issue in the Swedish Social Democratic circles ever since Gunnar Myrdal and Alya Myrdal, economists, published a book in 1934 under the title." (p.30)

The book examines the best available models in the world on the welfarism. We find a detailed study of the models in Sweden, Finland and Canada. Each case study not only traces the historical and theoretical foundation for the welfarism and contextualizes the issue while

examining the impact of (Liberalization, Privatization, and Globalization (LPG) in each case. 'The Swedish Social Democratic governments have built up the most advanced Welfare States System in the country, between 1930s and 1960s from these basic premises and transformed Sweden into a Folkhemmet (People's Home), conceptualised by their leader Per Albin Hansson.' (p.37). 'Taking a cue from Sweden, all other Scandinavian countries like Norway, Denmark, Finland and Iceland have adopted the Welfare State System, more or less similar to the Swedish system and made an impressive change in the psyche and ethos of all these countries and their peoples in the region. As a result, they present the picture of the most honest, courteous, civilised peaceful and contented humans in the world. They now hesitate even to use an offensive language against their adversaries.' (p.57) This book is a rich source for all those who are interested in experimenting alternative models of development in the tradition of social democrats.

But the experience of each of these models, especially after the advent of globalization also deserves a mention. "The economic crisis in

Finland in early 1990s was a severe one which had an adverse impact on the Finnish Welfare State System. It was not the result of a sudden development. It was the outcome of some stealthy moves, of a few high ups in the Finnish bureaucracy, to prematurely integrate the Finnish economy with globalisation, liberalisation and privatisation process, and to impress upon the European Union that Finland was making important change to become eligible to join the European Union.” (p.74) “In consequence, after 1997, a majority of jobless people were found among those who received means tested minimum unemployment security benefits.” “Recession had adversely affected the provision of healthcare and social services in Finland.” (p.87) “Recession made a big impact on the financing of public welfare state schemes. Hitherto a stable economy, which showed a public finance surplus of 6 percent of the GDP in 1990, after a couple of years it caved in and slid down to 8 percent deficit of the GDP. To curb state debt, the government took resort to effect stringent measures to cut down public expenditure.” (p.88) “Under the cloak of recession, the Finnish establishment could smoothly impose new burdens on the wage and salary earners, which in normal times would have met with robust opposition.” (p. 89) “Recession had put public finances from a healthy surplus into a deficit syndrome.” (p. 91) “To harness its savings, the central government had drastically cut its money transfers to municipalities for welfare services.” (p. 91) “The aftermath of the recession saw significant restructuring of healthcare and pension systems.” (p. 93)

Globalization also led to formation of certain regional economic blocs. One such development has been the European Union. But the country specific interests and the interests of the EU have their own dichotomies. “... there is a dichotomy between the market principles of EU’s internal market and the political principles based on equitable redistribution of the fruits of growth in

advanced Welfare State System of Finland.” (p. 97) “... EU promotes free market system, and its agenda is economic growth, profit and widening of its market worldwide, and not to simultaneously pursue social or distributive justice nor to pursue egalitarian principles of equality, justice or solidarity. EU promotes trickle down effect which is contrary to Welfare State System and distributive justice.” (p. 99)

The case of Canada also testifies to the pressures of globalization on its Welfareism. “If the 1960s witnessed the flowering of Canada as an advanced welfare state, the 1980s witnessed mounting attacks on the role of the state as a provider. This was partially stimulated by the growing demands on public expenditure due to increasing unemployment and due to demographic changes caused by the growing size of the ageing population in the country. The main focus of these attacks was on the universalistic element ingrained in the welfare state programmes. That was also the time when massive and sustained attacks on the Welfare State System were launched by Thatcher and Reagan administrations in Britain and the United States, breaking the bipartisan consensus that prevailed in Britain and the United States on the publicly funded Welfare State Systems.” (p. 141) “The 1980s and 1990s witnessed drastic changes in the structure and policies of the Canadian state.” (p. 144) “Yet, Canada ranks among the most advanced welfare states in the world, with several strands of welfare benefits disbursed through a string of programmes ranging from universality to those which disburse specific welfare benefits to the categories of the population through multiple kinds of insurance and social assistance programmes.” (p. 145)

‘**Common Security**’ is the second important theme of this book. In fact, when the welfare state is an internal construction which scaffolds the common security at the international level. It ‘is one of the two strong and mutually reinforcing components of the peace structure

which this book presents for ensuring common future well being of humanity; the other component of it being the Welfare State System.’ (p. 163) ‘It is undeniable that a peaceful and secure environment is imperative for universal public welfare.’ (p. 164) ‘Though world bodies like the League of Nations and the United Nations, were established with the objective of building up a peaceful world, they failed to live up to the expectations of their founders, because they were made super structures, bereft of supporting national domestic structures, attuned to peace, equality and justice.’ (p. 164) ‘While the Super Powers and their military blocs competed with one another to maintain superiority over the other at the global level, at the regional level, countries have followed the same strategy and reduced themselves as lucrative markets of arms exporting countries.’ (p. 168)

More than many international organizations, ‘European Socialist and Social Democratic Parties paid serious attention to this irrational and unsustainable approach to ensure national security from 1970s and looked for alternative approaches for the maintenance of peace and security in the world.’ (p. 169) ‘In early 1980s social democrats of Europe have paid attention to the negative impact of the deterrence security strategy, by posing a fundamental question, whether the same objective of ensuring security can be achieved through a more sensible alternative, and by bringing an end to arms race and high military spending. The Swedish statesman, Olof Palme, paid special attention to this all important question, and decided to stop the world from ‘the march of folly’ it is currently engaged in.’ (p. 169-70) ‘Common security is a solidarity approach to international security relations.’ (p.170) ‘The debate on Common Security since 1982 seems to have made an impact on the general outlook of countries. Compared to 1970s, they now show greater spirit of cooperation in the current epoch, brightening the prospects of creating more peaceful and humane

world.’ (p. 184-85) ‘The bountiful resources the Common Security System would release, in real terms, in every country, can transform the World into a peaceful prosperous and contented Common Home of all people. It would create a new world where there would be no need for people to migrate from their countries and Continents in search of better means of livelihood.’ (p. 186)

The Scandinavian / Nordic Welfare States are considered as the most approximate international peace and security models. “In the annals of societal reconstruction, the Scandinavian / Nordic Welfare States – Sweden, Denmark, Norway, Finland and Iceland – have made a significant contribution to the advancement of human civilisation in the twentieth century and have become for other states and regions for emulation.” (p. 189) ‘Its philosophical foundation was laid on the principles of democratic socialism, as articulated by the Social Democratic Parties (SDPs) of Scandinavia.’ (p. 190) ‘Though the initial objective of the welfare state was alleviation of poverty, the Nordic Welfare States have gone for beyond that agenda and enveloped in it larger objectives like reduction of inequality and promotion of distributive justice and human solidarity, in addition to programmes like social insurance and provision of social services to the needy people.’ (p. 191) ‘The fulcrum of the Nordic Welfare State System is a full employment policy pursued by the Nordic States which have sustained the system all along.’ (p.192)

‘However, the strain the Nordic economies had experienced in the early 1990s, following recession and budget deficits, led many Conservatives and neo-liberal analysts to hastily apportion the blame to it on the Welfare State System, although the cause of the strain lay elsewhere.’ (p. 194) ‘Despite these changes, the general view is that the core elements of the Nordic Welfare States remain more or less intact.’ (p. 195) ‘Yet, certain difficulties loom

large in the horizon for the Nordic states, though they are not exclusive phenomena of the region. One is the demographic change that is under way in the region.’ (p. 196) ‘Indeed, the Nordic cooperation system has provided a regional model of the Common Security system.’ (p. 203) ‘India looks at the Scandinavian Welfare State System with profound admiration, since the system remains the largest successful human solidarity project in the world. Since its independence in 1947, India has tried to introduce the rudiments of a Welfare State System in the Country.’ (p. 203)

‘Thomas Piketty, a French economist, in his classic work, *Capital in the twenty First century* has delved into the issues of inequality. According to Piketty, inequality is a social and historical phenomenon based on the larger phenomenon of wealth flows and income distribution.’ (p. 218) ‘Among all the socio-economic political systems hitherto rested in the world, the Welfare State System is the finest one.’ (p. 219) ‘It must be recognised that largely due to the advancement of science and technology particularly information technology, the world has shrunk in a big way and it would continue to do so in the coming decades as well. The environmental changes also signal the common destiny of the world to sink or sail together.’ (p. 220)

‘The world is spending so much for arms when, according to a UN Report released on 20 June 2018, in 2016 there were about 815 million malnourished people in the World. In India, 20 percent households come under the category of the poorest.’ (p. 228)

‘These national resources, spent for arms purchase under the populations of the deterrence doctrine, can be saved through appropriate joint political decisions of statesmen and channelled for human development and welfare, while ensuring the national security in another way, with the help of minimum conventional armaments. Common Security is the magic word for it, which

can transform the recurring annual wastage of military expenditure into productive resource for building up institutional welfare states.’ (p. 228) ‘In this context, it is exciting that a wind of change favourable to democratic socialism and the Welfare State System has started blowing even in the United States. With the US Senator Bernie Sanders as the new torch bearer, millions of young, Americans are demanding reform of the United States into a Welfare State, based on equality and distributive justice.’ ‘Welfare State System is a civilisational projects, anchored in human solidarity. ... the Welfare State System, complemented by a Common Security System worldwide, is a civilised and civilising project of modern times.’ (p. 241)

‘The Welfare State System and Common Security - A Global Vision for a Common Future’ is a source book for all the students, thinkers and activists in search of alternatives for a better social order, especially in an unfolding reality that the classical ideas of ‘socialism’ failed to inspire new epochal changes in the world order of exploitative capitalism. The world needs a new look and demands creation of new environments for a stable and secured progress of the human beings. The concluding para of the book draws our attention to the thoughts of the then Prime Minister of England, Clement Attlee when he said: “In all great enterprises it is the first steps that are difficult, and it is the way in which these are taken, that makes the difference between success and failure.” The initial moves are made by the Scandinavian countries, and ‘it is the turn of others to follow the lead and reap its benefits.’

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Challenges to Theory & Practice of
Alternative Socialism**” (2022) 

Continued from the February 2023 issue...

THE PATH OF GANDHI: TRUTH AND NON-VIOLENCE

Koganti Radha Krishna Murty

Gandhi spent two decades of his valuable life in South Africa where he dedicated himself to serve the people. When he came to India, his native country, he was given a hero's welcome. He was honored and respected in many ways. He toured throughout the country, visited villages and pilgrimage centers to witness the Indian way of life directly. He adopted an ascetic way of life by renouncing all physical pleasures. He adopted the dress and the way of poor Indian life. He refused to wear a shirt as poor Indians do not have one. Tagore was so impressed that he called him "The Mahatma". (the great soul). It was the beginning of Gandhi era. Entering into politics he tried his best to convert Congress into a people's party. He drove away the apprehensions and indifference of the common man and woke them up to the rights as citizens of the country. He made freedom fighters out of the common men who invited trouble voluntarily in fighting for freedom against the British Empire. Prison life became so common that he called the prison the birth place of Lord Krishna.

But something went seriously wrong. The God that was so merciful did not take pity on him. His soul was defied and insulted. The party that was nourished and popularized by him refused to adopt his policies and principles. His basic concepts of Truth and non-violence, so dear to him, were decried and discarded at every step. His ascetic life did not have any effect on any of the followers in the party. Those ministers and leaders who came to power for the first time under the 1935 Act

donned the garb of power eagerly and resorted to ostentatious way of life and power. They enjoyed all the luxuries that were attached to the position of power at the expense of the state. Corruption and nepotism were practiced as if they were waiting for such an opportunity all the time. The self-rule turned out to be far worse than the foreign rule. Nobody cared for eradication of untouchability, to establish communal unity and adopt constructive plans like Khadi and cottage industries. He could not digest the developments. He realized that the respect shown by them all these days was only a pretension. He asked himself whether he can allow himself to be called a Mahatma. He never aspired for such worship or recognition. He felt it the respect for his principles. He made a tireless effort throughout his life to follow his principles sincerely. But those who followed him in his political movements did not care for his principles. That made him feel dishonored. He realized he was alone in his life journey. Even then he did not lose heart. He was expecting there will be somebody to understand and accompany him. The fascist forces that threatened the world were defeated. Independence of India was within eyesight. The British had to prepare to leave the country. Gandhi tried to forestall the fissiparous tendencies with all his moral force. "We are all one. We are brothers belonging to the same family. We shall enjoy freedom together" he said. His heart was screaming aloud "If you want to partition the country, kill me first". But nobody took note of his agony. As representative of the Muslims, the League

declared that they constitute a separate nation and demanded partition of the country. All efforts for unity proved futile. Gandhi thought of fast unto death. But for the first time he hesitated. People had no confidence in him and no respect for him. He lost his moorings. Nobody had the moral compulsion to heed to him. While Gandhi was shouting “Unity or destruction” Jinnah was shouting “Partition or destruction”. Perhaps that was the real beginning of Gandhian era. Real Gandhi was coming out of the religious Gandhi. He showed his humanist face to the country. He might have lived only for a few months as a humanist. But that was the period in which the Mahatma shone bright and proved his title.

The religious conflicts that started about a year before independence and consequential atrocities had no parallel in history of mankind. The decision to partition the country led to mutual distrust. Each part was declared to belong to a particular community. Till then people of all the communities were living together. But declaration of a separate country for each community raised the ugly head of separation and they started moving to the areas assigned to them as if they have no protection where they were living all the years. There were no individuals then. All were a part of the mob and frenzy overtook them. Indiscriminate destruction of life, property, rapes and robberies occurred on an unimaginable scale. Blood flowed literally in the streets. The Muslim League resorted to direct action to compel partition. Direct action meant only violence against the other community. The conflicts in Naokhali resulted in the death of more than 5000 people and injuries to tens of thousands of people in Calcutta. Violence spread all over the country. The country lost its soul. It was a challenge to the Mahatma. He had to counter the call for ‘violence to compel partition’. His only weapon was fast unto death. He went to the place of

main violence, Naokhali, where blood was flowing and houses were burning. He chose that place to start his passive resistance in the midst of mindless violence.

According to the demographic accounts, 52% of the population was Muslims in the state of Bengal. They were more densely settled in the eastern part of the state. The chief of the state was called Prime Minister at that time. Mr. Suhrawarthy was the Prime Minister. They chose the eastern part of the state as a part of the future state of Pakistan to be carved out of Indian subcontinent. It was one of the poorest parts of the state. The poor people had a natural distress and it all poured out as violence against the other people as if they only were responsible for their poverty. Mob has neither a mind nor a heart. The violence was against everybody. It was an affront to Gandhi who was craving for Hindu-Muslim unity all his life. It was the most tragic defeat in his life. After reaching the place of violence he did not seek any protection from anybody or against the prevailing violence. He visited the families of Hindus and Muslims and tried to remind them of the friendship that was prevailing all these years. He shed his tears along with those who lost their families. He felt it waste of time to talk to so-called leaders. He met the people directly and pleaded for peaceful coexistence. While returning from Naokhali he declared that he did not consider his principle of Non-violence was destroyed in Naokhali. But it has also not succeeded, he said. His journey was not a complete success. Nevertheless there was a decline in the atrocities and efforts started for reconciliation. The mood spread all over the country. But such mood could be only mild compared to the mood of vengeance and violence. It was the nature of things. The hatred and anger that was roused for political ends could not subside so easily. In spite of it what Gandhi has achieved in Naokhali in that burning situation

was extraordinary and beyond human comprehension.

On the midnight of 15th August, 1947 India was declared independent while the country was burning. Pakistan declared its independence one day earlier. There were bright celebrations throughout the country, but not in Calcutta and Bengal. The communal riots flared up again and the local government could not control it. It was more severe because the state was bifurcated and the eastern part was declared a part of Pakistan, far away from the main part of it. It was called East Pakistan. The state of Punjab was also divided. The Bengal Prime Minister Suhrawarthy requested Gandhi to come again there and pacify the people. Gandhi agreed to go there but asked for one condition. He asked the government to assure that there would be no more violence in Naokhali. If it happens his alternative would be to undertake fast unto death, he declared. But when he reached Calcutta it was mainly Hindus that resisted his visit. They were angry that he was still preaching peace. It was they that suffered most in the violence. They threw stones on the car in which Gandhi was travelling and also abused him severely. Gandhi was sadly reminded of the heroic welcome that was accorded to him when he came to India from South Africa. The same people are now abusing him. What a change! He could not do anything except keeping mum and start fast unto death. In his daily prayer meetings he said "We are going to be a free country from tomorrow. At the same time the people that were living like brothers for years are now getting separated. Some are happy at it. I still believe that if the city of Calcutta returns to peace again, if brotherhood is reestablished, India could be saved. If it does not happen, I have no hope for the future of independent India."

Because of his presence Calcutta resumed peace gradually in spite of violence going on

in other parts of the country. It was really a miracle that his prayer meetings were attended by all the people, Hindus and Muslims alike as if nothing has happened. They forgot their enmity. At the same time violence in Punjab could not be controlled in spite of the government sending 55,000 armed forces there. The Governor General Lord Mountbatten conceded that what half a lakh of armed forces could not achieve in Punjab, was achieved by an unarmed non-violent person in the violent city of Calcutta. He requested Gandhi to grace the occasion of celebrating the independence of the country. But Gandhi refused and preferred to spend the days in the dirty huts of the poor people in the city of Calcutta. He said all his fight for independence for over 32 years has become a waste and shameful.

He was in Calcutta until 9th September and then returned to the capital city of Delhi. He decided to stay in the Birla Bhavan and try his best to establish Hindu-Muslim unity and revive the lost brotherhood. There were tens of thousands of Hindus and Muslims that were uprooted from their places in the western part of Punjab which was made a part of Pakistan. They had no shelter and no food. Naturally they were bitter at the developments. Gandhi then offered an unsolicited advice to them. "Punjab could have been saved if only you refrained from fighting the rivals and prepared to sacrifice yourselves" he said. This was so untimely that it has enraged the refugees to the point of outburst. They have lost everything in violence and it was a miracle that they were alive. They were not in a position to assimilate the advice of Gandhi to the extent of self-sacrifice. When Gandhi later tried to visit the refugee camps, there was an unexpected outburst of resentment against him. They called for the death of Gandhi – Murdabad, they shouted. For the first time his prayer meetings were disturbed. Neither the Boers in South

Africa nor the British in India could do it. But it was done by the members of his own religion. It was a matter of great agony for Gandhi.

What could be the relationship between the human values and religious values? There was a continuous flow of Hindus and Sikhs from the western part of Punjab and a reverse flow of Muslims from the eastern part. In addition there were Muslims from other parts of India who wanted to settle in the new country of Pakistan. All this massive flow of people in opposite directions gave an opportunity for a direct conflict. The trains that left with loads of emigrants, returned with loads of corpses. The people were already in an emotional state having lost all their possessions. They felt the people coming in the opposite direction were responsible for their fate and fighting happens.

After India became independent Gandhi had to resort to fast twice to restore peace. The country was influenced by his decision. People were prepared to live in peace. But

negotiations between leaders did not stand for a long time. Peace evaded the country. Even after separation, Gandhi wanted the two countries live in peace and cooperation. As a consequence of division, Pakistan demanded compensation of 55 crores of rupees from India. There were negotiations. But Gandhi insisted that there need not be any negotiations and the amount demanded must be given to secure peace and goodwill. It offended even peace lovers like Nehru and Patel. They were of the opinion that even if they concede the demand as a gesture of goodwill, it would be utilized only to strengthen their army and not for development. It would only provoke them to fight against India. The Mahatma who fought for independence was now fighting the government on behalf of the people. Even at the advanced age of 78 years he did not hesitate to undertake fasting. It was something extraordinary. But his resolve finally took his life. 🌈

To be continued in the next issue...

EVM debate has a solution ...

Contd. from page - (28)

Three, and most important of all, the VVPAT slip (and not the electronic record in the Control Unit) should be recognised as the legally authentic expression of vote. The logical corollary is that the final result must be declared only after all the votes, as verified by the voters and recorded in the VVPAT slips, are counted and matched with the electronic count in the Control Unit. If there is a mismatch, as per Conduct of Election Rules 56D(4) (d), the count of VVPAT slips prevails. That may delay the count by a few hours but would be a robust precaution against any possible manipulation at any stage.

The commission could, of course, come up with better and additional mechanisms than the ones suggested here. But pure stonewalling or hiding behind claims of technical perfection won't do. It is not enough to assert that the critics have not proven any malpractice. The ECI must prove that its systems are above suspicion. Our democratic institutions and processes are fast eroding. Elections are nowhere close to a level playing ground, with the ruling party enjoying a massive advantage. The only remaining fair element in the democratic process is the episode of voting and counting. So far, the losers have accepted the electoral verdict announced by the ECI. That last element is at stake in this dispute. Should we hope that someone will step in soon to preserve this saving grace?

Yogendra Yadav is National Convener of the Bharat Jodo Abhiyan. He tweets @_YogendraYadav. Views are personal.

Courtesy **The Print**, 22 December, 2023. 🌈

Go not to the temple to put flowers
upon the feet of God,
First fill your own house with the
Fragrance of love and kindness.

Go not to the temple to light candles
before the altar of God,
First remove the darkness of sin ,
pride and ego, from your heart...

Go not to the temple to bow down
your head in prayer,
First learn to bow in humility before
your fellowmen.
And apologize to those you have
wronged.

Go not to the temple to pray on
bended knees,
First bend down to lift someone who
is down-trodden.
And strengthen the young ones. Not
crush them.

Go not to the temple to ask for
forgiveness for your sins,
First forgive from your heart those
who have hurt you!



—gurudev—

RABINDRANATH TAGORE

Postal Regn. No.: DL(E)- 20/5537/2024-26

Total Pages : 44

RNI No. 43049/85

Posting: 1-2 March 2024 at Krishna Nagar H.O. Delhi-51

Date of Pub.: 27-28 February 2024

LET US AWAKE AND ARISE TOGETHER TO SAVE THE NATION



Printed and Published by **Sheoraj Singh**, on behalf of the Indian Renaissance Institute at
A-1/103, Satyam Apartments, Vasundhara Enclave, Delhi- 110096. (M.) 9891928222
printed at **Subhashini Offset Printers, F-10, Jagdish Nagar, Patel Nagar III, Ghaziabad-201001 (UP)**
Editor: **Mahi Pal Singh**, Raghav Vihar, Phase- 3, Prem Nagar, Dehradun- 248007. (Uttarakhand)