

THE RADICAL HUMANIST



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M.N. ROY

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**We pay our respectful tributes to the great
Indian statesman, scholar, democrat and nation builder,
Pandit Jawaharlal Nehru,
on his birth anniversary on 14 November 2024**



656

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meeting at
NOIDA
on 29th
September 2024**



THE RADICAL HUMANIST

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Articles and Features :

The Unexplained, Last Minute Increase in Voter Turnout in Haryana Raises Fresh Doubts About Election Integrity

Parliament, which represents the ‘will of the people’, must take up the issue in all seriousness, debate it at depth and find an abiding solution.

The Haryana election results and the Congress party’s unhappiness with the Election Commission of India (EC) has reactivated the fierce debate on the integrity of holding elections through Electronic Voting Machines (EVMs). This time, the Congress has made the specific allegation of the “possible stealing of people’s mandate” in at least 20 assembly constituencies.

After a meeting with the ECI, Congress leader Pawan Khera said the party had called for the EC to seal voting machines they have filed complaints against. “We will send more complaints in the next 48 hours,” Khera stated, adding that they have submitted documents related to alleged irregularities in 20 constituencies and plan to release these to the media.

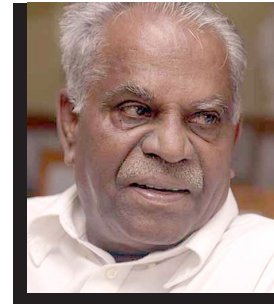
Curiously, this kind of protest was not made when a similar issue was flagged by civil society during the recently concluded general election to parliament. Here is a brief extract from the report released by Voice For Democracy (VFD) in the third week of July, 2024:

“Unexplained Vote Increase: Most significantly, the numerical analysis of the election results and voter turnout percentage conducted by us reveals that the subsequent hike in voter turnout has arguably, disproportionately benefited the ruling regime.

“Notably, for all the 7 phases considered together, the cumulative hike in votes from initial turnout figures to final turnout figures is 4,65,46,885 (4.65 crores) to be precise! This figure has been arrived at after a careful Phase-wise Extrapolation in Numbers of Votes. This percentage increase is of 3.2 % to a 6.32 %

average across a seven-phase poll.

“Further aggregated within the Phases and States of the Union on the basis of ECI’s own data this difference in Vote percentage is a staggering 12.54 % in Andhra Pradesh and 12.48 % in



M.G. Devasahayam

Odisha...The ECI has, so far, not been forthcoming with any credible reasons for the hike. This then leads to one more question, has the 2024 Lok Sabha Mandate been Stolen from the People of India.”

It further said:

“Extrapolated Vote Increase translates into 79 seats countrywide: This unprecedented vote percentage increase translated into actual votes has meant that the thus “manipulated” figures of Votes Recovered and Counted ensured that 18 more seats were arguably won by the ruling NDA (BJP) in Odisha, eleven in Maharashtra, 10 in West Bengal, 7 in Andhra Pradesh, 6 in Karnataka, 5 each in Chhattisgarh and Rajasthan, three each in Bihar, Haryana, Madhya Pradesh and Telangana, 2 in Assam and 1 each in Arunachal Pradesh, Gujarat and Kerala.

“This means that a possible, minimum of as many as 79 seats in 15 states could have been won by the NDA/BJP through this hike of Votes!”

Based on this and several other factors pointing to a very unfair and non-transparent election, VFD issued a comprehensive notice to the ECI on 19 July, 2024 inter alia seeking:

1. Thorough investigation into the issues

raised and the irregularities/illegalities pointed out in the notice for the information of the voting public who are the real stake-holders in any election and take immediate remedial action on all the issues raised; and

2. Order immediate registration of a first information report under Section 129 of the Representation of the People's Act, 1951, Section 65,66,66F of the Information Technology Act, 200 and Sections 171F/409/417/466/120B/201/34 Indian Penal Code and investigation into the roles of all involved, including ECI officials, BEL and ECIL engineers, and beneficiary parties.

The ECI did not bother to respond because they do not have any answer. But some proxies have cropped up to defend EVMs.

Yogendra Yadav recently wrote an article in the *Indian Express* launching a scathing attack on the VFD report, ridiculing its authors and defending EVMs.

Some of his arguments are worth reproducing:

"The debate surrounding the Electronic Voting Machine (EVM) is easily among the most weird passions of our public life. Just as every Indian must prescribe you medicine for every known and unknown disease, every Indian who can barely type an SMS must have an opinion on EVM software. After suffering hundreds of hours of confidential, hush-hush, gyan on this subject, I have realised that a combination of love for democracy, sense of helplessness and longing for science fiction is injurious to a country's political health. Over the last 15 years, the cast of characters has changed but the script has remained the same, even after the introduction of VVPAT machines. So far, this debate has only served to sow seeds of deep suspicion about the entire exercise of elections while distracting from some real electoral malpractices that remain under the radar."

Yadav concludes his article by saying: "A self-proclaimed "mother of democracy" and a

global hub of IT deserves to debate the design of democracy and not that of a voting machine."

The real drama unfolds now. Since I was part of the VFD report I wrote to the editor of the *Indian Express* seeking permission to write a rejoinder article on the subject of the same length. I was given the go ahead for a 750-800-word article, which I promptly sent. After several days' delay, a "playback piece" of around 500 words was sent to me which was a terribly truncated and mutilated version of my article. When we protested, we were told that it was the editorial policy of the newspaper not to write anything negative about EVMs and the EC.

In my article, I had clarified that the VFD report did not come out of the blue, but has a distinct background. As is known, EVMs are 'black boxes' and voting under this system does not comply with the most essential 'democracy principles' of a voter having the knowledge that her vote is cast as intended, recorded as cast and counted as recorded.

It also does not provide provable guarantees against hacking, tampering and spurious vote injections. Design and implementation of EVMs as well as the results of both software and hardware verification are not public and open to independent review. Due to absence of verifiability, the present system is unfit for democratic elections.

The report titled "Is the Indian EVM and VVPAT System Fit for Democratic Elections?", released in January, 2021 by the Citizens Commission on Election comprising top national and international experts on the subject, confirms all these.

To make the system verifiable, the Supreme Court had ordered introduction of VVPATs in 2013, saying that a "paper trail" is an indispensable requirement of free and fair elections and that "it is necessary to set up EVMs with VVPAT system because vote is

nothing but an act of expression which has immense importance in a democratic system.”

But in defiance of this order, in the EC in 2018 directed state chief electoral officers to mandatorily verify VVPAT slips in only one randomly selected polling station in each assembly constituency. This pathetically low 0.5% sample size defeated the very object of installing VVPATs in all EVMs and was tantamount to non-implementation of the Supreme Court order. Subsequently, though the sample size was increased to a microscopic 2% through an *ad hoc* order of the Supreme Court, the EC has been vehemently opposing verifiability for reasons that are now getting obvious.

Since this had dangerous portents for fair elections, in August or September 2023, civil society organisations submitted a memorandum to the EC signed by about 10,000 voters making a specific demand: “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. These VVPAT slips should be fully counted first for all constituencies before the results are declared.” The ECI did not even acknowledge this request.

According to domain experts, this deliberate denial of verifiability has facilitated the spurious injection of votes in various constituencies by hiking vote percentages in all phases of polling. The gross mismatch between the EC’s provisional and final figures of votes polled is astounding and staggering. This, coupled with the failure of the EC to abide by its legal obligations and provide 17-C forms to all candidates that are the ultimate arbiter/proof of votes polled only confirms the suspicion that has now gained wide currency. It is the EC’s responsibility to come clean and disprove this but they have maintained deadly silence despite civil society representatives serving them a comprehensive notice (with data) on July 19, 2024.

Instead, adopting an adamant, secretive and insensitive attitude, the EC totally relies upon its glossy FAQs, manuals and handbooks to conduct ‘fair elections.’ But these are hardly complied with on the ground. The EC throws all complaints of non-compliance into the dustbin and refuses even preliminary inquiries. It looks as if in the last few years some agency has developed a pattern for bulk manipulation of the voting system and election results – and this system is being fiercely protected by the ECI, the government, higher judiciary and the corporate media.

This is why there is growing public distrust in EVMs. Parliament, which represents the ‘will of the people’, must take up the issue in all seriousness, debate it at depth and find an abiding solution so that elections do not descend into a whim of the machines. If not done, that will be end of democracy.

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

Courtesy **The Wire.in**, 17/Oct/2024 🌈

SAY NO TO EVMs



My view is that votes should be counted using paper ballots. As a technologist, I know it's very easy to hack programmable machines.

- ELON MUSK

Simultaneous elections are an unimplementable idea. Why is Modi so keen to push it?

Shoaib Daniyal

India is a “union of states”, according to its Constitution. But its states – many of them bigger than some countries – often have to bend the knee to the Centre. The latest example: on Thursday, the Union government accepted the report of a high-level committee headed by former President Ram Nath Kovind recommending that India should hold elections for the Centre, states and even local bodies at the same time.

The idea is not new. Till 1967, India did in fact have simultaneous elections for the Lok Sabha and state legislatures. But then, election patterns diverged as various state Assemblies and the Union Parliament were dissolved at different times. The idea was brought back into play in 1999, when the Union government’s Law Commission of India argued that Central and state elections should be held together.

Modi obsession

The idea has been particularly popular with Narendra Modi. After his thumping victory in 2019, one of the first things the prime minister did was call for an all-party meet on simultaneous elections.

Why is the idea so popular with the BJP? Research shows that simultaneous elections would end up helping national parties more than state parties. If elections for Central and state elections coincide, campaigning for both would also coincide. The BJP hopes that emotive, national issues, such as national security or Modi’s persona, on which it has little competition, will drown out staid, bread-and-butter issues such as jobs – on which the Hindutva party is much weaker.

If the benefits are so clear cut, why has the BJP struggled to implement simultaneous elections? That is because coordinating

elections for a continent-sized country such as India is not easy. In fact, it might be impossible.

Take a look at the report of the Kovind committee, which recommends that all elections in India take place at the same time. What happens, though, if the ruling party loses its majority and the legislature is dissolved before it completes its five-year term? “Fresh elections may be held to constitute the new House” but this newly elected legislature will not have a full, five-year term, the report recommends. Its tenure “will be only for the unexpired term” of the previous legislature. So if a state assembly is dissolved after two years, the next elected assembly will last only for another three years.

Pound foolish

Why is the report so keen to do away with the current system? It cites a research paper by two economists who claim that “perennial elections increase uncertainty for all economic agents, this can directly affect choices and decisions and bear on macroeconomic outcomes like economic growth or indirectly through intermediate channels such as investment”.

The paper also highlights purported bumps such as politicians being in “permanent campaign mode” and the impact of the model code of conduct that limits policymaking in the lead-up to elections. Oddly enough, the Kovind committee paper does not calculate whether this new scheme would reduce the number of polls. If the lifetime of legislatures is curtailed because of midterm elections, it is possible that the number of elections for a particular state could actually increase.

Kovind also cites a popular argument for simultaneous elections: cost. Again, it is not

clear how cost would fall if some legislatures have shorter terms that the committee envisages. Moreover, the actual amount of money spent on elections is actually quite small in India. To pinch pennies on a function as critical to democracy as elections would be foolish.

However, most starkly, the report lays out a list of constitutional amendments that simultaneous elections would require – the numbers of legislative votes for which the BJP simply does not have. Modi was unable to implement this move in his second term, when he had a solid majority. Given that almost every opposition party opposes simultaneous elections, it is unlikely that the BJP will be able to carry it through in Modi's third term.

Brave face

Modi's third term has, till now, been a study in rollbacks. On August 20, his government was pressured to cancel an advertisement issued by the Union Public Service Commission for the appointments of joint-secretary-level officers and other key positions through a

lateral entry process. Critics pointed out that these lateral entry candidates would bypass caste quotas.

Earlier, the government withdrew the second draft version of the Broadcasting Services (Regulation) Bill, 2024, a proposed law aimed at regulating the media, including social media. After that, the Waqf bill was sent to a Joint Parliamentary Committee – the first time this had happened in almost five years. Then on August 6, the Modi government rolled back its proposal to remove indexation benefits on long-term capital gains tax.

Given how weak this government is, the chances that it can implement a move as wide-ranging as simultaneous elections seems slim. However, by putting on a brave face and accepting the Kovind committee's report, the BJP would hope to at least pretend that it is moving ahead with its policy programme. It is not much. But it is preferable to a public, humiliating rollback on a policy it has long championed.

Courtesy **Scroll.in**, Sep 23, 2024. 🌈

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One Nation One Election is a desire to cut down clutter of democratic politics

Those who dominate India's social and economic life are increasingly impatient with its messy politics. They can't do away with elections altogether, but the next best thing is to limit this mess. So that the business of governance can be carried out undisturbed for four years and nine months.

The world is full of clever answers in search of a genuine question. When talk of One Nation One Election (ONOE) began, it looked like a grand policy solution in search of a real problem. Either a remedy in search of a disease, or a medicine worse than the disease. It looked like a sequel to demonetisation, another brainchild of a modern-day Tughlaq's penchant for something grand sans a vision or a blueprint.

Noting the alacrity with which the present regime has gone about pushing this scheme and reading the Report on Simultaneous Elections in India of the High Level Committee (HLC), I am now convinced that One Nation One Election is not just a quixotic yet harmless fantasy. It fits into a larger political design that has been in the works for long. Originating in the middle-class fantasy to save the republic from the public and the bureaucratic quest to evacuate democracy of its popular content, this design has now fused with the rulers' desire to tame and defang democracy.

The 281-page report (18,345 pages with annexures) is a made-to-order document whose conclusions were written into its terms of reference. Just as the RBI was asked to invent virtues of demonetisation, the HLC was designed to discover the rationale for ONOE. Packed with pro-regime cheer-leaders of ONOE, the HLC has obediently filled in the details of the legal-constitutional formalities and administrative logistics required to roll it out.

The compulsion to discover a rationale makes for strange reading. The report

claims that constant elections account for a loss of "about 300 days in an average year" in some states like Maharashtra (p.167). The ONOE would offer "equitable opportunity to political workers"

(p.155) since the same leader won't contest for MLA and MP. Not just that, ONOE would lead to "reduction in instances of hate speeches" (p.156). It would solve the problem of "voter fatigue" (pp.153-4) — a problem I never heard about in two decades of doing research on Indian elections.

Here is a nugget of constitutional wisdom coming from the "Constitutional Expert" member of the HLC: India is "a combination of Presidential and Parliamentary forms of government" (p.109)! Consider this piece of reasoning: "The synchronised conduct of elections fosters a sense of civic cohesion and national unity, as citizens across the country participate in the festival of democracy collectively, reinforcing the bonds of citizenship and fraternity." (P.145) This reminded me of school children expounding on the countless benefits of their latest "invention" for a science project.

Shorn of such verbiage, or a dubious polling exercise, the core argument is that simultaneous elections would improve the quality of governance: Cutting down on the



Yogendra Yadav

diversion of government machinery, saving in state expenditure and reduction in the time window of policy freeze due to the operation of the Model Code of Conduct. These are valid arguments whose weight needs to be assessed carefully. How disruptive is the diversion of government machinery (typically three disruptions in five years that ONOE would reduce to two, not one) for elections? How does this compare to other disruptions caused by visits by big leaders or large religious congregations, for example? What proportion of the government's budget is spent on elections? How does it compare with the money spent by candidates and parties? As for the much touted argument about "policy paralysis", for each state government this amounts to a period of just four months in five years. The idea that the central government is hamstrung by state assembly elections is belied by the big-ticket announcements on health and agriculture (not to mention the cabinet approval of ONOE itself) made by the Modi government in the last fortnight when the MCC is in operation.

Besides, this rationale for ONOE must contend with an alternative solution. The Election Commission has the powers to club all the assembly elections falling within six months of one another (which it chose not to exercise in the case of Maharashtra, Jharkhand and Delhi); this can be extended to 12 months. The EC that is willing to club all the Lok Sabha and assembly elections in one go can surely be asked to reduce the duration of the election to a fortnight and no more than three phases. And the Model Code of Conduct can be amended to provide for continuity of regular governance during the election period. When ordinary pills can do, why go for a surgery?

Even if you grant all the benefits of ONOE, these need to be weighed against the serious damage this scheme would do to our constitutional democratic structure. As many

as 15 recognised political parties, mostly from the INDIA bloc, have opposed ONOE. The undeniable fact is that ONOE is not the simple administrative change in the electoral calendar that it is made out to be. It would upset the basic principle of accountability of the executive to the legislature inherent in our parliamentary system of governance. The HLC suggests a solution to this problem by creating another problem of holding elections for the remaining part of the tenure even if it is for just one year. The proposal to align the tenure of state assemblies as well as municipal and panchayat bodies with Lok Sabha is a violation of the federal principle of governance. In this sense, ONOE seems to be in violation of the "basic structure" of our Constitution.

More than the administrative, legal and constitutional issues, the deepest problem with the ONOE is the political design inherent in it. Clearly, holding the national and state elections together would give an edge, a small to moderate vote swing, in favour of a national party and against regional parties. My hunch is that the BJP may not have won a clear majority in the Odisha assembly but for simultaneous elections in 2024. The political vision underlying ONOE assumes that nationwide political players are the only trustworthy custodians of national interest.

At the deepest level, ONOE is a desire to cut down the clutter of democratic politics. It is no coincidence that the HLC Report devotes maximum attention and space to discussing the political economy of simultaneous elections. Through an elaborate econometric modeling — elegant in its math but dubious in its assumptions and conclusions — it argues that ONOE would lead to political stability, faster economic growth, predictable policy environment and lower populist pressures. This is very much in line with a long strand in our public life that I had once identified as "middle class fantasies" of electoral reforms.

Those who dominate the social and economic life of this country are increasingly impatient with its messy politics and have been coming up with one solution after another to “clean” the world of politics — reduction in the number of candidates, minimum threshold of votes for regional parties, law against “freebies” and so on. Certain sections of the political class — led by, but not confined to, the BJP — are in sympathy with this reasoning and would like to cut down on the headache

of elections, of constantly being on tenterhooks, of the sword of accountability.

They can’t do away with elections altogether, but the next best thing is to limit this mess to just once in five years. So that the business of governance can be carried out undisturbed by the people for four years and nine months. In its essence, ONOE is antithetical to democracy.

Courtesy: **The Indian Express**,
24 September 2024. 🌈

One nation one election - comment by Prof. Kumar Sanjay Singh

One nation one election is a calibrated move to bring a large number of states under Presidential rule.

Elections happen in different states at different times. Hence, if any single date is fixed for election across the nation most states will be faced with imposition of Presidential rule. States where elections fall before the date decided for election will ipso facto have a period without elected government since tenure of an elected government cannot be extended beyond 5 years. Even the state governments whose term is still due will be faced with a piquent situation once the date for nationwide election is declared.

If this possibility elaborated above is correct and a large part of India is under Presidential rule...what do you think will prevent a megalomaniac from attempting to shift to a Presidential form of government.

In solidarity,
Kumar Sanjay Singh

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How the ball turned on the Haryana field

The only way of making sense of the election outcome is to see it as a result of a series of strategic moves by the BJP, which neutralised the huge initial advantage enjoyed by Congress.

The instant analysis of the Haryana Assembly elections illustrates the problem with our political commentary. To borrow a cricket metaphor, we seek to explain the outcome of every match as if it was an “innings defeat”, where one team outperformed the other in every respect. Whatever the winner did was right and whatever the loser did was wrong.

What makes the BJP’s victory in Haryana so politically consequential was the staggering gap between expectation and outcome, not the gap between winner and loser. The vote share gap between the BJP and Congress is less than 1 per cent. In cricket terms, the Haryana election was a T-20 match that should have been won with two overs to spare, but was dragged till the last ball, and then lost. So, we need to explain three things: Why did we expect it to be an easy affair? Why was it dragged till the last ball? Why was it lost? So, for Haryana, we need to understand the structural reasons for Congress’s perceived advantage, the strategic factors that helped the BJP neutralise it and the tactical moves that resulted in an unlikely victory for the BJP.

A statutory clarification before I turn to these questions. I write this on the assumption that the result as declared by the EC is a fair reflection of the way people voted. Congress has raised serious objections to the results, presented some evidence to support its claim and promised more. The onus is on the EC to clarify. For now, I have taken the official results, counter-intuitive as they are, at face value and bracketed all other concerns about manipulation.

Let us begin by understanding the structural

shift Congress enjoyed at the beginning of this election. The party suffered a dramatic collapse of its vote share in Haryana — from around 40 per cent — to Lok Sabha elections of 2014 (23 per cent),

assembly elections the same year (21 per cent), 2019 LS elections (29 per cent) and assembly elections (28 per cent). In LS elections of 2019, it trailed the BJP by nearly 30 percentage points. Haryana Congress was staring at the fate of its counterparts in UP and Bihar. This is where the farmers’ movement and the wrestlers’ protest changed the political landscape, weaning away the dominant farming community from the BJP. Congress revival after the Bharat Jodo Yatra made sure that the disaffected farmers turned to Congress rather than the INLD or JJP. Rahul Gandhi’s aggressive pitch on the Constitution helped bring a big chunk of Dalit voters back to Congress.

This was reflected in the LS elections, as the vote share of Congress (including AAP) made a huge leap of 19 percentage points to finish 1 percentage point ahead of the BJP. So, contrary to post-poll commentaries, kisan, pahalwan and samvidhan did work. Else, Congress would not have been a serious contender in these elections. Anti-incumbency against the 10-year-old state government was palpable on the ground. The obvious



Yogendra Yadav

expectation was that the BJP would fare much worse in the assembly elections, as it had done in 2014 and 2019. So, in an increasingly bipolar situation (the combined vote share of Congress and BJP rose from 55 per cent in 2014 to 79 per cent in this assembly election), that would have meant a decisive defeat for the BJP and a comfortable majority for Congress.

But this structural advantage was not enough to win elections. This was the mistake in the kisan-jawan-pahalwan-samvidhan narrative. I was among the many analysts who believed that this initial structural advantage for Congress was large and irreversible in the short run, enough to absorb the effect of any strategic or tactical move by the BJP. Although, unlike in the LS elections, I refrained from making a formal seats forecast for the Haryana assembly, I shared the widespread belief that a comfortable majority (or a wave or even a tsunami) for Congress was on the cards.

The BJP strategists were smart enough to see an opportunity in adversity. They could see that the big shift towards Congress came largely from the Jats. And there was an opportunity to split the Dalit votes in view of the sub-quota controversy. By all accounts, they went about executing their strategy meticulously.

The only way of making sense of this outcome is to see it as a result of a series of strategic moves by the BJP that neutralised the huge initial advantage enjoyed by Congress. These moves included replacement of Manohar Lal Khattar by Nayab Singh Saini and a series of announcements meant to address the weak points of the BJP. This strategy involved a bold decision to deny tickets to many sitting MLAs and big leaders. Quietly, the BJP pressed the 35-1 (pitting 35 communities of the state against Jats) polarisation strategy. This was similar to the “Yadav raj” strategy used by the BJP successfully against the SP in the UP

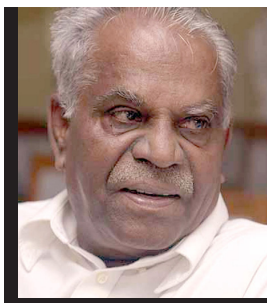
assembly elections of 2022. In Haryana the BJP invoked the fear of raj by one community, one district, one family. This was not a new strategy, the BJP used it in 2019 too. Although ground reports do not suggest greater polarisation this time, this is the most plausible explanation for the BJP’s unexpected success. This was supplemented by a quiet campaign among the non-Jatav SCs on the issue of the sub-quota.

Congress, on the other hand, either did not have a clear strategy or could not execute it. While Rahul assured a government of all “36 biradari”, the party could not carry this assurance, especially to the voters of south Haryana and GT Road region populated by non-Jats. The decision to renominate all sitting MLAs showed complacency — 14 of the 28 sitting Congress MLAs lost the election. Also, the ticket distribution carried the stamp of one leader and reinforced the impression of Jat dominance. Kumari Selja’s not-so-quiet protest did not hurt the party in her own areas, but it accentuated the BJP’s narrative of Congress as a Jat party. While there was no electoral gain in making an alliance with the AAP or SP, there was a degree of complacency in addressing official and unofficial “rebels”.

These strategic disparities brought the electoral match down to the last over, to the polling day. This is an area where the BJP has an unmistakable advantage over the Congress, with its micro-targeting of voters, polling booth management and last-minute mobilisation. Congress relied on hawa, enthusiasm and voters’ self-mobilisation. These seemingly small but critical factors give the BJP up to a 2 per cent spike in every election, in every state. In the last instance, that appears to have tilted this close election in favour of the BJP and resulted in what would be described as an unprecedented and historic verdict. As in the T-20 finals, one catch can change the match. 🌈

Policing with Mortars and Machine Guns — Is this the “Manipur Solution”?

The ‘bombs’ being talked about are high explosive ammunition fired from 51 mm mortars which are area, targeted and anti-personnel weapons.



M.G. Devasahayam

As violent anarchy started engulfing the tiny state of Manipur in early May 2023 there was a forlorn cry from a veteran lieutenant general,

L. Nishikanta Singh, who lives in that state:

“I am a simple Indian from Manipur, who is living a retired life. The state is now ‘stateless’. Life and property can be destroyed by anyone at any time. Like it happens in Libya, Lebanon, Nigeria, Syria. It seems that Manipur has been left to dissolve in its own juice. Is anyone listening?”

Obviously, the powers-that-be have been listening. And now, 16 months after this desperate cry, as people of Manipur — Meiteis, Kukis and Nagas — have been desperately seeking harmony, peace and security, they have come out with an incredible response: policing with mortars and medium machine guns.

The warning by deputy inspector general (range one) N. Herojit Singh of the Manipur police would not have been clearer. Addressing a press conference on September 15, 2024, he said:

“We want to remind the public that the police department’s duty is to maintain law and order



Manipur Police with arms and ammunition recovered during the ethnic conflict that has been ongoing since more than a year. Photo: X/@manipur_police

and to respond to armed attacks by miscreants. We have sustained multiple casualties during these challenging times... We have evidence of automatic weapons being fired during protests... Without law and order, society cannot function. If conventional methods to maintain law and order fail and alternative measures are used, it will be unfortunate for everyone.”

What are these “alternative measures”? Obviously, using area and automatic weapons like mortars and machine guns on the “miscreants.” As it is, there is evidence that mortars are already being used by the Manipur police commandos. There is an audio recording doing the rounds of someone clearly in authority — a sworn affidavit has been submitted to the official commission of inquiry probing the Manipur violence that it is the voice of chief minister N. Biren Singh — where it is clearly said:

“I am the only ONE who is fighting the real war and taking the war to the hills... I am the

one who had sent, directed and ordered the state forces and commandoes to the war zone (the hills) ... I gave bombs to the commandoes and sent them... All the bureaucrats and Secretariat, police and high-ranking officials in all the major state departments are under the control of the Kukis... We all are finished. I foresaw the downfall of the Meiteis which is why I started this (ethnic cleansing)."

The Wire revealed earlier this month in its reporting of the 'Manipur tapes' that those in charge had authorised the use of 'bombs' in the state.

Speaking in Hindi and Meiteilon, the purported voice of Singh can be heard saying:

"All heard you see! Amit Shah asked me '*Bomb marta hai?*' Means, from that day onwards, he instructed [me] to stop using bombs. *Mat marna*, (You are using bombs? Don't use them). '*Bombs mat use karna*', he instructed [us] by summoning the DG [DGP] and all.... After he [Shah] left, I told them; *Hoi! chupke se karna hai, open nahi karna hai* (It should be used covertly, not openly.) If you do not trust me, check with the commandos in the frontline."

This clearly meant the the Manipur police commandos have been regularly using these 'bombs' on civilians, armed or unarmed.

The 'bombs' being talked about are presumably high explosive ammunition fired from 51 mm mortars which are area, targeted and anti-personnel weapons. It is a muzzle loaded, fin stabilised bomb at low muzzle velocity employed for high angle fired in a short span of time.

These explode immediately on impact and are effective against troops, soft skinned vehicles and light shelters.

Moreover, they have a maximum range of 1,000 meters and in rapid fire can fire eight rounds a minute. In intense fire, it can be 12 rounds. Due its high rate of fire, they delivers a large volume of fire at the target area in a

short time.

Basically, these are military weapons that can rain death and destruction in concentrated areas where people are assembled. Therefore, these are prohibited from being used against civilian crowds during protests, rallies and law and order operations. In fact, army columns deployed in aid to civil authority under Section 131 of the Criminal Procedure Code (CrPC) are not allowed to carry these weapons. But now the Manipur police, whose sole purpose is to handle protests and law and order situations, have them and are using them under direct orders from the chief minister who have no legal or statutory authority under CrPC or any other law. This is what the police sources say:

"After two-three days of the ethnic conflict, the home department was instructed to give all information to the chief minister; we followed that informal order. So, it was him as the home minister who was giving instructions directly to those at the front (police commandos)."

A number of press releases issued by the Indigenous Tribal Leaders Forum (ITLF) after Shah's visit last year also mentioned the use of 51 mm mortar bombs on Kuki villages.

There are also reports that the Manipur Police has now acquired medium machine guns (MMGs) which is the infantry's "weapon of mass killing" and they have sought training from the Army. These MMGs, sourced from the ordnance factory in Jabalpur are supposedly to replace light machine guns (LMGs) which were partially looted from the police armouries during the initial stages of the unrest in May-June 2023 allegedly with the full connivance of the chief minister and his minions.

To understand the significance and seriousness of this devilish move, we need to have a comparative analysis of the LMGs and the MMGs. The LMGs with high fire density and long range of engagement will be a proper weapon for any defensive or offensive operation. The LMG is light enough for the

operator to use it from any position and requires no time to be combat ready. Its effective range is 500 meters. It has a magazine capacity of 40 rounds and practical rate of fire-automatic 150 rounds/min and single 50 rounds. This is the standard offensive weapon of Indian infantry at company/platoon levels in war and counter-insurgency operations and is prohibited during aid to civil authority for law and order operations.

On the other hand, an MMG is a weapon used by the army and is fired from a tripod mounting. It is fully automatic, air cooled, belt fed, gas operated weapon capable of a sustained high rate of fire in bursts. It has a mobile zone of fire, about 150m x 75m, with a range of 1800 meters and rate of fire-adjustable 600 to 1000 rounds per minute. It is used as an area weapon to ensure that all that comes in its blistering fire are killed.

These are infantry battalion weapons of mass killings used only during war and are even prohibited during counter-insurgency operations. This principle is because whereas war is against an enemy, counter-insurgency operations are against our own people gone astray. MMGs cannot even be seen during protests or law and order operations, let alone being possessed by police forces.

If automatic weapons are being used on the police this makes it an insurgency, and dealing with that is the job of the army and para-military forces and not the police which is directly under the control of partisan politicians. For the police, the role is maintenance of law and order and while doing so situations sometimes turn in to riot and violence when mob-firing may have to be resorted to. Unless Manipur is heading towards complete lawlessness, its police must adhere to certain cardinal principles while resorting to mob firing. These are:

1. Firing should be ordered only when all other means of mob dispersal fails.
2. It should be selective and controlled. The

senior most officer will watch the reaction of the crowd after each round or set of rounds is fired and stop firing as soon as the crowd starts dispersing.

3. Once firing is decided upon it should be effective. Aim should be kept low preferably well below the waist level and directed against the most threatening part of the mob.
4. Police force should exercise strict restraint and self-control even under the gravest provocation and it must under no circumstances act in a retaliatory or revengeful spirit.
5. It will suffice to give the fire order to one or two individuals only. Only under extreme circumstances reserves can be used for firing.

These are standard operating procedures contained in all police manuals for dealing with mob violence/riots. Even for the army the strict instructions are to use minimum force. They must fire only single shots of a rifle, with a strict record kept of each shot — who ordered it, against whom, and what were the results. They cannot even carry LMGs, let alone MMGs.

Neither war nor counter-insurgency is the job of the police. It is only maintenance of law and order. In the event, what is this ‘Manipur solution’ of policing with mortars and medium machine guns? Why are they acquiring weapons capable of mass massacre akin to what we see almost daily in the Gaza strip? What are they trying to achieve — a ‘tribal-*mukt* (tribal-free) Manipur’ or a ‘Manipur-*mukt* (Manipur-free) Bharat’? And what is the guarantee this ‘solution’ will not be extended to other parts of the country? These are relevant questions and the jury is out.

M.G. Devasahayam is a former IAS officer. He also has wartime and counter-insurgency experience during his stint in the Indian Army.

Courtesy **The Wire**, 25 September 2024. 

‘Many Who Submitted *Maafi-Namas* to Indira Govt Are Now Anti-Emergency Crusaders’

Political actors invoking the Emergency today would do well to remember the inheritance of Independence and the idea of India as a secular democratic republic, says Qurban Ali, son of former freedom fighter and Socialist leader Captain Abbas Ali

Qurban Ali



**In Living
Memory:
Qurban Ali at
home with his
father Captain
Abbas Ali's
photo in the
background
Photo: Suresh
K. Pandey**

This article was published in the Outlook magazine issue ‘Emergency: The Legacy/ The Lunacy’ dated October 1, 2024.

Qurban Ali is a senior journalist and son of former freedom fighter and Socialist leader Captain Abbas Ali, who was jailed for 19 months by the Indira Gandhi government during the Emergency. In the backdrop of the recent controversy regarding the release of the Bollywood film Emergency, featuring Bharatiya Janata Party (BJP) MP Kangana Ranaut in the lead role, and the BJP's push for ‘Samvidhan Hatya Diwas’ to commemorate 50 years of the Emergency, Ali spoke to Outlook about the “dark days” and the political legacy of the Emergency. He has keenly followed India's freedom struggle and is now documenting the history of the Socialist movement in the country.

My father was very fond of going to jail. Before Independence, he was arrested by the British government in India, court martialled, and sentenced to death for marching with Subhash Chandra Bose's *Azad Hind Fauj* (INA). Saved by Independence, he spent the next decades of his newfound freedom in and out of prison. As part of the Socialist movement, he was jailed about 50 times between 1948 and 1974 for demonstrating different forms of civil disobedience. His toughest incarceration, nevertheless, was the last one during the Emergency, imposed by Indira Gandhi on June 25, 1975. I was about 12 years old at the time. Yet, memories of those days come back to me in a whirl of pamphlets, slogans, protests and resistance, like it was just yesterday.

We were at my *nana's* (maternal grandfather) house in a rem-ote village in

Aligarh when we heard about the Emergency and the mass arrest of political workers and Opposition leaders. It was the peak of the JP (Jayaprakash Narayan) movement and my father, a popular Socialist leader in Uttar Pradesh (UP) at the time, had been participating in demonstrations being held across the country since the June 12, 1975 Allahabad High Court judgement, of which my father had been a witness. We knew he was likely to be arrested, and he was. But his arrest was not made public. For nearly two months, we searched high and low for him but without a clue. We did not know which jail he was in, under what charges he was arrested, or whether he was even alive.

It was a dark time. Rumours of custodial torture of political prisoners were rife and some even claimed a 'slow poison' of some kind was being used to kill the prisoners. There was no media, no civil liberties or civil society, the judiciary had ceased to function independently and there was complete press censorship and muzzling of dissent. Overnight, thousands of people like my father were in jail.

After two months, we received a letter he wrote from Bulandshahr jail, informing us that he had been arrested under allegations of attempting to remove railway tracks to derail trains. He was first arrested under the Defence India Rule (DIR) and then the Maintenance of Internal Security Act (MISA) too was imposed. He was shifted to Bareilly Central jail, infamous at the time for alleged excesses, and later to Naini jail after he filed a habeas corpus petition in Allahabad High Court challenging his arrest. He remained in prison for 19 months.

I remember going to jail to meet him along with my mother and sisters. We would carry food prepared at home, especially on festival days like Eid. And there would be celebrations of Holi-Diwali too. The prison authorities used to be sympathetic toward political prisoners

and treat them with respect.

By the time he was released and he returned home, we were practically bankrupt. My father even refused a ticket to contest the Lok Sabha election Indira Gandhi had announced, citing financial instability. Even so he was content and he campaigned spiritedly for candidates of what later came to be called the Janata Party—an amalgamation of five political groups including the Bhartiya Jan Sangh, the Congress (O), the Bharatiya Lok Dal, the Socialist Party and later, Jagjivan Ram's Congress for Democracy (CFD). The Janata Party, which was formed formally three months after coming to power, won with a thumping majority.

The Emergency had ended. And a new era of social justice politics seemingly awaited. As it turned out, the end of the Emergency also became the end of the Socialist movement, which was reduced merely to the "politics of anti-Congressism" before transmogrifying into the brute religious majoritarianism of today.

My father had been in prison in Multan Fort when India was partitioned. By the time he returned home, most of our relatives had moved to Pakistan. He chose to remain in India as he believed that by doing so, he could be true to his ideas of nationalism, secularism and democracy. In 1948, he joined the Socialist Party (SP) led by Acharya Narendra Deva, Jayaprakash Narayan and Ram Manohar Lohia. He remained associated with all the Socialist streams, namely, the Praja Socialist Party (PSP), the Samyukta Socialist Party (SSP) and the SP until its merger with the Janata Party in 1977.

I inherited his political interest fairly early, following him around and participating in the popular movement brewing in UP-Bihar, what we called at the time the Sampurna Kranti Movement or simply the JP movement. I saw JP for the first time when he came to my

hometown Khurja in 1974. When he gave the call for “Dilli Chalo” on March 6, 1975, I went with my father to the national capital and marched in the name of Socialism. I, and perhaps my father too, realised at a later stage that it wasn’t just the Socialists answering JP’s call. The Rashtriya Swayamsevak Sangh (RSS) was also consolidating behind JP’s call to unite the Opposition against the Congress.

Nearly 50 years since the Emergency, many who had at the time submitted “Maafi Namas” to the Indira government, are now the most spirited anti-Emergency crusaders.

On the night before the Emergency, JP and other leaders of the Opposition commanded a massive rally at Delhi’s Ramlila Maidan, a key trigger for the Emergency to be imposed when it was. Additionally, leaders like Lohia were redefining Socialist ideology to include religious undertones. Though Lohia’s political philosophy was critical of using religion for politics, he did not shy away from invoking Ram, Krishna and Shiva when needed, in order to appease the electorate. It was perhaps the Socialists’ way to counter Communism and the Leftist ideologies of Marx, Lenin and Mao, which often disregarded religion or ritual practices. In framing the Socialist ideology as “different” from the existing Communism, many of the leaders espoused popular Hindutva narratives.

Lohia also developed the politics of ‘backward castes’ (*Pichda Pave Sau mein Sath*) to break the Dalit-Muslim-Brahmin votebank of the Congress. Lohia used to say that their Socialism was according to the needs of the time. It is also true that until the 70s, leaders from backward castes, classes or communities or minority groups rarely got a chance to be in top leadership positions within the Congress despite its purported pan-Indian nature. Lohia first tasted power and his political engineering came to fruition in 1967 when

many backward caste leaders became ministers in UP, including Chief Minister Charan Singh, and Karpoori Thakur in Bihar, who first became the deputy chief minister of Bihar in 1967 and later, chief minister in 1970 and 1977.

Incidentally, my father who had been a follower of Lohia, remained loyal to his politics with an almost missionary zeal till the end. He used to say that Lohia had told him, “*Captan, khaad bano, aane wali nasslon ke liye’...Toh main khaad bana*” (Become the manure that can nurture future generations of politics to blossom. I did.) It was my father who first gave an assembly ticket—of the SSP—to Mulayam Singh Yadav when he was just 26. He was happy to fulfill his duty by providing the foundation for India’s future leadership.

My father died ten years ago. His commitment to Socialism and his belief in a secular, democratic republic where everyone had equal rights and no exploitation in the name of religion, caste, colour and sex had not wavered. With time, however, he grew disillusioned with the Socialists, especially those who espoused religion and the RSS. It was indeed the question of dual membership of the RSS that eventually led to the fall of the Janta government and the Janta Party in 1979. The Jana Sangh and the RSS factions remerged soon after in the form of the Bharatiya Jan Sangh, eventually evolving into the BJP. The Sangh members, initially under the aegis of Atal Bihari Vajpayee’s presidency, called themselves “Gandhian Socialists”. Eventually, with Lal Krishna Advani taking up the reigns of the party after its dismal performance of winning just two seats in 1984, the Sangh (now the BJP) returned to its former Hindutva identity and politics of majoritarian communal polarisation.

(To be Contd....on Page -33)

The Kiss of Death

**Prime Minister
Narendra Modi
kissing his pet
calf Deepjyoti.**

**Photo: X/
narendramodi**



Palash Krishna Mehrotra

The photograph of PM Modi kissing his pet calf, Deepjyoti, is no doubt very cute. It's an aww moment. That said, the babies of all creatures are sweet-looking, from baby elephants to baby lizards, not to mention feather-light baby cockroaches and piglets with soft tendrill tails.

But this is no ordinary calf. As the prime minister's official X handle announced to the nation: "the beloved mother cow" had given birth to DJ, "It is said in our scriptures – 'Gaavh Sarvasukh Pradaah'". Given the holy underpin, it's safe to assume that this was an immaculate conception. No bull was involved.

It's not unusual to see single people develop OTT affection for animals and plants, in order to deal with their maternal/paternal instinct. If Vance can talk about unmarried cat ladies, why not unmarried calf dudes? Except that this is no ordinary animal.

As *Al Jazeera* reports: "Since 2014, when Modi first came to power, nearly 50 cow-related lynchings of Muslim men have been reported – most victims are poor farmers or daily wage workers, who left behind grieving families staring at an uncertain future. In nearly all such incidents, no cow meat was found, only the battered and tortured – and often lifeless – bodies of the victims." Even homes are bulldozed on the suspicion there is beef in the fridge inside.

What about the optics of the act? Modi is kissing an animal considered sacred by

Hindus, over which assaults, at times deadly, at others horribly humiliating for the victim, have taken place. In the context of the forthcoming assembly elections, this ostensibly harmless act of kissing a calf can only be seen as an act to shore up the Hindutva vote base. For Muslims, this is the kiss of death.

On August 27, a 26-year-old Muslim ragpicker, Sabir Malik was fatally lynched in the town of Charkhi Dadri, near Faridabad. A migrant from Bengal, he leaves behind his wife and a two-year-old toddler. Malik was killed over *suspicion* that he had consumed beef.

On September 3, a 72-year-old Muslim man was brutally thrashed by Hindu fellow travellers for allegedly carrying beef. He repeatedly insisted it was buffalo meat, categorically not on any ban list. Tibetan restaurants freely serve "buff".

Then on September 6, there was the biryani-in-a-tiffin row in Amroha, where a school principal went after a seven-year-old boy for bringing biryani as his packed lunch to school. The problem here was not beef, but non-veg food in general. The hapless Muslim must be really confused: is the problem with eating cow, oxen, or buffalo, or chicken, goat and fish in general?

According to data from the National Family and Health Survey-V (2019-2021), meat consumption in India is actually rising.

45.1% women and 57% men said they consume fish, chicken or meat at least once a week.

And what about the Hindus who, in North India, after loading up on whisky and beer in their cars, uniformly head to the part of town where Muslim eateries remain open till after midnight. For most, the only day they turn vegetarian is Tuesday. On Saturday night they are avid non-vegetarians. By Sunday night, they may well have turned into cow vigilantes.

Whatever it is, it's difficult to see the cow only as a gentle soul, who chews cud, moos gently and uncomplainingly gives us buckets of milk. The cow, in the hands of the vigilante, has been transformed into a deadly beast, a weapon of mass destruction. It's not the poor cow's fault though, that its image is now hemmed in by arms. The insignia of the Gau Rakshak Dal (Cow Protection Association) features the head of the cow sandwiched in between two protective rifles.

But what happened on August 24 might just mark the beginning of a turning point of sorts. At midnight, Aryan Mishra, a class 12 student, was out for a midnight snack with his Hindu landlord's sons. The SUV they were travelling in was chased by cow vigilantes in another car, this one sporting a revolving beacon.

The vigilantes suspected Mishra and friends to be cattle smugglers. A bullet was fired which hit Mishra in the shoulder. When, after a 40 km chase, Mishra's car finally pulled over, one of the vigilantes, reports *Al Jazeera*, "walked up to the car and pumped another bullet into Mishra's neck from close range." Mishra died; a Hindu had killed a Hindu.

When the slain boy's father met the shooter, who was in police custody by now, he expressed regret for killing "a brother". He thought he was killing a Muslim.

If, for a moment, we recall the Black Lives Matter movement in America, it's easier for

a White policeman there to spot and kill an innocent Black person – the races are colour coded. But Hindus and Muslims, they look the same. Seen this way, it's not the vigilante's fault really that he shot a Brahmin; this could easily be passed off as collateral damage, his contrition notwithstanding.

Let's for a moment imagine a darkly comic dystopian future, which, anyway, is partially already here. The Muslim smartens up to what's going around; the survivor's instinct kicks in. Unlike the old man on the Mumbai train, he doesn't sport a beard or sherwani anymore, but a t-shirt.

He transports meat hidden inside cantaloupes and pumpkins. Better still, the Muslim quits eating meat altogether, is clean-shaven, and starts travelling with a couple of snake gourds tucked under each arm. He will look no different from Mishra. There will be more mistaken identity killings.

The crux of the Hindu Right's argument against cow slaughter, which is anyway banned, stems from two paranoid assertions: "*Hindu khatre mein hai*" (the Hindu is in grave danger) and "*Hindu jaag gaya hai*" (the Hindu has finally risen after centuries of slumber). I reckon that, at the pace we are going, there will come a time when there will be more and more cases like Mishra's.

Once the tipping point is reached, the Hindu will realise that the Hindu is in *khatra*, danger, from Hindus themselves. This will lead to a second awakening – Hindu *phir se jagega*, the Hindu will awaken again: that killing people over food is wrong. The chickens would have finally come home to roost. On a Tuesday.

The writer is the author of The Butterfly Generation: A Personal Journey into the Passions and Follies of India's Technicolor Youth, and the editor of House Spirit: Drinking in India.

Courtesy **The Wire**, 21Sep2024. 🌈

Muslims: The Homo Sacer of INDIA

A Life That Can be Killed but not Murdered

Eashansh Vats

Based on the acts of lynching, having perpetrated nationwide, the article tends to examine such acts of violence from a Biopolitical perspective that approaches this systemic dehumanisation from the immunizing principle, where the Muslims in India have been constructed as foreign bodies in an overall immunized national body. It is argued that the production of such dehumanised Other is not carried out to protect Hindu Self from the perceived threat, but the creation of such Self retroactively through this defence, the argument is supported by highlighting the ontological dependency of the Self on the dehumanised Other from a Lacanian perspective that understands self as an impossibility for the subject due to the constraints of language. The article examines the erosion of the Indian citizenship as an attempt to legitimize Other's foreignness, infringing their human rights in order to establish them as what Agamben calls 'Homo Sacer', a life that marks its existence through the mere act of breathing, a life that can be killed anytime with impunity.

Sabir, a man who had come to Haryana to work as a ragpicker, was lynched when mob accused him of cooking beef. Out of 7 arrested, two were juveniles. What captures the actual horror of lynching is not the audacity with which it is perpetrated but the banality it is awarded. The haunting conviction with which couple men gave verdict for a life unworthy of living. Such is the state of the dawn that has arrived and the one that arrives next, that every life lost declares the life that remains, unworthy of living. To erect the impending edifice of a nation that draws its

inspiration greatly from fascism, there lies a biopolitical aspect to such a project that is left greatly undiscovered and under-theorized in terms of Hindutva. In such cases, ours should be the similar pursuit that post-nazi theorists had, what compels the ordinary to support such acts and be part in it? The objective of this article revolves around a similar theme; how does Hindutva neutralize the observers and compel them to support their project?

Hindu Self and its anxious lack

The invocation of terms such as 'invisibilization', 'oppression', and 'marginalization' by contemporary media which is diligently polemic of the ruling dispensation, limits the Hindutva forces to their negative instruments ignoring the positive aspects of such forces where a Muslim is not just negated but *produced* through a discourse that cripples the possible intervention to their rescue from the initial stages of such project. In Edward Said's manner it could be rephrased as *Hindutva knows Muslims, Muslims are what Hindutva knows*. To understand such *production*, there exists a section of Lalit Vachnai's documentary *Men in the Trees* where D.R. Goyal mentions vestiges from his childhood when he was a member of RSS himself and was asked to forge posters in Urdu implicating a false conspiracy by Muslims on the day of Eid to kill non-Muslims, which resulted in riots. Goyal says,

One evening I went home and I found out that my mother had not cooked any food, she was in a state of mourning, crying. I asked her what had happened? She said Gama had been killed. Gama was the cowherd who had been tending to our cow, ever since I gained consciousness. And I thought that Gama was more

respectful of the cow than we were.

What carries valuable insight in his verbatim is his recollection of Gama, he continues,

Therefore, in my mind, Gama was not a musalman at all. So, I asked her why has Gama been killed. She said that Muslims are being killed by some ruffians.

Now as per the interactional approach Goyal's prejudice for Muslims must have failed to advance considering his exposure to Gama, despite which the prejudice flourished, because Sangh constructed a Muslim identity that was deeply embedded in Goyal's cognition. An identity that was inherently antithetical to the one that Sangh wants to create; a Hindu identity. Thus, the Hindu Self is ontologically dependent on the Muslim Other, to create a Hindu Self and eventually a Hindu Nation, Muslims are not impediments but a necessity. Hindutva is a politics of the Self and the Other. And this Self is inherently unstable and deficient. Contrary to the popular imputation of *Us and Them*, the Self in itself is not holistic and doesn't exist in unity, Other is always in extimacy to the Self, an interiorized exteriority, thus the Other cannot be separated dermatologically (through the boundary of the human skin) but it is always inside the Self and captured in its imagination. As we see in contemporary Indian politics where Muslim representation is non-existent, despite which Muslims remain at the center of the political milieu, irrespective of the issue that dominates the attention, which speaks volumes about the nature of Hindutva, the fact that it can only exist coterminous to the Other. In Sudhir Kakkar's famous work *Indian Identity*, he mentions a speech which was given in Hyderabad in April 1991;

If the Hindu eats with the right hand, the Muslim eats with the left. If the Hindu calls India 'Mother', she becomes a witch for the Muslim. The Hindu worships the cow, the Muslim attains paradise by eating beef. The Hindu keeps a mustache, the

Muslim always shaves the upper lip. Whatever the Hindu does, it is the Muslim's religion to do its opposite. I said, 'If you want to do everything contrary to the Hindu, then the Hindu eats with his mouth; you should do the opposite in this matter too!'[2007:480]

The alterity that is portrayed here, exploits semiotic distinctions, the Other has no agency of its own rather it is defined in anchorage to the Self and its meanings, The Other is investigated from the lingual custom of the Self. In this process, the Other is produced as a threat to the Self, but there remains more to it. Hindutva does not only defend Hindu Self from the perceived threat, it is rather the act of defense that retroactively creates a Self. As Liam Gillespie writes in his paper, *the paranoia of defense nationalists is productive even as it is destructive*, it is the Jouissance (pleasure) of defending oneself from an exteriority that gives the illusion of a pre-existing Self. (Gillespie, 2020) This theoretical deficiency is visible in the manner in which secular nationalists make sense of Hindutva, their point of departure is a pre-existing Hindu Self, and in this entire process, they end up normalizing the foundations of Hindutva rhetoric.

It does not matter whether Muslims carry those antithetical characteristics in actuality, their purpose exists only to channel a fetishized projection of Self's nullity. The whole speech is directed towards a *psycho-geographical space* [2007:480] inhabited by the Hindus and that habitation is purportedly infringed by the Other, this space is referred to in terms of bodily functions, which again suggests a biological undertone;

Even in a mutilated India, they have special rights. They have no use for family planning. They have their religious schools. What do we have? An India with its arms cut off[2007:476]

Mutilation, arms-cut off; Hindutva

conceives the idea of this Hindu nation in bodily terms not just for its metaphorical value or poetic rhythm, but it serves a central purpose to the politics of Self. The reason Goyal could not see the Muslim identity of Gama ever before is that Muslims are semantically constructed in our minds as aggressive, intolerant, and antithetical to our customs. Hindutva places Muslims exterior to the semantic barriers that affect our cognitive faculties in perceiving them, a keyhole that allows only partial exposure to the Other, constructing schemas deep into our consciousness, thus a Muslim cannot be tender to a cow if that is so then he is not a Muslim at all. These Semantic barriers (verbal, lingual, language-producing) are the means used to reinforce the difference between the Self's view and the Other's view, thus protecting the Self's universe of meaning from being destabilized [Gillespie:2020], to reinforce them, Other is dehumanized.

Rather still the dichotomized semantic field remains insufficient in explaining the necessary exclusion upon which the Self is based, to understand the ontological dependency of the Hindu Self on the Other we must resort to psychoanalysis. Lacanian Psychoanalysis carries answers to Hindutva's Muslim obsession, for Lacan a subject is born into a *symbolic order* an order that comprises customs, most importantly the language and speech that precedes the subject's existence. The subject to gain identification must explain itself in terms and laws of such order, which Lacan says to be impossible, as the language would always fail to capture the complete sense of self. In the same way, it fails to capture the true sense of our thoughts, there's always something that falls out of its grip. What happens here is not just symbolic order's failure to capture the self, but the illusion that something of that sort exists in the first place, in other words, during the act of identification the subject not only fails to articulate a self, he manipulates its very nature. Lacan gives the example of

ceramic toilets, which are constructed in the same factory but their gendered labels give the illusion of their inherent difference. The label of 'Hindu' fails to enclose the complexity of the subject and its historical antagonisms, without a radical alterity, it is unstable. The bloodshed of Vaishnavism-Shaivism crises, the clash of Brahminism and Buddhism, and the subalternity of the Shudra, all such antagonisms are resolved with that Other, which otherwise would have been harder choices to make were now replaced with fantasies, leading to the fictionality of history, reification of Muslim women, weaponization of demography. This anxious lack, the failure of the Self to completely articulate itself in terms of the language that it is born into, leads to the projection of its unrepresented desires on the Other.

The "Jew" is the means, for fascism, of taking into account, of representing its impossibility . . . [However,] far from being the positive cause of social antagonism, the "Jew" is just the embodiment of a certain blockage—of the impossibility which prevents the society from achieving its full identity as a closed, homogeneous totality. Far from being the positive cause of social negativity, the "Jew" is a point at which social negativity as such assumes positive existence . . . [Mertz, David:2009]

What is Hindutva without a Muslim? That Muslim is its Other, identical to the status a Jew holds in Nazism. One can understand this by returning to the debris of Babri Masjid, the temple under it could only come into existence because of the mosque that stood over it, irrespective of its historicity. Implanting an Idol of Lord Rama into the mosque metaphorically represents Hindutva's implantation of Self, similarly, it is the act of demolition that *creates* the temple instead of causing its fictional liberation. The temple brought itself to existence through fictional iconoclasm. Hindutva, without any doubt, does

carry the element of fear. Contrary to the popular perception, this fear is not with regards to a perceived threat, on the contrary, it accounts for a source of pleasure, but *homoiphobia*, that would expose the otherness of the Self. The fear that *we might find ourselves in other's place*. To explain the Other as a product of its circumstances enmeshes it back to its human nature, which cannot be afforded by Hindutva. They must remain as invaders, as a threat, as different for Hindus to exist. A Muslim should never be explained, there should exist no explanation to their script, to their beard, their non-idolatry culture. This fear of explanation is what Hage calls *Exiphobia* (from the Greek *exigho*, to explain),

In answering the famous question "why do they hate us?" anyone who deviated from the presidential "they hate us because they hate us," they hate "our values" and "our way of life" (i.e., they are not humans in the same way we are) [hage:2003]

This paranoia is the antecedent to the aggression of Hindutva, and becomes central to the dehumanising efforts that prevent any form of contact to the Otherness of the Self. Semantic Barriers prevent the explanation to the Other.

Lynching and its Legitimacy

Robert J Sternberg, an American Psychologist, in his *Perspectives on Hate*, argues that hate is transmitted from an *instigator* to a *perpetrator*, the latter is the one who acts on Hate towards a *target* by conforming to hateful beliefs whereas an *instigator's* motivations can be varied, he may or may not himself hold such hateful beliefs. However, none of these three elements hold greater importance when compared to the *observer*, for it is the *observer* that holds the key to the hateful transaction. Hence, the majority of an *instigator's* efforts go into neutralizing the *observer* and sustaining its

passivity. When the act of lynching in the guise of cow protection is streamed live on YouTube, *observers* are those who are recipients of such horrifying visuals, who bear witness to it and return it with conformity. Though the Hindutva project goes back to pre-independence, but no other event captures its nature and idiosyncrasies as profoundly as Babri Masjid Demolition. The scholarship around this event, though in abundance, but under grave necessity to be reconsidered from a biopolitical lens. There remains a eugenic undertone to Hindutva that is largely overlooked, the demolition besides holding constitutional institutions futile, established an idea of innate foreignness of Muslims into the minds of the masses, and catapulted a gradual erosion of Indian citizenry.

When the Indian allegory was imagined during independence, by both Hindu & Secular Nationalists, it was imagined in terms of a body, an anthropomorphic entity. When Savarkar painted a Hindu heartland that existed somewhere in history before 'invasions', he calls that heartland a *virgin*, metaphorically representing the plains with *breasts*. At the heart of this national body lies disease, leaving the scope for immunity, for it is through immunity that the distinction between Self and non-self comes to light. It is by this act of immunization that Hindutva attains the license to deem the life of Muslims unworthy of living.

During the Kanwar yatra, food outlets (though not limited to them) were asked to have their names, thus their religious identities overtly displayed. The critics of this state practice misread this whole corollary by inferring it in economic terms, thus considering it as an economic boycott. But arguments of justification for such measure involved a purity principle, the Other was equated with disgust and contamination, and this infectious paradigm is the site of biopolitics. Hindutva and every Fascist ideological apparatus employ this paradigm and it has been vastly studied in psychology. The

paranoia of human-to-human(nonzoonotic) infection transmission has a significant correlation with authoritarianism [Zmigrod et al., 2021], and support for racial tendencies. The semantic representation of the Other with cannibalistic demons and insects, and the contagion propaganda during the pandemic, all are derived from this infectious paradigm, the act of lynching manifests in the form of an anaphylactic shock. The metaphorical representation of Muslims as ‘Cancerous Disease’ affirms the act of lynching not only as acceptable but needed, lynching becomes the moral thing to do. We must keep in mind that immunity, long before it acceded to medical sciences, was a juridical-political term and even contemporarily law pertains to leave its shadow on it.

Hindutva exploits the nature of the behavioral immune system because it is based on ‘common immunity’, saturating the cognition of the masses with the ‘invasive’ nature of Muslims, semantically constructing them as ‘infiltrators’. All these are based on an ‘immunological self’, which is defined negatively based on what it is not [Esposito:2002], the object of immunity is never the Self but everything that is not the Self, for it is driven by the fear of Self-toxicity. To fortify common immunity Muslim men are Hyper-sexualized, alleging them a constant threat to Hindu women, miscegenation is seen as an invasion[Kinnvall, 2019].

This ontological negativity of the Self is what causes the genocidal inclinations, otherwise, the precarity of the immunological Self would lead to its own digestion. Lynching is a result of the immunological paradigm, it is indeed a para-judicial action, and the atrocities become a part of life, despite remaining outside the law. To normalize such acts, and to conduct them with impunity, Hindutva exploits the paradox of Human rights, and its unpleasant connection with the nation-state, which was pointed out by Hannah Arendt in her *Origins of Totalitarianism*. It is the nativity of the man to

nation-state that makes him a sovereign subject, thus bringing him political rights. When one is ripped off his citizenry, it reduces him to ‘bare life’, what Giorgio Agamben called ‘Zoe’ a life that has no meaning attached to it, no political significance, an animal life. Thus, every genocide is preceded by a gradual erosion of its target’s citizenry. Citizenship in this context can be understood as an immune system for a national body, considering that immune system is a sophisticated communication between Self and Non-Self bodies, ridding the target off its citizenry leads all possible means to its rescue futile. Muslims, in India, are undergoing this very process. Their presence in any public sphere is viewed as invasive, a train compartment occupied by muslims is invasive, the blood transplant of a Muslim into a Hindu’s body is invasive. Beef has proven itself to be an element of great resource to normalise a Muslim life as non-liveable, for it establishes Cow as an entity of political entitlements, a life that has greater significance to the social sphere. The meaning is clear, being human would not suffice; bring your Aadhar card.

The nation — the term derives etymologically from nascere (to be born) — thus closes the open circle of man’s birth.[Agamben, 2020]

Rohingya genocide trajectory bears stark similarity with the path India has chosen, the systemic denationalization of Rohingyas, by passing the Citizenship Act of 1982, for ‘de-rooting’ the Rohingya population. [Goetz-Charlier, 2023]. When sovereign power reduces the man to ‘bare life’, the sheer biological act of breathing matters, and no entitlements, however necessary, are entertained. The man becomes a *Homo Sacer*, he who can be killed anytime, anyhow but not murdered, for his is the life that is not worth living. ‘Sacer’ here accounts for a Human or a thing that one cannot touch without dirtying oneself. His mere existence taints the purity of ‘Holyland’ because

he lacks the values of Hinduness, which is defined by nativity. An Indian Muslim is a modern Homo Sacer. Mob only regrets its acts when they have mistakenly ended a brahmin life(bios) not the Muslim life (Zoe). His Muslim identity oozes from every aspect of his body, a child cannot be a child who has left home to fetch milk for his mother, or a man can never be just a man watching cricket, they are Muslims who are alive, foreign bodies that cannot be allowed to breathe.

They shouldn't even be allowed to breed; I say that even today. Whoever they are, women, children, whoever. Nothing to be done with them but cut them down. Thrash them, slash them, burn the bastards. Many [Hindus] wasted time looting. Arrey [the idea is], don't keep them alive at all, after that everything is ours. [khetan, 2021]

The verbatim cited above is from a man who found pride in pulling a foetus out of a pregnant Muslim woman, a life that was not even born yet was deemed unliveable. To what extent do we, the people, owe the debt to that life? Can that be captured in the limits of our imaginations? To whom will we confess our sins for all of us have one to make.

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ECI or ECBJP ?

Compromising Independence of the ECI by dumping SC judgment

S.N. Shukla

Initiating the debate on Article 289 of the draft Constitution (enacted as Article 324) relating to the Election Commission Dr. Ambedkar had said, “But the House affirmed without any kind of dissent that in the interest of purity and freedom of elections to the legislative bodies, *it was of the utmost importance that they should be freed from any kind of interference from the executive of the day.*” and that “Therefore, so far as the fundamental question is concerned *that the election machinery should be outside the control of the executive Government, there has been no dispute.*” Moving his amendment to the proposed clause Prof. Sibban Lal Saxena had cautioned: “*Now this does not ensure their independence.*” Pandit Hriday Nath Kunzru had also said that “..... then there is no reason why the whole matter should be left in the hands of the President, and why the conditions and tenure of service of the Election Commissioners should be determined by rule by him. These, too, should be determined by law made by Parliament.”

Replying to the debate Dr. Ambedkar had said: “There is a great deal of force in what my friend Professor Saksena said that there is no use making the tenure of the Election Commissioner a fixed and secure tenure if there is no provision in the Constitution to prevent either a fool or a knave *or a person who is likely to be under the thumb of the Executive. My Provision—I must admit—does not contain anything to provide against nomination of an unfit person to the post of the Chief Election Commissioner or the other Election Commissioner. I do want to confess that this is a very important question* and it has given me a great deal of

headache and I have no doubt about it that it is going to give this House a great deal of headache”. Thereafter, he moved an amendment on the basis of which the following present clause (2) of Article 324 was adopted-

“The appointment of the Chief Election Commissioner and other Election Commissioners shall, *subject to the Provisions of any law made in this behalf by Parliament,* be made by the President.” (emphasis supplied)

However, the safeguard incorporated by the Constituent Assembly in Article 324(2) after detailed discussion by way of law to be made by Parliament remained on paper for 74 years. Vide order dated 23.10.2018 the PIL WP (C) N. 104 of 2015 regarding ‘requirement of having a full-proof and better system of appointment of members of Election Commission’ and involving interpretation of Article 324 of the Constitution was referred to the Constitution Bench. In the connected PIL WP (C) No. 569 of 2021 filed by the Association for Democratic Reforms an application was filed to seek interim relief to provide for appointment to fill a vacancy of Election Commissioner which had arisen on 15.05.2022 by a Committee. The Bench commenced hearing of these cases on 17.11.2022. The matter stood posted to 22.11.2022, but meanwhile the *very next day* on 18.11.2022, the vacancy of Election Commissioner suddenly came to be filled up by the appointment of Shri Arun Goel.

Only after the order of the First Appellate Authority, the information provided by the Central Public Information Officer of the Legislative Department, which deals with the subject of Election Commission of India,

showed that at the time of appointment of Mr. Arun Goel as Election Commissioner in November, 2022-

(i) No eligibility criterion had been defined, (ii) Details of serving/retired eligible officers contacted for the assignment could not be provided, (iii) Bio-data of officers shortlisted for the consideration of the Prime Minister *were not available* and (iv) The Minister for Law & Justice simply submitted a panel of four names for the consideration of the Prime Minister and the President *without details of their qualifications and experience*, (v) However, “considering the experience, profile and suitability” *about which was no information before him*, the Prime Minister recommended the name of the topmost officer in the panel, and (vi) The Hon’ble President simply signed *overlooking that there was nothing showing the experience, profile and suitability* of the recommended officer. Evidently, the selection of Mr. Arun Goel was clearly arbitrary and predetermined and the whole process was stage managed at lightning speed *in one day* to present a fait accompli to the Apex Court at the hearing of the matter on 22.11.2022.

Thereafter the aforesaid batch of writ petitions was partly allowed by the Constitution Bench vide judgment dated 2.3.2023 reported in (2023) 6 SCC 161 with the following relief on the issue of appointments of CEC and ECs –

“We declare that as far as appointment to the posts of Chief Election Commissioner and the Election Commissioners are concerned, the same shall be done by the President of India on the basis of the advice tendered by a Committee consisting of the Prime Minister of India, the Leader of the Opposition in the Lok Sabha and, in

case, there is no such Leader, the Leader of the largest Party in the Opposition in the Lok Sabha having the largest numerical strength, and the Chief Justice of India. This norm will continue to hold good till a law is made by the Parliament.” (Para 239)

After the aforesaid judgment, the Central Government which had been sleeping over the provision in Article 324(2) to make appropriate law to take care of the concern of the Constitution makers stated above, suddenly woke up to implement the said provision, *not to really address their said concern but basically to undo the aforesaid decision in the judgment for constituting an independent Selection Committee including the Chief Justice of India by replacing him with a Minister to destroy the independent character of the Committee*. The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023 was introduced in Rajya Sabha in August 2023 and was hurriedly passed by Lok Sabha in December 2023.

Significantly, the Statement of Objects and Reasons of the Bill did not mention the concern of the framers of Constitution about the imperative need to ensure independence of the Election Commission. Nor did it indicate as to how it takes care of the grave lacuna which compelled the Apex Court to intervene for fulfilling the mandate of makers of the Constitution. It also did not make any mention of the recommendation of the National Commission to Review Working of the Constitution or give any explanation for changing the Selection Committee named in the Constitution Bench judgment, which was as per recommendation of the Law Commission.

Not only this, even while moving the official amendment at the time of passing of the Bill

for replacing clause 6 of the Bill by present Section 6 no explanation was given to justify the last minute change regarding the Search Committee being headed by the Minister instead of the Cabinet Secretary as provided in the Bill. Moreover, approval of the Cabinet *for the proposed official amendment of clause 6 was vitiated by non-compliance of the statutory Rule 4 (1) of the Government of India (Transaction of Business) Rules, 1961.* As such, *the said amendment was moved by the Minister without the requisite valid approval of the Cabinet. Thus, approval of the Cabinet and the Parliament on the 2023 Bill was obtained in violation of the Rules of Business by concealing the relevant material and was given without application of mind. Evidently, by making the Minister Chairman of the Search Committee its political neutrality and fairness was clearly compromised at the initial stage itself and the whole purpose of having the Committee to identify the ablest, independent and bold persons got defeated.*

Likewise, the composition of the Selection Committee in Section 7(1) is also violative of Article 14 of the following reasons -

- (1) Mere inclusion of the Leader of Opposition or, in his absence, leader of the largest party in Lok Sabha, *is meaningless as his opinion can be ignored and overruled by the Prime Minister and the Minister, as was done in the case of the two newly appointed Election Commissioners, defeating the whole purpose of having a Selection Committee. Thus, the system introduced by the 2023 Act is virtually no different from the system prevailing prior to the Act which necessitated intervention by the Apex Court.*
- (2) In its present form the Selection Committee does not take care of the

apprehension expressed by the framers of the Constitution and accepted by Dr. Ambedkar cited hereinbefore.

- (3) Above all, it does not remove the grave lacuna in the procedure for appointment of CEC and ECs for the removal of which the Constitution Bench had intervened defeating the whole purpose of its well-considered decision.

In view of the position stated above, in its present form, Section 7(1) of the Act does not provide the requisite safeguard for appointment of only upright, most competent, bold and, *most importantly, independent persons* as CEC and ECs who can withstand any pressure or lure from the government and the opposition and will ensure free and fair elections. *Hence, it needs to be read down with the proviso that in case of lack of unanimity among members of the Selection Committee the matter shall be referred to the Chief Justice of India whose decision will be final.*

Thus, in their present form, the provisions in Sections 6 and 7 of the 2023 Act relating to Search and Selection committees do not meet the requirement of the selection process ensuring the four fundamentals of Election Commission- *impartiality, fearlessness, transparency and purity*- stipulated by Constitution makers while enacting Article 324 and mandated in the judgment of the Constitution Bench *on which the Minister for Law and Justice had also agreed in his reply to the debate on the Bill.* The provisions of Sections 6 and 7 are also against the object and purpose of Article 324 (2) of the Constitution as interpreted in the observations in paras 164, 165 and 186 of the judgment of the Constitution Bench in WP (C) No.104 of 2015. Hence, these are prima facie unsustainable in view of the law laid down by the Constitution Bench in *S. Krishnan v. State of Madras AIR 1951 SC 301/*

[1951] SCR 621 that *any enactment passed with the purpose of defeating constitutional provisions can be assailed on the ground of being a fraud on the Constitution.*

In view of the prima facie constitutional invalidity of Sections 6 and 7 of the 2023 Act, the appointment of the two Election Commissioners on 14.3.2024 under these provisions can also not be sustained. Even otherwise, they *do not fulfill the requirement of having “knowledge of and experience in management and conduct of elections”* mandated in Section 5 of the Act. *Significantly*, their resume displayed at the website of the Election Commission make no mention of any such knowledge and experience. On the other hand, the harsh reality of these ECs being picked up *on account of their crucial role in implementation of the key political agenda of the ruling dispensation* is evident from the fact that as per the newspaper reports on 15.3.2024, as joint Secretary, Ministry of Home Affairs Shri Gyanesh Kumar handled scrapping of Article 370 and oversaw formation of Ram temple trust. Likewise, as Chief Secretary Uttarakhand state Shri Sukhbir Singh Sandhu laid ground for the Uniform Civil Code Bill in the state. These irrefutable facts are sufficient to explain the insistence of the Prime Minister and the Home Minister, despite the dissent of the opposition member of the Selection Committee, for the selection of these ‘useful’ tried and tested officers ignoring the other better qualified and *more experienced officers in management and conduct of elections*, as required under Section 5 of the Act.

Not only this, *the selection also did not meet the requirement of Section 8 of the Act that the Selection Committee will follow a transparent procedure.* The list of 212 names considered by the search

Committee was made available to the opposition member the night before and the Bio data of the six officers shortlisted by it were made available only 10 minutes before the meeting giving him no time to check their credentials and reputation and suitability over the other candidates considered by the Search Committee. Also the selection Committee does not seem have laid down any norms for judging inter se suitability of the shortlisted candidates or the reasons for preferring the selected candidates. Thus, the selection was a *fait accompli* and a mere formality despite the matter being slated for hearing in this Hon’ble Court the very next day.

As noted in para 14 of the order dated 22.3.2024 in the WP (C) No.14 of 2024 challenging the validity of the 2023 Act and the appointment of these Election Commissioners: “We must, however express our concern on the procedure adopted for selection of the incumbents to the two vacant posts of ECs, a significant constitutional post. Such selections should be made with full details and particulars of the candidates being circulated to all members of the Selection Committee. Section 6 of the 2023 Act postulates five prospective candidates which, prima facie, appears to mean that for two vacant posts ten prospective candidates should have been shortlisted. Procedural sanctity of the selection process requires fair deliberation with examination of background and merits of the candidate. The sanctity of the process should not be affected. Nevertheless, in spite of the said shortcoming, we do not deem it appropriate at this stage, keeping in view the timelines for the upcoming 18th General Elections for the Lok Sabha, to pass any interim order or direction.” However, for the reasons detailed above, the aforesaid observations, though qualified as ‘tentative’ in the order stand confirmed by the information obtained under

the RTI Act and are enough to invalidate the selection of the newly appointed Election Commissioners.

Vide RTI application dated 15.3.2024 this writer had sought the following information from the CPIO of the Legislative Department at an early date-

1. Details of qualification and experience of the 212 officers considered by the Search Committee and 6 officers shortlisted by it for consideration of the Selection Committee.
2. The procedure followed and norms/criteria adopted by the Search Committee for short listing officers for consideration of the Selection Committee.
3. The procedure followed and norms/criteria adopted by the Selection Committee for making the selection out of shortlisted officers.
4. The reasons given by the Selection Committee for picking up the selected officers in preference to the remaining shortlisted officers.
5. Photocopy of the note of dissent by the leader of the largest opposition party in Lok Sabha.
6. Photocopies of the proposal/recommendation submitted for the approval of the Hon'ble Prime Minister and President and the orders thereon.

The requisite information is necessary to check that the officers shortlisted by it were really the best among the 212 considered by the Search Committee and those selected by the Selection Committee are really the best and most deserving among the shortlisted ones in accordance with the provision in Section 5 of the 2023 Act and the criteria laid down in the judgment of the Constitution Bench cited above. However, information in respect of points 1 to 4 above has not been made

available despite appeal to the First Appellate Authority. Hence, it needs to be summoned by the Apex Court for proper adjudication of the controversy.

Significantly, as per the information made available in respect of points 5 & 6, the note dated 14.3.2024 submitted to the Hon'ble President for approving appointment of the two Election Commissioners *did not mention the fact of dissent by the third member of the Selection Committee* Mr. Adhir Ranjan Chowdhury, leader of the largest opposition party in Lok Sabha. To hide this fact a copy of the minutes of the Selection Committee dated 14.3.2024 on which Mr. Chowdhury had recorded his dissent was not attached with the aforesaid note. Not only this, the note said that the *Selection Committee* had recommended the names of Sarvashri Gyanesh Kumar and Sukhbir Singh Sandhu for appointment to vacant posts of Election Commissioners, whereas the truth was that only the two of its members, and NOT *the Committee which as per its definition in Section 7(1) of the Act means all the three members*, had recommended their names and the third member had given his dissent note and attached it with the minutes of the Selection Committee. Thus, the President's approval for their appointment was obtained by playing fraud upon her by keeping her in the dark about the dissent note of the third member of the Selection Committee. In view of this, the approval of the President was vitiated by concealment of vital relevant fact and misrepresentation and, as such, cannot be held to be valid in law.

Moreover, the note submitted to the President did not even mention the names and details of the 5 officers short listed by the Search Committee for consideration of the Selection Committee. Nor did it give any details of even the two officers selected by the Selection Committee. Evidently, there was no

material before the President to see as to whether the short listed and selected officers were really the best among the eligible officers. *Thus, the approval of the President was obtained without placing all relevant material and was given without any application of mind* by just signing on the dotted line. As such, it cannot be sustained in view of the law laid down by the Apex Court in Baldev Raj Chadha v. Union of India AIR 1981 SC 70 that “Any order which materially suffers from the blemish of overlooking or ignoring , willfully or otherwise, vital facts bearing on the decision is bad in law.”

From the facts and circumstances stated above it is abundantly clear that the way the two Election Commissioners were hurriedly appointed does not lend credibility to the ECI. No wonder the complaints of the opposition parties in respect of recent Lok Sabha elections and current state Assembly elections lend credence to the impression that the ECI is working in tandem with the ruling party at the Centre rather than as an independent instrumentality of the State as envisaged by the framers of the Constitution.

S.N. Shukla is I.A.S. (retd.), Advocate 

Many Who Submitted Maafi...

Contd. from page - (19)

Nearly 50 years since the Emergency, many who had at the time submitted “*Maafi Namas*” to the Indira government, are now the most spirited anti-Emergency crusaders. Those who never fought for India’s freedom are trying to usurp the Constitution. The Emergency was a dark period. Press censorship was imposed. It was the death of democracy when all civil and political liberties and rights were killed. Many people were murdered, too. But they were not killed on the basis of their religion, or lynched for eating certain types of food, or shunned for wearing certain of clothes. There was no atmosphere of hate and fear. Political actors invoking the Emergency today would do well to remember the inheritance of Independence and the idea of India as a secular, democratic, Socialist republic that we inherited from those who fought and even died for our freedom.

(As told to Rakhi Bose)

(This appeared in the print as ‘The Darkest Hour’)

Courtesy **Outlook**, October 1, 2024. 

Reader’s Comments

October 2024 issue of The Radical Humanist: Well done, Mr. Singh. The irony is that top leaders of Mahatma's home state are acting against his ideology and even a TRH subscriber is denigrating him.

S.N. Shukla

Sir,

I am receiving the issues of the RH regularly; the editorial and articles are very interesting. I have transfered thru IMPS an amount of Rs 5000/- towards donation. Kindly confirm on receiving the same and the receipt.

Thank you.

Dr. Medha Dubhashi

Domestic Violence Act Applicable To All Women Irrespective Of Religion, Social Background : SC

Sanjeev Sirohi

It is definitely in the fitness of things that in a most decisive move with far-reaching implications, the Supreme Court in a most learned, laudable, landmark, logical and latest judgment titled *S Vijikumari vs Mowneshwarachari C* (Arising out of SLP(CRL.) No. 5342 of 2023) and cited in Neutral Citation No.: 2024 INSC 732 that was pronounced as recently as on September 10, 2024 in the exercise of its criminal appellate jurisdiction has minced just no words to say in no uncertain terms most unequivocally that the Domestic Violence Act is a piece of Civil Code which is applicable to every woman in India irrespective of her religious affiliation and social background for a more effective protection of her rights guaranteed under the Constitution and in order to protect such victims. This is exactly what truly constitutes the nucleus of this notable judgment. It must be mentioned here that a Bench of Apex Court comprising of Justices B V Nagarathna and Nongmeikapam Kotiswar Singh made the observation while holding that any alteration, modification or revocation of an order passed under Section 12 (protection order) of the DV Act owing to a change in circumstances could only be for a period *ex post facto*, i.e., post the period of an order being made in a petition under Section 12 of the Act and not to a period prior thereto. No denying it!

At the very outset, this most remarkable, robust, refreshing, recent and rational judgment authored by Hon'ble Ms Justice BV Nagarathna for a Bench of the Apex Court comprising of herself and Hon'ble Mr Justice Nongmeikapam Kotiswar Singh sets the ball in motion by first and foremost putting forth in para 2 that, "Being aggrieved by the order dated 06.04.2023 passed in Criminal Revision Petition No.674/2022 by

the High Court of Karnataka at Bengaluru, the appellant who is the wife of the respondent has preferred this appeal."

To put things in perspective, the Bench envisages in para 3 while elaborating on the facts of the case that, "Briefly stated, the facts are that the appellant-wife had filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as "the Act"). The said petition, i.e., Criminal Miscellaneous No.6/2014 was allowed by the learned Magistrate by order dated 23.02.2015, granting Rs.12,000/- (Rupees Twelve Thousand only) per month as maintenance and Rs.1,00,000/- (Rupees One Lakh only) towards compensation. At this stage itself, it may be mentioned that the respondent-husband did not let in any evidence in the said proceeding. Being aggrieved by the order of the learned Magistrate, the respondent filed an appeal under Section 29 of the Act which was dismissed by the Appellate Court on the ground of delay. The aforesaid orders attained finality as they were not assailed by the respondent herein."

As it turned out, the Bench enunciates in para 4 stating that, "Thereafter, the respondent filed an application under Section 25 of the Act before the learned Magistrate. The said application was dismissed. Being aggrieved, the respondent filed Criminal Appeal No.757/2020 under Section 29 of the Act before the Appellate Court. The said appeal was allowed and the matter was remanded to the learned Magistrate with a direction to consider the application filed by the respondent under Section 25 of the Act, by giving an opportunity to both the parties to adduce their evidence and to dispose of the same in accordance with law."

As we see, the Bench then discloses in para

5 that, “Being aggrieved by the said order, the appellant herein filed Criminal Revision Petition No.674/2022 before the High Court, which, by the impugned order dated 06.04.2023 dismissed the same with a direction to the learned Magistrate to consider the application filed by the respondent under Section 25 of the Act, without being influenced by any observation made by the Appellate Court while disposing of Criminal Appeal No.757/2020. Being aggrieved by the aforesaid orders, the appellant-wife has filed this appeal.”

Do note, the Bench notes in para 10 that, “We have considered the arguments advanced at the Bar in light of the facts of this case and Section 25 of the Act. For immediate reference, Section 25 of the Act is extracted as under:

“25. Duration and alteration of orders

- (1) A protection order made under section 18 shall be in force till the aggrieved person applies for discharge.
- (2) If the Magistrate, on receipt of an application from the aggrieved person or the respondent, is satisfied that there is a change in the circumstances requiring alteration, modification or revocation of any order made under this Act, he may, for reasons to be recorded in writing pass such order, as he may deem appropriate.”

On a reading of the same, it is evident that an aggrieved person or a respondent as defined under the Act can seek for alteration, modification or revocation of an order made under the provisions of the Act if there is a change in the circumstances as per sub-section (2) of Section 25 of the Act. This would indicate that after an order has been made, inter alia, under Section 12 of the Act, such as in the instant case granting Rs.12,000/- as maintenance per month, if there is any change in the circumstance, the same could be a ground for seeking alteration, modification or revocation of such an order. Such circumstances could be

illustratively stated in the context of the present case as the wife on divorce having been given an alimony or the wife earning an amount higher than the respondent-husband and, therefore, not in need of maintenance or such other circumstances. The said change in the circumstance must occur only after an initial order is made under Section 12 of the Act and cannot relate to a period prior to the passing of an order under Section 12 of the Act.”

Most significantly, we see that the Bench then mandates in para 11 postulating that, “The Act is a piece of Civil Code which is applicable to every woman in India irrespective of her religious affiliation and/or social background for a more effective protection of her rights guaranteed under the Constitution and in order to protect women victims of domestic violence occurring in a domestic relationship.”

Do note, the Bench notes in para 12 that, “Section 25(2) of the Act contemplates an eventuality where an order passed under the Act can be altered, modified or revoked. Section 25(2) of the Act provides that the aggrieved person or the respondent, as defined under the Act, may approach the Magistrate by filing an application for alteration, modification or revocation of “any order” made under the Act. Thus, the scope of Section 25(2) of the Act is broad enough to deal with all nature of orders passed under the Act, which may include orders of maintenance, residence, protection, etc. If any such application is filed before the Magistrate by any of the two parties, i.e., the aggrieved person or the respondent, then the Magistrate may, for reasons to be recorded in writing, pass an order as he may deem appropriate. Thus, an order passed under the Act remains in force till the time that order is either set aside in an appeal under Section 29 of the Act, or altered/modified/revoked in terms of Section 25(2) of the Act by the Magistrate.”

Do further note, the Bench adds in para 13 noting that, “However, the Magistrate while

exercising his discretion under Section 25(2) of the Act has to be satisfied that a change in the circumstances has occurred, requiring to pass an order of alteration, modification or revocation. The phrase “a change in the circumstances” has not been defined under the Act. The said phrase was present under Section 489 of the now repealed Code of Criminal Procedure, 1898, as well as under Section 127(1) of the Code of Criminal Procedure, 1973 (CrPC, 1973), now repealed, as is also found under Section 146(1) of the present Bharatiya Nagarik Suraksha Sanhita, 2023 (BNNS, 2023), but the legislature (Parliament) has intentionally not provided a definition for the same in the repealed Codes or the present Sanhita. Thus, the Magistrate has to adjudge the change in the circumstances based on the material put forth by the parties in a case and having regard to the circumstances of the said case. A change in the circumstances under the Act may be of either a pecuniary nature, such as a change in the income of the respondent or an aggrieved person or it could be a change in other circumstances of the party paying or receiving the allowance, which would justify an increase or decrease of the maintenance amount ordered by the Magistrate to pay or any other necessary change in the relief granted by the Magistrate including a revocation of the earlier order. The phrasing of the provision is wide enough to cover factors like the cost of living, income of the parties, etc. Further, a change in the circumstances need not just be of the respondent but also of the aggrieved person. For example, a change in the financial circumstances of the husband may be a vital criterion for alteration of maintenance but may also include other circumstantial changes in the husband or wife’s life which may have taken place since the time maintenance was first ordered.”

While citing the relevant case law, the Bench then states in para 14 that, “However, for the invocation of Section 25(2) of the Act, there must be a change in the circumstances

after the order being passed under the Act. Alexander Sambath Abner vs. Miron Lede, 2009 SCC OnLine Mad 2851 is also to the same effect. Thus, an order for alteration, modification or revocation operates prospectively and not retrospectively. Though the order for grant of a maintenance is effective retrospectively from the date of the application or as ordered by the Magistrate, the position is different with regard to an application for alteration in an allowance, which may incidentally be either an increase or a reduction – to take effect from a date on which the order of alteration is made or any other date such as from the date on which an application for alteration, modification or revocation was made depending on the facts of each case.”

Be it noted, the Bench notes in para 15 that, “The position is analogous to Sections 125 and 127 of the CrPC, 1973, wherein the legislature under Section 125(2) of the CrPC, 1973 had given power to the Magistrate to grant maintenance from the date of the application, but did not give any such power under Section 127 of the CrPC, 1973. Therefore, under the Act, the order of alteration or modification or revocation could operate from the date of the said application being filed or as ordered by the Magistrate under Section 25(2) of the Act. Thus, the applicant cannot seek its retrospective applicability, so as to seek a refund of the amount already paid as per the original order.”

Briefly stated, the Bench points out in para 16 that, “What the respondent is seeking is in fact a setting aside of the order dated 23.02.2015 passed in Criminal Miscellaneous No.6/2014 and return of the amount paid by him to the appellant herein in terms of the said order by way of a restitution of the status quo ante.”

It is worth noting that the Bench notes in para 17 that, “Learned counsel for the appellant rightly contended that the said order has in fact merged with the Appellate Court’s order in the appeal filed by the respondent which was dismissed on the ground of delay and there being

no further challenge to the said order. In fact, the order dated 23.02.2015 has attained finality. Therefore, there cannot be a setting aside of the order dated 23.02.2015 for the period prior to such an application for revocation being made. Unless there is a change in the circumstance requiring alteration, modification or revocation of the earlier order owing to a change occurring subsequent to the order being passed, the application is not maintainable. Thus, the exercise of jurisdiction under sub-section (2) of Section 25 of the Act cannot be for setting aside of an earlier order merely because the respondent seeks setting aside of that order, particularly when the said order has attained finality by its merger with an appellate order as in the instant case unless a case for its revocation is made out. Secondly, the prayers sought for by the respondent herein are for refund of the entire amount of maintenance that was paid prior to the application under sub-section (2) of Section 25 of the Act being filed and the order dated 23.02.2015 passed in Criminal Miscellaneous No.6/2014 being in fact revoked. The revocation of an order, inter alia, under Section 12 of the Act sought by a party cannot relate to a period prior to such an order being passed. We find that in the instant case the second prayer was not at all maintainable inasmuch as we have already observed that any alteration, modification or revocation of an order passed under Section 12 of the Act owing to a change in circumstances could only be for a period ex post facto, i.e., post the period of an order being made in a petition under Section 12 of the Act and not to a period prior thereto. Thus, such an application for alteration, modification or revocation filed under sub-section (2) of Section 25 of the Act cannot relate to any period prior to the order being passed, inter alia, under Section 12 of the Act.”

Quite naturally and as a corollary, the Bench then propounds in para 18 that, “In the circumstances, we find that the prayers sought

for by the respondent herein were not at all maintainable under sub-section (2) of Section 25 of the Act as they related to the period prior to 23.02.2015 when the original order was passed. In fact, the prayers sought for by the respondent are totally contrary to the spirit of sub-section (2) of Section 25 of the Act. While making such a prayer, the respondent could not have sought in substance for setting aside of the original order dated 23.02.2015 passed in Criminal Miscellaneous No.6/2014 and seeking refund of the maintenance amount which was paid to the appellant pursuant to the said order. The respondent could not have also sought the aforesaid prayers: firstly, because he did not participate in the proceedings before the learned Magistrate; secondly, respondent belatedly filed an appeal before the Appellate Court which was dismissed and thirdly, when that appeal was dismissed on the ground of delay, he did not choose to assail the said order before a higher forum.”

Resultantly, the Bench then directs in para 19 holding that, “In the circumstances, the orders of the High Court as well as the first Appellate Court are set aside and the application filed by the respondent is dismissed. However, liberty is reserved to the respondent herein to file a fresh application under Section 25 of the Act, if so advised. If such an application is filed by the respondent, the same shall be considered by the learned Magistrate having regard to the observations made above and on its own merits, which can be relatable to the period subsequent to the date of making the earlier order dated 23.02.2015 in the instant case. Any revocation of the order dated 23.02.2015 could be with effect from the date of the application, if any, to be made by the respondent herein or as ordered by the learned Magistrate.”

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The Humanist Frame

SCIENCE

(Summarized by **Vinod Jain**)

Julian Huxley

So we come to man's second main higher activity—science. We must beware of misuse of words like science and scientific, especially by those who want to cash in on the prestige of science to advance their own views or interests. The most obvious example is of Marx who himself asserted that he had discovered the iron scientific laws that inevitably rule the development of society. In fact Marxism is no more a science than theology.

Science, like art, is a loose and general term for a broad range of human activity and their products. Though its growing core is firm and clear, it is thus inevitably fluffy at the edges, and grades into non-science, as art does into non-art. It is perhaps best thought of as a process—the process of discovering, establishing, and organizing knowledge. To do this effectively, it must rely on scientific method, as stressed by Dr Bronowski in his chapter.

Looked at in the long perspective, science is seen as the continuation by new methods of the trend towards fuller and better-organized awareness which runs through the whole of animal evolution, from before the dawn of anything that could be called mind or memory, up to mammals and men. This trend was fostered by natural selection because it was biologically useful. Fuller and better organized awareness enables its possessors to cope better and more fully with the changes and chances of their lives and their environment.

Science has two interrelated psychosocial functions: it increases both comprehension and control. It enlarges man's understanding of the world, both the strange world of external nature and equally strange world of his own internal

nature; and it increases his capacity to control or guide various aspects and processes of that world.

As a result, everything in psychosocial evolution which can properly be called advance, or progress, or improvement, is due directly or indirectly to the increase or improvement of knowledge.

Science, as Dr Bronowski stresses, is not merely a discovery of pre-existent fact: it is also, and more importantly, a creation of something new. It is just as creative as art, though in a different way. Scientific laws are not something existing from eternity in their own right or in the mind of God, waiting to be discovered by man: they did not exist before men of science formulated them. The same is true of scientific concepts, like atom, or electric potential, or evolution.

Scientific laws and concepts alike are organized creations of the human mind, by means of which the disorderly raw material of natural phenomena presented to crude experience is worked into orderly and manageable forms. A scientific concept is an intellectually effective integration of experience just as a painting is an aesthetically effective one.

Thus science is not only concerned with discovering facts: it is still more concerned with establishing relations between phenomena. Scientific comprehension was increased by relating the supposedly opposed qualities of heat and cold in the common concept of a scale of temperature; by bringing a number of apparently unrelated physical activities in relation with each other through the principle of the conservation of energy; by employing the concept of metabolism to perform the same service for a

number of biological activities. A good scientific theory brings together a swarm of separate phenomena and their attendant concepts in a single unified pattern of relatedness. Modern evolution theory, for instance, has spun a comprehensive web of relations between the phenomena of cytology, genetics, adaptation, palaeontology, reproduction, embryology, behaviour, selection, systematics, and biochemistry.

Science is also concerned with understanding the systems of relatedness to be found in nature. This means the study of organization on every level — the level of atoms, of molecules, of individual organisms, of societies, of ecological communities. That being so, science cannot be only a matter of analysis, as is often erroneously supposed. It must start from the organizations to be found on any level. After studying them descriptively, comparatively and functionally, it can then try to analyse them into lower-level elements, and finally attempt a theoretical resynthesis. It is no good trying to start from a lower level. Nobody could have built up the triumphant principles of modern genetics merely from a knowledge of biochemistry: genetic theory had to start with phenomena on the biological level, like mitosis and mendelian segregation, taking the facts of biological organization for granted. Only much later was it possible to analyse and understand genetic phenomena in biochemical terms, as we can now begin to do, thanks to Watson and Crick's brilliant theory of self-replication of certain kinds of nucleic acid molecules.

Science is a self-correcting and self-enlarging system. It aims to unify experience. It creates patches of organized knowledge in the vast expanse of human ignorance. The patches of knowledge grow, and may fuse to form more comprehensive patterns. The trend is clearly towards an eventual single organization of conceptual thought, holding all aspects of experience in its web of relations, uniting all the

separate patches of knowledge into one living and growing body of organized understanding. But meanwhile great gaps of ignorance still separate some of the partial systems, some of which are still isolated islands scientifically cut off from their neighbours, while some areas of experience are still recalcitrant to the method of science and remain outside its system.

The immediate need is for the scientific studies of values. Philosophers and theologians sometimes assert that this is impossible, claiming that values lie outside the range of science. The Humanist cannot accept this: after all values are phenomena, and therefore capable of being investigated by the methods of science. They are phenomena which only appear on the psychological level, and accordingly science must first approach them on this level. It must ask appropriate questions about them: In what psychological circumstances do values come into being? Out of what raw materials are they constructed by man's psychometabolic activity? What functions do they perform in psychosocial evolution? How do they change and evolve? And just as science had to devise special methods for dealing adequately with multicausal phenomena, especially where they are not amenable to experiment, so, as time goes on, it will have to devise special methods for dealing effectively with phenomena with a strong subjective component. But a successful beginning has already been made.

The study of values is a part of the one really major problem now before science—the problem of relating mind and mental activities to the rest of the phenomenal universe in a single scientific picture. Here too there is much hard work ahead; but here too, as Sir Russell Brain shows in his chapter in this book, a considerable measure of success has already been achieved, partly through the evolutionary study of animal behaviour, partly through the developmental study of human behaviour, partly through a joint physiological and psychological attack on human

mental activity.

The irresistible trend towards the creation of one comprehensible scientific picture of the world of man's experience emerges even more clearly when we look at science historically. Since the dawn of the scientific revolution some three hundred and fifty years ago, science has steadily invaded new fields. First of all, mechanics, astronomy, physics; then chemistry and natural history; next followed geology and physiology and embryology, and then experimental and evolutionary biology; next was the turn of ethnology, then psychology, then sociology. Science

then proceeded to establish a footing in new territories like economics, archaeology, and social anthropology, and established connections between various separate disciplines with the aid of bringing sciences like biochemistry, social psychology, epigenetics, and astrophysics. We are now witnessing the invasion of the field of psychosocial phenomena by science.

Meanwhile, however, science has attained a new and very real unity and firmness of organization and is giving us a scientifically-based picture of human destiny and human possibilities. (to be continued.....) 🌈

Book Review :

My Tributes to Socialist Leaders: Dr. Prem Singh

Published by:

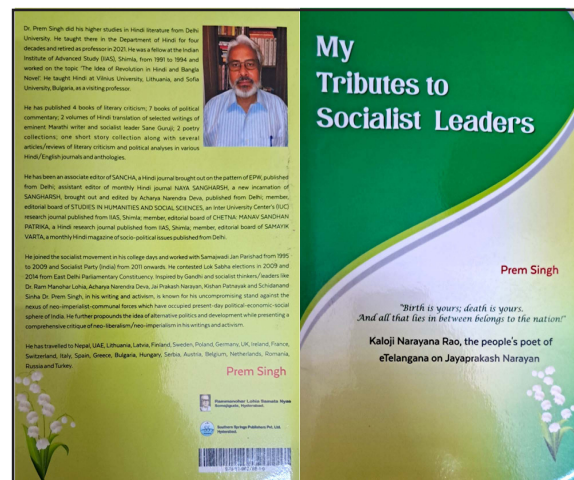
Rammanohar Lohia Samata Nyas, 6-3-648/401, 4th floor, Padmaja Landmark, Somajiguda, Hyderabad. Price: Rs. 250/-

Foreword

Socialist tradition in India deserves a place in the making of modern India. Unfortunately the mainstream historians either failed to recognize their contributions or downplayed them. Some scholars, both from the Left and the Right, viewed them as part of the social-democrats or within the known Marxist tradition but in the guise of some independent tradition. This has obfuscated the real contribution of the ingenious work done by them in theory and practice. Bipan Chandra once observed: "From the beginning the CSP leaders were divided into three broad ideological currents: the Marxian, the Fabian and the current influenced by Gandhiji." [Bipan Chandra et al,

(Eds), © Bipan Chandra, 1989, India's Struggle for Independence, Penguin Books, p. 306]. The reason for such cold-eye on this particular and genuinely Indian thought process appears to be its challenge to the mainstream socialism of the Marxist type or its interpretation and re-interpretation of Marxist theories to local conditions and re-aligning them with Gandhian action. Another reason appears to be that their continuous challenge to the predominant Nehruvian socialism.

Whatever might be the reason, it appears that the Indian socialist movement produced some of the brightest starts, illuminating the firmament of world socialism. There is no doubt that some serious interrogation into their contribution is the need of the hour. The fact remains that the socialists are the prime movers in the emergence of many backward classes of India as a political power, and in their realizing their potential and climb towards power, - both political and social. Especially in the northern India, in States like Uttar Pradesh, Bihar and in the South in Karnataka, the Backward classes found Lohia's thoughts as a vehicle for reclaiming their space.



There is a huge literature in the recent past on this tradition, on their role in the Indian independence movement, in the Quit India Movement, and in the freedom movements of certain other parts, viz., Goa, Travancore, North-East and Nepal etc. The centenary celebrations of Madhu Limaye, and Madhu Dandavate in 2022, of Lohia a decade ago, and of Jayaprakash Narayan two decades ago have allowed many scholars to re-examine their contributions to the making of post-independent India. Some recent scholarship in revisiting the Quit India Movement, and of the Emergency of 1975-77 – have added to a greater quantity and quality of literature on socialists. The Government of India's decision to award Bharat Ratna to Karpoori Thakur in 2024 is also likely to generate more interest among certain sections of scholarship in the future.

Prem Singh's "*My tributes to socialist leaders*"

is a compilation of the tributes the author has paid to various less-sung heroes of socialist tradition. There are two articles on Sathi Sunil, two on Justice Sachar, one on Karpoori Thakur, Madhu Limaye, Krishna Patnaik, Chandra Sekhar, Brijmohan Toofan, Surendra Mohan, Mrinal Gore, Prof. Vinod Prasad Singh, Bhaichandra Bhai Vaidya, Prof. Keshav Rao Jadhav, George Fernandez, Raghuvansh Prasad Singh, Jagdish Tirodkar. Those tributes, according to the author, have been written after 1991 when, with the implementation of New Economic Policies, neo-liberalism was being increasingly accepted and applied by the ruling class. Prem Singh's present work, we hope, would enrich the study of various shades of socialists. 🌈

Hyderabad

Date: June 2024

Ravela Somayya

Dr. A. Raghu Kumar



A Brief Report of the Extended Board of Trustees Meeting held at 2.00 p.m on 29th September 2024 at NOIDA

which was attended by the following Board of Trustees' Members and Special Invitees:

Board of Trustees:		Members
1. Mr. Vinod Kumar Jain	6. Mr. Debabrata Pal	1. Mr. Bhim Singh Shastri
2. Mr. Mahi Pal Singh	7. Mr. Suraj Deo Prasad	2. Mr. Jitender Prasad
3. Mr. Sheo Raj Singh	8. Mrs. Indira Verma	3. Mr. Sanjeev Kumar
4. Mr. Rajender Kumar Sharma	9. Mr. Rajesh Kumar Sharma	4. Mr. Venkat Saini
5. Mr. Ved Prakash Arya	10. Mr. Sandeep Chaudhary	5. Mr. Surya Kant Saini
The meeting was presided over by Mr. Vinod Kumar Jain, Chairman, Indian Renaissance Institute. First of all the Secretary welcomed the BoT members and other invitee members. Then all the members present gave their introduction as there were some new members present in the meeting. After that our Chairman, Mr. Vinod Kumar Jain, gave an introduction of M.N. Roy, his life as a revolutionary nationalist, his journey through various countries in search of weapons to begin an armed struggle against the British, his role and recognition as an important person of the Second Comintern in Moscow and later his disillusionment with the Marxist ideology as it did not promote individual freedom which he considered as of supreme importance for an individual and for the development of democratic society and his enunciation of the principles and theory of radical humanism. After that the minutes of the BoT meeting held on 21st January 2024 were read out and were confirmed unanimously by the BoT. Then Mr. Sheo Raj Singh presented an update about the 13, Mohini Road court case. There was a heated discussion about the negative role of Mr. N.D. Pancholi in the High Court. All the members unequivocally condemned the role of Mr. Pancholi in one voice and demanded stern action against him. Then, he presented the audited Balance Sheet for the financial year 2023-2024 which was duly approved by the BoT. He also informed the house that the financial position of Indian Renaissance Institute is not healthy at present. After that the membership of the following members was sanctioned by the BoT unanimously:		6. Mr. Mahesh Kumar
		7. Mr. Punit Kumar
		8. Mr. Partap Saharan
		9. Mr. Sanjeev Chaudhary
		10. Mr. Manoj Bhati
		11. Mr. Jitender Kumar

After that the membership of the following members was sanctioned by the BoT unanimously:

1. Mr. Partap Saharan (Delhi)	- Life Member	8. Mr. Gaurav Singh (Delhi)	- Annual Member
2. Mr. Rishabh Singh (Delhi)	- Life Member		(Two years)
3. Mr. Kritik Singh (Delhi)	- Life Member	9. Mr. Vivek Kumar	- Annual Member
4. Mr. Punit Kumar (Noida)	- Life Member		(Two years)
5. Mr. Sanjeev Chaudhary (Noida)	- Life Member	10. Mr. Suransh Kumar	- Annual Member
6. Ms. Deepali Jain (Noida)	- Life Member		(Two years)
7. Mr. Manoj Bhati (Noida)	- Life Member		

Then the Secretary thanked the Chairman, other BoT members and special invitees for attending the meeting and offering their suggestions for the better working of the IRI and the meeting was declared as closed.

Mahi Pal Singh
Secretary, Indian Renaissance Institute
29.09.2024

**Some members of
the Indian Renaissance Institute who attended
the Board of Trustees meeting at NOIDA
on 29th September 2024**



**‘Selections from
The Radical Humanist,
Volume I and II’ reach still
bigger readership**

As reported by www.academia.edu:

‘The Radical Humanist Volume I’ was your top paper last week - 2,035 Views till 06.02.2024

‘Selections from The Radical Humanist Vol. II’ was your top paper last week - 3,517 Views till 21.12.2023 ‘You have 562 highly engaged readers till 31.08.2024.

A total of 2,044 people have read your papers on Academia.’

The two volumes have been read in **277 cities in India and 648 foreign cities,** a total of 925 cities of the world.

Editor, ‘The Radical Humanist’