

THE RADICAL HUMANIST



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The Supreme Court of India



The Supreme Court of India comes under the Supreme Test of its integrity and faithfulness to the Constitution of India and restoration of the people's faith in the judiciary in the cases to be heard soon, like those of Waqf Amendment Act 2025, Composition of the Selection Panel of the Election Commissioners and Appeals against the elections of (BJP or NDA) candidates in the Haryana, Delhi and Maharashtra assembly elections held recently, allegedly by using State machinery or through dubious and illegal means.

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**Members who attended the General Membership Meeting of the IRI on 7 April 2019,
at Gandhi Peace Foundation, New Delhi.**

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(Now also available at our website: www.indianrenaissanceinstitute.com)

Dear Mahi pal jee,

Accept my sincere congratulations for the U tube on MNR views on Constitution in Hindi. It is simple, lucid & easy to understand by the common man. I like it. I will prepare its Gujarati version in article form for my Facebook readers before the end of this month.

- Bipin Shroff

Articles and Features :

Free Speech, Anyone?

If freedoms promised by Article 19 must mean anything, our politicians must grow more tolerant of criticism. Otherwise, we can't call ourselves a real democracy

R. Jagannathan

If India's democracy has to thrive, it cannot do so if our politicians have such thin skins, where a negative reference to Maharashtra's deputy CM by a stand-up comedian leads to Shiv Sainiks vandalising the venue of his performance. While opposition politicians suddenly rose up to condemn the vandalism and reaffirmed Kunal Kamra's right to his views on Eknath Shinde, the problem is that practically no politician in India is able to laugh off a joke or satire.

The other Sena (Uddhav Balasaheb Thackeray) claimed Kamra had every right to call Shinde a traitor since he broke the party. But when Uddhav was CM, a Sumeet Thakkar was booked for referring to him as a "modern-day Aurangzeb" and his son Aditya Thackeray as "Baby Penguin". An independent MP, Navneet Rana, and her husband were booked merely for threatening to recite the Hanuman Chalisa outside Uddhav's residence, and the

courts even found some merit in the police action.

Businessman Ravi Srinivasan was arrested with alacrity for accusing Karti Chidambaram, son of former home and finance minister P. Chidambaram, of amassing "more wealth than (Robert) Vadra". In Mamata Banerjee's Bengal, a Jadavpur University professor was sent to jail merely for forwarding a cartoon lampooning the CM. In Delhi, Tajinder Bagga, a BJP leader, was hounded by Punjab police (till the courts gave him relief from arrest) for alleged negative references to the Delhi CM Arvind Kejriwal.

And even as Kamra's comedy venue was being vandalised, some other alleged upholders of democracy in Tamil Nadu were busy attacking the home of YouTuber Savukku Shankar, pouring filth and human excreta on his home when his mother was inside. Shankar has been critical of corruption under DMK-Congress tenure and has accused the Tamil

Nadu Congress president as being the man behind the attack.

The point of producing such a long (and far from exhaustive) laundry list of attacks on free speech is to show that no political party, no politician, can be trusted to uphold the right of citizens to say their piece.

This is a real problem, for the law is meant to protect the citizen from arbitrary action by the state for merely expressing an opinion. But if the people running a state are themselves eager to use the law to silence critics who can do no more than raise a laugh or two, what chance does free speech have?

The boilerplate response of the state, when confronted with the need to protect free speech, is that the right to free speech is not absolute. The problem begins with the wording of the law, where interpretations can be so wide that almost anybody can be booked and harassed for speaking his mind. Take the first amendment to Article 19, which came almost as soon as the Constitution was adopted. Proviso 19(2) has this to say about the limits to free speech:

“Nothing in sub-clause (a) shall affect the operation of any existing law, or prevent the state from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right (to freedom of speech) conferred by the said sub-clause in the interests of the sovereignty and integrity of India, the security of the state, friendly relations with foreign states, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.”

Now, what constitutes a threat to public order, decency or morality can be defined by a police officer differently in different circumstances. Is calling someone a traitor or Baby Penguin defamation? And what if someone were to criticise Russia or Israel, which are India-friendly countries, when this can be deemed to be reason enough to curtail your right to criticise them?

And then there is that huge area related to hurting religious feelings. Section 295 of the old Indian Penal Code says that “Whatever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.”

Now, how does one know what the intentions of the person criticising a religious entity or the religion itself were, and can anyone claim insult to his religion and feelings based on his own subjective assessment? Is it any surprise that the law and order machinery swoops in to stop anyone from saying anything about any religion claiming that it would have hurt somebody’s feelings and may have led to violence?

The truth is there are simply too many restrictions on free speech, and almost anything said by anyone can result in an FIR being filed with arrests to follow. And since, in the Indian system, the process is often the punishment, nothing ultimately needs to be proved against the alleged culprit, for by then he or she would have got the message: don’t mess with politicians, for they can set the law’s watchdogs against you even for flimsy reasons.

If free speech has to have any chance of surviving in our volatile democracy, the reform must begin with politicians, for it is they who control the levers of power. The courts, if anything, must ensure that politicians and police personnel who misuse power just to show who’s boss are punished exemplarily. And quickly. Otherwise, we will remain a democracy where we only have the freedom to elect our leaders, but no ability to regulate their conduct once elected.

Courtesy **The Times of India**, Mar 26, 2025. 

The fall and slide of coalition politics

Vandita, The Indian Express

This week the BJP-led NDA re-acquired an estranged ally, the AIADMK in Tamil Nadu — the two were partners in the 2019 Lok Sabha election and the 2021 Assembly election but parted ways in September 2023. The alliance may prove to be crucial, or not, in the next assembly poll in the state in 2026. But one thing is certain: It is unlikely to significantly tweak or rebalance the larger story of alliance between the national party and the regional ally in a federal polity, which is now tilted against the smaller allies and towards the big party.

The pact between polity-wide and single-state parties was first sealed under the Centre's arc lights after the collapse of Congress dominance in 1989, and it was firmed up in the 1990s through the two United Front (UF) and first NDA governments. In a diverse and layered political system, this power-sharing held the promise of a democratic deepening. That pact has faded and frayed since.

For a brief while, the BJP's setback in the 2024 Lok Sabha election, its falling short of a majority leading to its dependence on regional allies, had seemed to signal a revival of the politics of negotiation and bargaining. But that impression turned out to be misleading.

The third term Narendra Modi government is a coalition only in name even though it needs allies like the TDP and JD(U) and LJP to make it to the half-way mark. It behaves like a single party government. It has abandoned the coordination mechanisms and practices of earlier coalition governments, and which also characterised an earlier NDA government led by Atal Bihari Vajpayee.

Modi 3.0 has no common minimum programme (CMP), no coordination committees. NDA allies do not meet with any regularity, relying, instead, on ad hoc, one-on-

one, personality-oriented interactions that end up disadvantaging the smaller party. When they do meet, "Allies hail PM Modi" is much more likely to be the next day's headline, not discussions on "coalition dharma", what it means today, or what it should mean.

Look closer at the BJP's main allies today, and it is evident that they are not in a position to demand a larger space at the decision-making table, or a fairer power-sharing. The JD(U), ahead of an assembly election in Bihar later this year, is in the midst of an unchecked unravelling. Its leader Nitish Kumar is a waning and waning political presence because of health problems and also due to the plateauing, on his watch, of the Bihar turnaround story. A party struggling to hold on to space in its own state is unlikely to press at the Centre its right to participate, and to be consulted.

In Andhra Pradesh, the Chandrababu Naidu government depends on financial grants from the Centre if it has to move ahead on the Amaravati and Polavaram projects that are touted as game-changers in the depleted and bifurcated state. He also calculates that he cannot take on his strong opponent, YS Jagan Mohan Reddy, on his own, without the BJP. The LJP's Chirag Paswan, at the head of a party that has lost its tall leader and then been split, is still a leader in the making.

It is no wonder, then, that all three parties which count on the electoral support of the Muslim minority, assented to the BJP-piloted Waqf Amendment Bill. Or that Naidu does not make the fallouts of delimitation an issue and no more harps on his demand for Special Category Status for Andhra Pradesh, because of which he had walked out of the NDA in 2018. No wonder, too, that instead of driving a better bargain with the BJP, Chirag Paswan

calls himself “Hanuman” of PM Modi.

If the allies are weak even though the BJP depends upon them, the BJP remains strong, even though its tally at the Centre has dipped.

The fact is that the Modi-BJP which raced past the half-way mark on its own in 2014 and 2019, is unwilling to give up the habits of a majority-wielding party. It has cultivated a personality cult around Modi, and centralised all power within government and party. It draws hard lines with its opponents and demands submission from its allies. It counts on the fact that, even though its numbers dwindled in 2024, it has reset the political centre of gravity, and makes its opponents fight on its field. It counts, also, on regional parties’ perceptions of the Congress’s continuing lack of coalitionability.

Despite Congress’s fall and fall — interrupted by the 2024 blip, when it nearly doubled its LS tally — stories abound of a less-than-engaged, still-haughty leadership. Of course, the BJP took to the coalition game relatively much more easily — in many states, leveraging its position as a third party to form electoral alliances with major state parties in order to grow — and the Congress was at the receiving end till 2004, when it formed the UPA and acquiesced to large-scale alliances. But Congress remains an unattractive party to ally with. It continues to be the reluctant latecomer to coalition politics. It does not accord the

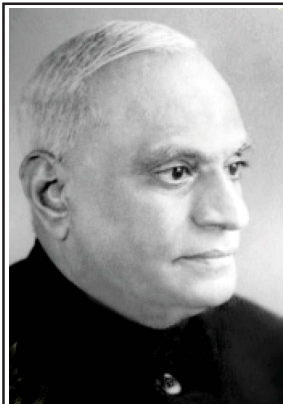
respect its ally demands of it, and in recent times does not even have the bait of power, or impending power, to paper over it.

It wasn’t always like this. Before it took several steps back and ground to a standstill, the story of coalition politics, which started with informal seat adjustments between parties, had notched notable institutional innovations and successes.

The increase in the number and diversity of parties represented at the national level first drew attention in the post-Congress polity with the formation of the National Front government in 1989, but that government did not have any formal mechanisms of power-sharing.

As the work of political scientist KK Kailash has meticulously documented, these mechanisms started coming in the 1990s — be it the UF’s common minimum programme and steering committee, or the NDA’s National Agenda of Governance and GoM (Group of Ministers). The UPA carried these forward. It had the National Common Minimum Programme, and the GoMs, which gave representation to different alliance partners and their particular concerns. It added to the coalition repertoire a coordination committee with a partner (Left) that supported it from the outside.

That story of institutionalisation of coalition mechanisms has now been reversed more or less, more rather than less — by a government that calls itself a coalition, ironically. 🌈



UNEMPLOYMENT IS THE PROBLEM OF PROBLEMS WHICH HAS MADE OUR YOUTHS NAXALITES. EDUCATED YOUTH ARE DEPRIVED OF ALL DESERVING COMFORTS AND THEIR GROWING DISCONTENT HAS GIVEN SCOPE FOR THE SPEDY GROWTH OF NAXALISM.

-V.V. GIRI

Supreme Court clears Congress MP Pratapgarhi, champions free speech in literature, stand-up comedy

The Supreme Court on Friday said the fundamental right to free speech through poetry, theatre, stand-up comedy and satire must be cherished

even as it quashed a criminal case registered by the Gujarat Police accusing Congress MP Imran Pratapgarhi of inciting discord through his poem on “suffering injustice with love”.

The judgment was based on an appeal filed by Pratapgarhi against the registration of a criminal case by the Gujarat Police under Section 196 (promoting disharmony) of the Bharatiya Nyaya Sanhita.

“Seventy-five years into our Republic, we cannot be seen to be so shaky on our fundamentals that a mere recital of a poem, or for that matter, any form of art or entertainment, such as stand-up comedy, can be alleged to lead to animosity or hatred amongst different communities. Subscribing to such a view would stifle all legitimate expressions of view in the public domain, which is so fundamental to a free society,” a Bench of Justices A.S. Oka and Ujjal Bhuyan wrote in its verdict.

The top court said free speech was an integral part of a healthy and civilised society. A person’s views cannot be silenced merely because the majority does not like the sound of them. The law enforcement authorities and courts must employ the standards of reasonable, strong-minded, firm and courageous minds, and not weak and vacillating ones who scent danger in every hostile point of view, before initiating criminal action against freedom of expression.

“Acceptance of the freedom to express a view which may not accord with the mainstream are cardinal values. A society wedded to the rule of law cannot trample upon the rights of those who

assert views which may be regarded as unpopular or contrary to the views shared by the majority. Right of the playwright, of the artist, writer and of the poet will be reduced to husk if the freedom to portray a message – whether it be in canvas, prose or verse – is to depend upon the popular perception of the acceptability of that message,” the Supreme Court quoted.

Justice Oka, who authored the judgment with inputs from Justice Bhuyan, said the state and the police should not play ball to victimise individual opinions on behalf of those crippled by insecurity and view criticism as a threat to their power and position.

Justice Bhuyan explained to Solicitor General Tushar Mehta that the “reasonable restrictions” on free speech must remain reasonable.

“Restrictions cannot be harmful or oppressive. Restrictions cannot overshadow the fundamental right to free speech,” Justice Bhuyan said pointedly.

The apex court highlighted that the police and the government have a duty to uphold and honour individual right to speech and expression. “Literature, including poetry, drama, films, stage shows, satire and art make life more meaningful... The rights of persons to express their views and thoughts must be cherished,” Justice Oka underscored.

If the police and government fail to protect free speech, the courts must step in without fail. “It is the bounden duty of the courts to ensure that fundamental rights of citizens are not trampled upon... Without free thought and expression, it is impossible to live a dignified life guaranteed under Article 21 of the Constitution,” Justice Oka wrote.

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

Explained: How a landmark Supreme Court judgement has ended the governor's 'pocket veto'

The apex court curbed the governor's legislative power, set strict timelines for approval for bills and berated Tamil Nadu Governor RN Ravi for vetoing bills.

Vineet Bhalla

In a significant ruling clarifying the powers and duties of state governors, the Supreme Court on Tuesday established clear guidelines for how they should deal with bills passed by state legislatures. By limiting their ability to indefinitely withhold action on bills, the decision addresses long-standing concerns about unelected governors delaying or potentially blocking legislation passed by elected legislatures.

This judgment arose from a petition by the Tamil Nadu government in 2023 detailing a protracted standoff with Governor RN Ravi over legislative approvals. Deciding the petition, the bench of Justices JB Pardiwala and R Mahadevan held that governors cannot wield absolute power to reject bills outright. They must provide reasons if they choose to withhold assent and return the bill to the state assembly for reconsideration. If the assembly repasses the bill, the governors lack the authority to refer it to the president.

The court introduced specific timelines for these actions and held that the governor's conduct is subject to judicial review, thus safeguarding the democratic process from being unduly checked by an unelected official.

Scroll unpacks this historic judgement, authored by Pardiwala.

Tamil Nadu versus Ravi

In 2023, the Tamil Nadu government brought its long-running dispute with Ravi to the Supreme Court, highlighting significant delays affecting the state's governance. Its primary complaint focused on the governor's prolonged failure to sign into law 12 bills passed by the state

assembly, some pending since 2020.

Following the court issuing notice to Ravi in the matter, the governor finally acted in November 2023. He withheld his approval for ten bills, without providing specific reasons for withholding assent. He did not approve the remaining two either, sending them to the president of India for consideration.

The Tamil Nadu Assembly responded within a few days by convening a special session and swiftly passing the ten bills again, without any changes. Under the Constitution of India, when a legislature repasses a bill after assent was withheld, the governor is expected to grant approval. However, Ravi took a different course, reserving these repassed bills for the president, citing supposed conflicts with national laws.

This specific step – reserving bills after they had been reconsidered and repassed – became the central legal issue that the Supreme Court dealt with. While the Tamil Nadu government also flagged in its petition, delays in administrative sanctions and appointments by Ravi, the judgement focused on the governor's legislative role under Article 200 of the Constitution.

Untangling Article 200

Article 200 lays out the process for when a state legislature passes a bill and sends it to the governor. The governor has three main options: grant assent, making the bill a law; withhold assent; or reserve the bill for the president's consideration.

Disputes between state governments and governors often revolve around the second

option: withholding assent. Article 200 has a specific procedure for this scenario. If the governor withholds their assent for bills, they may return the bill “as soon as possible” to the legislature with a message explaining their reasons or suggesting changes. If the assembly then passes the bill again, with or without accepting the suggestions, the Constitution mandates that the governor “shall not withhold assent” this second time.

This framework raised several critical questions that the Supreme Court’s judgement dealt with. Is returning the bill mandatory or optional for the governor after withholding assent? Can a governor delay this indefinitely – exercising a so-called pocket veto? Can they simply withhold assent without explanation, effectively killing the bill: an absolute veto? Can they reserve a bill for the president *after* the assembly has passed it again? Does the governor act independently or on the state government’s advice? Are there time limits for the governor’s legislative actions? Can courts review these actions?

Limiting discretion, mandating timeliness

The judgment provided clear answers, significantly restricting the governor’s powers in line with explicit constitutional procedures.

The Supreme Court clarified that the governor withholding assent is not a final rejection. It must trigger the procedure of returning the bill to the legislature with the governor’s feedback “as soon as possible”. The idea that the governor can simply withhold assent without explanation or further action – essentially exercising an absolute veto – has no basis in the Constitution, the court ruled. A bill only fails if the legislature, after getting it back, decides not to pass it again.

The concept of a so-called pocket veto by the governor through indefinite delay was also dismissed by the court. It stressed that the constitutional requirement for the governor to

“declare” a decision, along with the phrase “as soon as possible” for returning bills, imposes a duty to act promptly. Keeping bills in limbo indefinitely is unconstitutional, it held.

The ruling also dealt with repassed bills. The court held that once a bill is returned and then passed again by the state assembly, the governor is constitutionally required to grant assent. The words “shall not withhold assent” within Article 200 are a binding command. Reserving such a repassed bill for the president, as Ravi did in this case, is generally illegal. The court acknowledged a narrow, theoretical exception: if the legislature, during reconsideration, were to add entirely new elements that fundamentally changed the bill and raised fresh constitutional issues possibly requiring presidential review.

Regarding the governor’s independence, the court reiterated that they generally must act on the advice of the state’s council of ministers. Article 200 explicitly allows the governor discretion only for reserving bills that could weaken the state’s High Court. Other instances are rare, said the court, such as when the Constitution requires the President’s approval for a state law – such as for resolving conflicts with central laws under Article 254(2) – or in truly extreme situations where following ministerial advice would endanger democracy or the rule of law. Personal dislike of a policy or political differences are not valid reasons for a governor to ignore the State government’s advice, the court held.

Addressing the issue of delays, the court prescribed operational timelines, drawing guidance from government-constituted commission reports and previous government guidelines. Accordingly, a governor should act within one month if following ministerial advice, or three months if acting against ministerial advice in returning or reserving a bill for presidential consideration. Assent to a repassed bill should be given by the governor

within one month. The president, when considering reserved bills for their consideration by the governor, should decide within three months, explaining any delay beyond that to the state.

Significantly, the court affirmed that the governor's actions – or inaction – under Article 200 are subject to judicial review. After this judgment, the act of withholding assent or reserving a bill for presidential consideration by the governor, and even the president withholding assent, can be examined by courts. This may be done on grounds of illegality, unreasonable arbitrariness, or actions taken in bad faith or with dishonest intent.

Outcome for Tamil Nadu

Applying these principles, the court declared the Tamil Nadu governor's reservation of the ten re-passed bills for the president illegal and void from the beginning. This nullified any subsequent presidential action on these bills as well.

The judgement also severely criticised Ravi's conduct in indefinitely sitting on the bills. It said that his actions had "been lacking in bonafides" and were "in clear violation of the procedure envisaged under the Constitution". He "failed in showing due deference and respect to the judgments and directions of" the Supreme Court. It noted that in the discharge of his functions, Ravi seemed motivated by "other extraneous considerations".

Considering what the judgement called Ravi's "attempt to deliberately bypass the constitutional mandate", the court had to resort

to its special power under Article 142. This provision allows the court virtually unfettered power to deliver "complete justice". The court chose not to send the bills back to Ravi since it found it "difficult ... to repose [its] trust" in him to not further delay the matter. Instead, it declared that the ten bills were considered to have received the governor's assent on November 18, 2023: the day they were presented to him after being re-passed by the state assembly.

Why this ruling matters

Federal relations in India over the last decade have been characterised by the ruling Bharatiya Janata Party installing hostile governors in opposition-ruled states. As a result, governors sitting on bills is now a common occurrence in Indian politics. Apart from Tamil Nadu, Telangana, Punjab, Kerala and West Bengal have approached the Supreme Court, alleging gubernatorial interference in their work.

In this backdrop, the Supreme Court's judgement creates a significant judicial check on potential overreach by governors, clarifying the limits of their legislative role. It reinforced the authority of elected state assemblies by removing the unelected governor's ability to exercise absolute or indefinite vetoes over their bills. The introduction of enforceable timelines and clear procedures, backed by judicial review, creates a vital accountability mechanism against delays that can paralyse state governance.

Courtesy **Scroll.in**, 14 April 2025. 

The Radical Humanist on Website

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

– Mahi Pal Singh

Judges & GOI : A Murky Tale

Dhananjay Mahapatra

The executive has always attempted to influence constitutional court appointments. Several judges have been complicit. Here's a brief history that drives home the urgency of reforming judges' appointments

On Jan 26, 1950, the first chief justice of India took office under the new Constitution. Three days before CJI Harilal Jekisundas Kania took this oath, his comments on a Madras high court judge (Bashir Ahmed) evoked a sharp reaction from the prime minister. Nehru wrote to home minister Sardar Patel that Kania was being “unjudicial and indeed improper”. Patel deputed the home secretary to convince Kania not to give an adverse opinion on Justice Bashir.

Thus, the executive's attempts to influence CJI, for appointments to constitutional courts, are as old as the Supreme Court itself. The Nehru era saw such attempts fuelling apprehensions about the dilution of judiciary's independence.

In 1958, the first law commission, led by MC Setalvad, in its 14th report put the blame primarily on chief ministers becoming a source of patronage for those aspiring to become HC judges.

Along similar lines, the second CJI M. Patanjali Sastri said after retirement that marked deterioration in standards in HCs was “mainly due to unsatisfactory methods of selection that are often influenced by political and other extraneous considerations”.

The seventh CJI PB Gajendragadkar objected to home minister, GL Nanda's proposal for large-scale transfer of HC judges, saying it would create “great bitterness” and “uneasiness” among judges and impact the independence of judiciary.

Till 1970, the executive always appointed the senior-most among SC judges as CJI. And amidst questions about appointments to

constitutional courts, every CJI's public statement was that govt had given primacy to his views.

After ego-bruising judgments in the privy purses, bank nationalisation and Kesavananda Bharati cases, a vindictive Indira Gandhi govt binned the ‘senior-most’ criterion. It appointed Justice AN Ray, fourth in seniority, as CJI – superseding JM Shelat, KS Hegde and AN Goveer. The three self-respecting judges promptly resigned on April 25, 1973.

In a crude defence of these supersessions in Parliament, steel and mines minister S Mohan Kumarmangalam, said, “Certainly, we as a govt have a duty to take (into consideration) the philosophy and outlook of the judge in coming to the conclusion whether he should or should not lead the Supreme Court.” It was a search for judges compatible with govt. Justice Ray fit the bill.

In 1976, during the Emergency, leading lights of the apex court really capitulated to brute executive power. In the ADM Jabalpur case, they cravenly upheld the suspension of fundamental rights, including right to life. Justice HR Khanna's courageous solo dissent invited govt wrath.

When Ray retired in Jan 1977, Indira govt superseded Justice Khanna to appoint Justice MH Beg as CJI. Justice Khanna resigned. Justice Beg, who had aligned with govt's view in the Kesavananda and ADM Jabalpur cases, on retirement became director of *National Herald* and received Padma Vibhushan. Since then, GOI has never appointed a cJI by supersession. But it continues to attempt

appointing loyalists as constitutional court judges.

Post-Emergency, Janata Dal govt implemented an important change by insisting that CJI must consult his two most senior colleagues while nominating persons for judgeship, in order to broad-base the assessment of merit. But even during the short-lived Janata govt, some bar bodies protested against supersession of HC judges, ostensibly to appoint the top three SC judges' favourites.

When Indira returned as PM in 1980, lengthy delays in filling vacancies in SC and HCs became common – such delays have been virtually weaponised in HC judge appointments today. The new govt's first appointment to SC in Dec 1980 was Baharul Islam, a Congressman who dabbled in politics and judgeship per party diktat.

In the 1990s, through two judgments, SC wrested back control of selecting judges, with a collegium system intended to insulate judicial appointments from executive interference.

When AS Anand was CJI (1998-2001), President KR Narayanan was very insistent about an early appointment of Justice KG Balakrishnan as an SC judge, which would have given him more than five years as CJI. Narayanan threatened not to sign warrants of appointments of judges till his wishes were fulfilled. CJI Anand held several rounds of discussion with Narayanan to mellow him down.

During CJI Anand's tenure, Justice RC Lahoti, junior to Justice YK Sabharwal in Delhi HC, was dsbrought to SC directly – this involved a manoeuvre in which Justice Sabharwal was first sent to Bombay HC, as chief justice. Later,

Sabharwal too became an SC judge and succeeded Lahoti as CJI.

Justice Dipak Misra and J Chelameswar took oath as SC judges on Oct 10, 2011. Underlying tension between them exploded in public after Misra became CJI as he had taken oath ahead of Chelameswar. The latter employed every possible method – including an infamous press conference – to attempt to dislodge Misra and become CJI.

Over the couple of decades, many supersessions and unwarranted transfers of HC judges have taken place. Appointment of Justice JB Pardiwala as an SC judge was meant to prevent Justice Dipankar Datta from becoming CJI. Had Datta, who was senior among the two, taken oath before Pardiwala, then both would have had more than a year's tenure as CJI.

It's against this fervent backdrop that Parliaent passed the National Judicial Appointments Commission Act in 2014. Its proclaimed target was to infuse tranparency in the opaque appoitment process of judges and to stop the 'you scratch my back, I scratch yours' phenomenon. SC, while admitting to shortcomings in the collegium system, struck NJAC down saying that it would hurt judicial independence.

There is a way both aims – maintain the primacy of judiciary in the judge-selection process and infuse trnsparency in this process – could be achieved. NJAC composition could be altered to comprise CJI and four most senior SC judges, law minister and an eminent jurist.

Courtesy **The Times of India**, 1 April 2025. 🌈

When a man is denied the right to live life he believes in, he has no choice but to become an outlaw.

- : Nelson Mandela



Why there's a Need for an All India Judicial Service

The root cause for the rot in higher judiciary is the way high court judges are being selected and appointed.

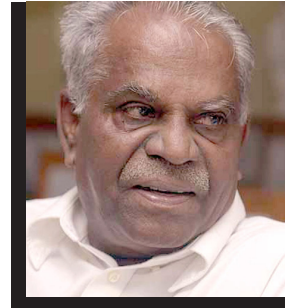
In recent times, high court judges have been in the news for all the wrong reasons – casteism, communalism and corruption. A few years ago, while addressing a Tamil Brahmins global meeting in Kochi, Kerala high court judge Justice V. Chitambaresh said: “Who is a Brahmin? A Brahmin is twice born, because of his *poorva janma sukratham* (good deeds of his past life). He has certain distinct characteristics, clean habits, lofty thinking, sterling character, mostly vegetarian, and a love of Carnatic music. All good qualities rolled into one is a Brahmin...”

In the Madras high court, the general secretary of the Bharatiya Janata Party's (BJP's) Mahila Morcha – Lekshmana Chandra Victoria Gowri – was recently sworn in as a judge. Among her communal statements were: “As far as India is concerned, I would like to say Christian groups are more dangerous than Islamic groups. Both are equally dangerous in the context of conversion, especially love jihad... The problem of Christian (sic). If the Islamic terror (sic) is green terror, the Christian terror is white terror.”

On December 8, 2024, Justice Shekhar Kumar Yadav, a sitting judge of the Allahabad high court, delivered a speech at a gathering organised by the Vishwa Hindu Parishad (VHP), a right-wing Hindu organisation. While ostensibly speaking about the Uniform Civil Code (UCC), Justice Yadav seemed to endorse a system of majoritarian rule while also using phrases like ‘*humaari Gita, aapki Quran* (our Bhagavad Gita, your Quran)’ and a derogatory word like ‘*kathmullah*’.

Then we had this gem from the division

bench of the Madhya Pradesh high court comprising Justices Sushrut Arvind Dharmadhikari and Gajendra Singh: “It took almost five decades for the



M.G. Devasahayam

Central government to realise its mistake; to acknowledge that an internationally renowned organisation like RSS was wrongly placed amongst the banned organisations of the country and that its removal therefrom is quintessential. Aspirations of many central government employees of serving the country in many ways, therefore got diminished in these five decades because of this ban.”

Now we have this case of sacks of currency notes at the residence of a Delhi high court judge. “As the Supreme Court released videos and photos of burnt cash allegedly recovered from Justice Yashwant Varma’s residence on Saturday, the Delhi high court judge vehemently denied the removal or seizure of any currency notes from his building following a fire incident in his storeroom last week.”

Hopefully the Supreme Court-ordered inquiry will bring out the facts.

The root cause for the rot in higher judiciary is the way high court judges are being selected and appointed. In this highly flawed process, names are made public only after selection by the collegium. “The selection process is entirely opaque and behind closed doors, where the parties involved are the collegium and the government (through the Intelligence Bureau). This not only has transparency costs, but also,

the costs are asymmetrical: it is but obvious that where the government approves of a particular candidate, it can simply withhold relevant information from the collegium. This, then, creates a situation: by the time that a candidate's name is in the public domain – thereby allowing for relevant material to be brought to the collegium's notice by the public – the selection has already been made. Once again, the fall-out of this is asymmetric: given that the government retains the power of formal appointment, when it approves of a candidate, it can rush the process through.”

This situation has serious and severe ramifications for the constitutional scheme of separation of powers, independence of judiciary and delivery of justice to India's parched millions. The selection and appointment of high court judges has been a long festering issue between the Union government and Supreme Court that is begging for a solution. The bone of contention is the Memorandum of Procedure (MoP) which will be the rule governing appointment of judges. Strange as it may seem, India's higher judiciary, which adjudicates every law and rule in the country, is itself functioning without any rule.

In 2015, the Supreme Court struck down the government's proposal to set up a National Judicial Appointments Commission (NJAC) for appointment of high court and Supreme Court judges. Since then, the government and the collegium have not been able to finalise the MoP.

This is because of the sharp difference of opinion between the two on many counts. Some of them are:

- 1) Power to reject candidates: Government proposes to retain power for rejection of candidates recommended on grounds of national security/public interest. Collegium is opposed to this.
- 2) Writing down reasons: Government wants that in case a senior judge is being overlooked for elevation to the Supreme

Court, the reasons for the same be recorded in writing and the views of all five judges of the collegium must be made known to the government. The collegium does not favour this.

- 3) Binding recommendation: As per the existing system, the collegium's recommendations can be sent back but if it reiterates the same, it is binding on the president. Government is asking for “participatory consultative process at the highest level”.
- 4) Consultative mechanism: Government proposes to set up a committee to assist the collegium in evaluation of candidates. The collegium feels this is not necessary.
- 5) Candidate's database: Government proposes a secretariat under the law ministry that maintains a database of judges, schedules collegium meetings, maintains records and receives recommendations and complaints related to judges' postings. The collegium wants this under the ambit of the registrar of the Supreme Court.

Proponents of NJAC argue that selection to the higher judiciary must be made by a full-time (not ex-officio) body, which is independent of the government and the judiciary and which goes about the selection in a rational and transparent manner. The business of selecting hundreds of judges in a year to the higher judiciary, if done properly, would require at least a thousand candidates to be considered and comparatively evaluated over multidimensional criteria in a fair and rational manner. This would require a full-time body, which could totally devote itself to this process, with professional support.

There has to be transparency in the selection to prevent arbitrariness or nepotism. It would require that the criteria for selection of judges and standard of evaluation of candidates be made known and names of shortlisted/selected

candidates announced before appointment, so that those who have relevant information about the candidate can send it to the appointing authority. Basic criteria to judge the competence of a candidate should include integrity, competence, judicial temperament, common sense and sensitivity towards the problems of the common man, among others. But in India's deep-rooted culture of favouritism, cronyism and nepotism this is utopia.

Actually, the tussle is between an ex-officio group called collegium and a full-time commission, both non-constitutional entities. Hence the crisis and the conundrum that has now assumed alarming proportions, all because of a historical blunder. At the time of independence, there were two All India Services (AIS)-Indian Civil Service (ICS) and Indian Police (IP). ICS was doubling as civil servants and judges. Since the constitution of India brought in separation of powers between executive and judiciary this arrangement was no longer tenable.

Therefore, Article 312 of the constitution mandated parliament to create one or more AIS. Sardar Vallabhbhai Patel got two of them (IAS and IPS) covenanted in the constitution itself. But B.R. Ambedkar, the law minister frittered away the opportunity and till date there is no All-India Judicial Service (AIJS). While the higher executive is manned by permanent civil servants recruited through a rigorous and transparent process, higher judiciary is occupied by the products of the spoils system which is secretive and has no rules, norms or standards.

Nevertheless, the issue of creation of AIJS keeps cropping up off and on. In 2010, three eminent jurists – Justice M.N. Venkatachaliah, Justice J.S. Verma, Justice V.R. Krishna Iyer – examined the issue in some length and opined thus: “We agree with the urgent need to constitute the IJS as envisaged by Article 312 of the constitution of India, at par with the other All India Services like the IAS to attract the

best available talent at the threshold for the subordinate judiciary, which is at the cutting edge of the justice delivery system to improve its quality. Moreover, the subordinate judiciary is an important feeder-line for appointments to the high court. The general reluctance of competent lawyers to join the bench even at the higher levels adds an additional urgency to the problem. IJS will, in due course of time, also help to improve the quality of the high courts.”

Various law commissions (first, eighth, and 11th) had also suggested the creation of IJS. Even the Supreme Court – in two of its judgments in 1991 and 1993 – had endorsed the setting up of IJS. Yet it is mysterious that this service has not materialised. In November 2012, a committee of secretaries chaired by the cabinet secretary had approved a “comprehensive proposal” for creation of the service.

Prime Minister Narendra Modi while addressing a function to celebrate the completion of 50 years of Delhi high court on October 31, 2016 sought a debate on creating AIJS which has been hanging fire right since independence. Union law ministry also floated the idea of chief justice of India convening a meeting of the chief justices of the high courts to arrive at a consensus on formation of AIJS.

As recently as November 26, 2023 during her inaugural address at the Supreme Court's constitution Day, President Droupadi Murmu called for an “All-India Judicial Service” to recruit judges, saying this will help make the judiciary diverse by increasing representation from marginalised social groups.

But nothing tangible seems to be happening to make AIJS a reality. Is the government waiting for the entire higher judiciary to collapse? The jury is out.

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

Courtesy **The Wire**, 26 March 2025. 

‘Language Of Love’ Will Survive Politics Of Religion

Faizan Mustafa

SC’s crisp lesson in India’s language heritage is an occasion to remember how syncretic Urdu’s evolution has been in India, and how strong & intricate its bond with Hindi is

Apni Urdu to mohabbat ki zabaan thi pyare, uff siyasat ne usse jod diya mazhab se – our Urdu was the language of love, but politics has joined it to religion. This couplet sums up the broad theme of the Supreme Court judgment, where Justice Sudhanshu Dhulia and Justice K Vinod Chandran school the opponents of Urdu, boldly and clearly.

Justice Dhulia unpacks an essential concept very usefully: “Language is not religion. Language does not even represent religion. Languages belong to a community, to a region, to people and not to a religion.”

Look at the Bangladesh’s creation. Urdu imposition on a Bengali-speaking people failed spectacularly. It is in India that Urdu truly has a special place. In no Islamic country does it have similar significance. Certainly not in Pakistan. In its four provinces Punjabi, Sindhi, Baloch and Pashto are the languages spoken by the Pak people.

Urdu first saw consequential development in the south. Father of Urdu poetry Wali Deccani (1667-1707) was from Aurangabad, Maharashtra. From the start, Urdu poets mocked religions for being poor at love. Wali himself found his beloved’s eyebrow more compelling than the *mihrab*, prayer niche. Its upward integration with the high culture of Mughal rulers was far less significant than Urdu’s grassroots cultural flowering.

Moreover, Muslims have no exclusive claim over Urdu. This is poetically illustrated by a variety of non-Muslim greats such as Lakshmi Narayan ‘Shafiq’, Chandu Lal ‘Sadan’, Kishen

Pershad ‘Shad’, Raghupati Sahay ‘Firaq’, Gulzar, and Brij Narayan ‘Chakbasti’ who interpreted Ramayan into Urdu verse.

From Deccani, Urdu evolved into something much more magnificent. As Justice Dhulia has written, it is “the finest specimen of *ganga-jamuni tahzeeb*, or the *Hindustani tahzeeb*, which is the composite cultural ethos of the plains of northern and central India”.

And whether or not we realise this, it is difficult for us to speak Hindi even for few minutes without the use of Urdu words. Eminent Hindi scholar Ramdhari Singh Dinkar has shared this insight: “In the pursuit of his poetic career I studied Tagore and Iqbal and kept swinging like a pendulum between the two. Urdu played a very significant role in bringing Hindi literature closer to the masses. Hindi literature is deeply indebted to Urdu.”

The word Hindi itself has been derived from the Persian word Hindavi. But Partition and the subsequent declaration of Urdu as the national language of Pakistan did affect the life of Urdu in India.

Constituent Assembly debates were heated on the issue. Seth Govind Das, for example, said, “We have accepted our country to be a secular state but we never thought that this acceptance implied the acceptance of continued existence of heterogeneous cultures... We want one language and one script for the whole country.”

RV Dhulekar, falsifying history, observed that since Muslims did not side with India in the freedom struggle, they had no right to plead for Urdu. He went on to communally say, “You may

belong to another nation but I belong to Indian nation, the Hindi nation, the Hindu nation, the Hindustani nation.”

These are just some of the statements showing that a strand of Urdu hatred has been with us since Independence. And yet, Urdu has thrived. Heterogeneity rather than homogeneity has been the reality, and beauty, of our republic.

There is no Partition between Urdu and Hindi. They do have distinct scripts but then scripts do not make a language. What makes languages distinct is their syntax, their grammar and their phonology. On these parameters, Hindi and Urdu have huge similarities. Even the Constitution only mentions them as two distinct languages out of political expediency, not linguistic realities.

Article 29 gives every citizen a right to conserve their distinctive language, script and culture. This is an absolute right that the framers did not subject even to reasonable restrictions. Urdu is one of the 22 languages in Schedule VIII of the Constitution and it is the sixth most spoken language in the country.

In *Jagdev Singh vs Pratap Singh* (1965), the Supreme Court held that the above right includes

the right “to agitate for the protection of the language”. In *Uttar Pradesh Hindi Sahitya Sammelan vs State of UP* (2014), a constitution bench upheld the 1989 decision of the UP govt declaring Urdu as the second official language of the state for certain purposes. In fact, Urdu is one of official languages in Bihar, Jharkhand, Telangana, Andhra Pradesh, Bengal and Delhi as well.

Another of Justice Dhulia’s most punchy myth-bursting salvos goes as follows: “The prejudice against Urdu stems from the misconception that Urdu is alien to India.” He underlines that Urdu, like Marathi and Hindi, is an Indo-Aryan language, a language very much born in this land.

Urdu, unlike English or French, was not brought to India by immigrants or imperialists. It is a precious Indian-origin flower and we must make sure it does not become an endangered species.

The writer is Vice-Chancellor of Chanakya National Law University, Patna. Views are personal.

Courtesy **The Times of India**, 17 April 2025. 🌈

Supreme Court clears Congress...

Contd. from page - (8)

The Gujarat Police had registered a case against Mr. Pratapgarhi, accusing him of promoting enmity among people of different groups on the basis of caste and religion. Justice Oka, during a March 3 hearing of the case, had remarked that the poem was a reference to non-violence, a path followed by Mahatma Gandhi himself. Mehta had however found the poem at best “sadak chaap” (cheap). He had objected to the comparison with Mahatma Gandhi.

The FIR was lodged on the basis of a complaint about an edited video featuring the MP with the poem playing in the background. The 46-second video clip, uploaded by Pratapgarhi on X, showed flower petals being showered at him as he walks waving his hands. The FIR found the lyrics provocative, detrimental to national unity and hurting religious feelings. The Gujarat High Court had declined his plea to quash the FIR in January.

The Bench referred to a tendency to stifle art and poetry. “Nobody has any respect for creativity. If you read this poem plainly, it says that even if we suffer injustice, we will suffer it with love,” Justice Oka had said.

The Solicitor General had replied that a poem was capable of many interpretations, asking a policeman to interpret poetry may be a tall task. Courtesy **The Hindu**, 28 March 2025. 🌈

The radical Ambedkar

One more Ambedkar Jayanti. This time, following his invocation in the 2024 Lok Sabha elections, with greater competition over capturing his legacy. The commencement of air services from Maharaja Agrasen Airport, Hisar. A marathon in Lucknow. A membership drive by one party. A “Swabhimaan Samman Samaroh” by another. “What a remarkable reversal of fortune history has delivered” notes rapper and scholar Sumit Samos in these pages (April 14, ‘A memory and a promise’).



Yogendra Yadav

This carries a serious danger. With the completion of his iconisation, Ambedkar’s memory could face the same fate as that of Gandhi post-Independence: He could be reduced to an empty signifier, a lifafa that anyone can use to insert anything. This casts a responsibility on those who connected with Babasaheb’s mission before he became respectable to the rulers. They must recover the radical in Ambedkar so that his legacy cannot be pocketed, so that he continues to remain difficult to assimilate, just as he was in his life.

This audacious project was begun by Suraj Yengde and Anand Teltumbde in a remarkable collection of articles by scholars across the globe, *The Radical in Ambedkar: Critical Reflections*. The introduction notes the problem with much of the scholarship on Ambedkar: “One finds Ambedkar eulogised for the wrong reasons: As a messiah of the Untouchables, a Constitution maker, a Bodhisattva, a neoliberal free-market protagonist, a monetarist; he is also vilified unjustly as a casteist, as a British stooge and a communist hater”. But the book was limited by the fact of it being a pioneering effort and also by its tendency to understand “radical” in a conventional left or communist sense of the term.

Another valuable rethinking was initiated by a seminal essay, ‘Self purification vs self-respect: On the roots of the Dalit movement’

by D.R. Nagaraj (*Flaming Feet and Other Essays*), in which he offered a fresh reading of how Gandhi and Ambedkar transformed each other. That strand was developed politically by Devanur Mahadeva and in academic writings by Nishikant Kolge (*Gandhi Against Caste*). But its political implications are yet to be worked out. This cannot be left to the burgeoning academic industry of Ambedkar studies. Just like Gandhian studies of yesteryear, some honourable exceptions apart, scholasticism tends to bypass the real and big issues. Recovering the radical in Ambedkar is not an academic project. This is among the most pressing intellectual and political projects of our time. It is intertwined with the mission of reclaiming our constitutional democracy, indeed of saving our endangered republic.

A good starting point for this would be to shift our focus from an exclusive attention to Ambedkar’s critique of the caste order to his legacy as a theorist of democracy. As Scott Stroud has argued (*The Evolution of Pragmatism in India*), Ambedkar’s thinking on democracy was deeply influenced by his teacher John Dewey’s ideas on democracy as a way of life. At the same time, he modified any theory or ideas he received through a view from below. In many ways, he was the first and perhaps only democratic theorist of 20th-century India. For most other Indian political thinkers of his

time, democracy was a necessary byproduct or a bonus of their principal ideological project of securing national independence or establishing socialism. While thinkers like Jayaprakash Narayan and M N Roy offered detailed critiques of representative democracy based on party politics, for Ambedkar, democracy was at the heart of his thinking. He thought through the tricky issue of political design of representative democracy, of the political and social consequences of different kinds of institutional designs.

Ambedkar radicalised the liberal idea of democracy by making a transition from a formal to a substantive definition of it. For him, the point of the legal constitutional mechanisms was “to bring about welfare of the people”. He offered a novel definition of democracy: “A form and a method of government whereby revolutionary changes in the economic and social life of the people are brought about without bloodshed”. (‘Conditions precedent for the successful working of democracy’, 1952). This sets him apart from his contemporaries, in India and the West. Unlike Dewey, his version of democracy is not just “social democracy”. He anticipated a radical republicanist theory of democracy.

Ambedkar’s justification of democracy did not rest only on the liberal idea of liberty. For him, the foundational idea of democracy was fraternity, a precondition for the realisation of both liberty and equality. Ambedkar offered a deeper argument for universal adult franchise, including for those who were illiterate, than was available in his times. And his pleas that Dalits

could not be represented by caste Hindus anticipated the recent feminist arguments for “politics of presence”.

Ambedkar reminded us that “democracy is not a plant that grows everywhere”. For him, the first and foremost condition of democracy was that every citizen should enjoy equal treatment in everyday administration and governance, that there is popular acceptance of constitutional morality and the upholding of moral order in society. There is no democracy without the existence of, and respect for, opposition: The tyranny of the majority is antithetical to democracy.

Such a reading would rescue his legacy from the reductions he is subjected to, even when being lauded. He is reduced to his own social location, as a Dalit, when he should be seen as a voice of social justice and of every social group that suffered injustice, within and outside India. For him, caste injustice was an intimate prism through which he thought through a wide range of issues of our time.

In contemporary polemics, he is reduced to partisan disputes of his time vis-a-vis the Congress-led national movement and the British colonial state. We can discover a radical Ambedkar by recovering the principles that informed these disputes and by reapplying those principles in the contemporary political context. Ambedkar was a thinker ahead of his time, while much of the politics carried out in his name is behind its own time. What we need is Ambedkarism 2.0.

Courtesy **The Indian Express**, 15 April 2025. 🌈

The Duty must be performed, let the Efforts be successful or not, let the work be Appreciated or not. When a man's Sincerity of Purpose and Capacity are proved even his enemies come to respect him."

-: Dr. Babasaheb B.R. Ambedkar



Learning from History: Or Taking Revenge of Past

Since the demolition of Babri mosque by RSS Combine (1992), history has started dominating the social space. A particular version of history which looks at history through the Kings, their religion, is being imposed on the social common sense. This too is being done in a selective way. Taking a step further now the communal forces are linking it up with the nationalism. Interestingly the history of era of Kingdoms is being linked to Nationalism, forgetting the fact that Nation state is a modern phenomenon and the concept of India emerged as a parallel to the struggle against colonial powers.

The communal forces are presenting the Hindu kings who fought against Muslim rulers as being presented as patriots and great nationalists, as national icons. Earlier Nathuram Godse, who put three bullets in the chest of Mahatma Gandhi; in his, “May it please your honour”, the book based on his testimony in the court, while commenting on Mahatma Gandhi, said that was a pigmy in contrast to the Nationalism of Chhatrapati Shivaji Maharaj or Maharana Pratap.

Now those belonging to his ideology are reiterating the same in a more intensified form. UP Chief minister Adityanath Yogi recently launched a sharp attack “on those glorifying historical invaders, calling it an act of treason that ‘new India’ will not tolerate. The firebrand BJP leader’s remarks came amid rising demands for the **removal of Mughal ruler Aurangzeb’s tomb** in Maharashtra’s Chhatrapati Sambhajinagar district.”

On similar lines Dattatray Hosabale, the Sarkaryavah (General Secretary) of RSS went on to question, “if ionizing someone who was against the ethos of India was right. He asked why those who advocate Ganga-Jamuni culture (fusion of Hindu and Islamic cultural elements)

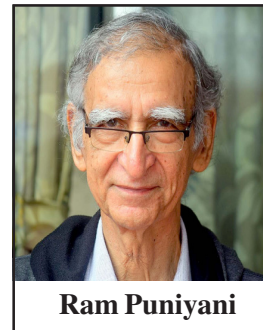
never thought of idolizing Dara Shikoh, the elder brother of Aurangzeb who is said to be a pioneer of such an idea.”

All this is being said in the din of presenting Aurangzeb as an invader, cruel villain.

Let’s deconstruct the whole statement. Who were invaders, was Aurangzeb an invader? The simple fact is Aurangzeb had inherited the empire from his father, Shahjahan. The dynasty began with Babar, who was ruling in Kabul Rana Sanga sent him a letter to come to defeat Ibrahim Lodi, the ruler of Delhi. As it happened Babar landed up fighting with Rana Sanga and Ibrahim Lodi to rule over Delhi Empire.

Even before Babar, we had Greeks, Kushans, Huns, and Shakas who invaded from North West and became part of the populace here. Mughals were not the only rulers who came here; there were Khilji, Ghulam, and Gazanavid who have come after defeating the local kings. India in the present form was not there, a nation ruled from Delhi. The Kings were fighting with each other for power and pelf, while the interaction of different people Shakas, Huns, Kushans and Ahoms on the East created the mixed, syncretism prevalent here.

Who is the icon of Indian Nation? Yogi and Godse present Shivaji and Rana Pratap as the national icons. Shivaji had many Muslim Generals and officers in his administration. He fought against Aurangzeb, whose army was led by Mirza Raja Jaising. Rana Pratap’s Haldighati bravery is worth eulogizing, but does it represent fight for Indian Nationalism? His army had 3000 soldiers, 1000 of which were Pathans



commanded by Hakim Khan Sure. Akbar on the other side had Mansingh as his Commander in Chief? The baatle was not on the issue of Nationalism, it was for Mansab. Even if Hindu Nationalists want to present those who fought against Muslims as National icons, the story is more complex, it was Kings versus kings not Hindu versus Muslims!

It is not that all Muslims Kings were cruel and Hindu kings as messengers of peace. Ashok is also infamous for his Kalings war. Chola Kings war with Chalukya was again and example for many things as winning Shri Rajendra Chola's army cut the head of defeated Chalukya kings General Samudra Raj and cut the nose of his daughter.

Aurangzeb is demonized for political purpose and a section of Muslims intimidated and ghettoized due to the violence and issues like cow-beef, love Jihad, land jihad and what have you try to find in Aurangzeb a bit of self prestige in him. The major process is that of demonization of Aurangzeb for political purpose and to reflect it on today's hapless Muslim community.

Talking of history there are various ways of presenting it. The Hindu communalists over project the kings as they want to hide the brutalities of caste-Varna hierarchies and the subjugation of women in the past. Ambedkar presents the history of India as a battle between Buddhism and Brahmanism. As per him against the Brahmanical caste- Varna values Buddhism came as a revolution. This made the spread of Buddhism as the major religion of India. After Ashok spreading it in South East Asia it became a World religion as well. As per Ambedkar, this

revolution was followed by Counter-revolution led by Pushyamitra Shung who physically wiped out Buddhists and Buddhism was made to disappear from Indian till Ambedkar brought it back.

The brutalities inflicted on dalits and women were the major phenomenon in India. The social reforms during colonial period ensured that the insecurities were diluted though they persist in some form even today. Is Raja Ram Mohan Roy not a great icon of India? What about Jyoti Rao Phule, Babasaheb Ambedkar struggling against caste Varna system not the icons of India? And where will you place the tribe of Bhagat Singh and Ashfakullah? And the place of Gandhi, Maulana Azad, Sardar Patel, Nehru and Subhashchandra Bose etched in the memory of India in the letters of Gold?

The overplaying of the cruelties of Muslim kings serves two purposes for the project of Hindu Nation. On one hand it targets the religious minorities. And second, more importantly it hides the brutalities of the Brahminical system (base of Hindu Nationalism) against the weaker sections of society. From the Prime Minister to the Chief Minister of Maharashtra all appreciated the film Chaava. Now the Chief Minister is blaming the same for communal tension in Nagpur. Will such worthies promote films which show the atrocities against dalits and women in the past? As a matter of fact the then BJP leader, Vijayaraje Scindia upheld the Sati (immolation of wife on the funeral pyre of her husband). At present Yogi-Fadnavis- Hosable are playing the communal card to the hilt! 🌈

The emphasis on religion as a basis of defining majorities and minorities in a secular state is quite misplaced and contradiction in terms. You all understand, I am sure, that religion does not aim at dividing. On the other hand, all true religions have a basic unity

-: Lal Bahadur Shastri



Confidence in judicial system on decline in people's perception

Kapil Sibal

Asserting that the confidence in the judicial system seems to be on the decline in people's perception, Rajya Sabha MP Kapil Sibal has said alternatives can only be found when both the government and the judiciary accept that the systems in place, including for judges' appointments, are not working.

In an interview with PTI, Sibal talked about what ails the judicial system, citing examples of how bail is not being granted in most cases by district and sessions courts, and highlighted the issue of the controversial speech made by Justice Shekhar Kumar Yadav of the Allahabad High Court last year.

Sibal, speaking as a lawyer and not as the president of the Supreme Court Bar Association, refrained from commenting on the matter of the alleged discovery of a huge stash of cash at the residence of Delhi High Court judge Yashwant Varma.

"There is an in-house procedure to deal with the matter. Now, in the absence of facts I don't think as a responsible citizen of this country I should be commenting on this," he said on the matter.

Sibal made the remarks on Saturday before the Supreme Court made the in-house inquiry report in the matter public.

Asked if he has concerns about the judicial system at large, Sibal said, "What has been happening over several years is that there have been concerns about the judiciary on various aspects, one is the concern about corruption, and corruption has several meanings. One meaning is that a judge renders a judgment because of some pecuniary advantage. The other form of corruption is to work contrary to his oath of office which is that he would render judgements without fear or favour."

"I will give an example, there is hardly a judge in a district court and the sessions court who grants bail. Now it can't be that in every case, the magistrates court or the sessions court has to reject bail. In 90-95% of the cases, bail is rejected," Sibal said, adding that there is something wrong with the system.

Is the judge afraid that if he or she grants bail, what will be the impact of that on the career, the senior advocate asked.

Sibal said the third form is that the judges are now openly endorsing a majoritarian culture and taking political positions.

"We had a judge in West Bengal who was openly endorsing the views of a political party and then of course he resigned and joined that particular party. We had a judge who openly said 'yes I belong to the RSS'. We have justice Shekhar (Yadav) who said that in India the 'majoritarian culture must prevail and only a Hindu can make India 'vishwaguru'. He used some very derogatory terms for the minority community while sitting as the judge," Sibal said.

Talking about Justice Yadav's case, Sibal said an in-house procedure was decided upon but nothing was heard after that.

"What happened, what steps were taken, there was a communication to the judge, he apparently disclosed his mind to the in-house procedure. What happened, we don't know. Should it be made public or not? There are systems that have to be put in place," he said.

Addressing a provincial convention of the legal cell and high court unit of the VHP at the high court on December 8 last year, Justice Yadav had made controversial remarks.

"These are things that need to be addressed urgently. Unfortunately, in many of these cases,

the Supreme Court has not directly addressed these issues for reasons I cannot possibly fathom,” Sibal said.

What is the mechanism to deal with corruption, he asked and added that the only mechanism that is there as far as the higher judiciary is concerned is Article 124 of the Constitution.

“We moved an impeachment motion, signed by more than 50 members of the Rajya Sabha, and that has not seen the light of the day. There was earlier an impeachment motion against a CJI, that too was blocked. So if you cannot move forward under the constitutional process and there is no alternative effective mechanism to deal with such issues, where do we go?” the Rajya Sabha MP said.

“That is the question we must ask ourselves and that is the question the judiciary must ask itself,” Sibal added.

He said the perception of the public certainly is that the confidence that “we had in the judicial system seems to be on the decline”.

Asked about his criticism of the Collegium system in appointing judges in the higher judiciary and what is the alternative, Sibal said that an alternative can only be found if the judiciary and the government believe that there should be an alternative.

“Now the government believes that the

National Judicial Appointments Commission (NJAC) is the solution. The Supreme Court Collegium believes that theirs is the best system. Unless both these institutions accept the fact that both versions of accountability and the process of appointment are grossly inadequate, only then can we have an alternative,” Sibal said.

The senior advocate said there can only be a solution when one states that there is a problem.

“So, if the Supreme Court itself realises that the Collegium system is not functioning in the manner that it should, only then can there be alternatives. Then we can come forward and suggest what the alternatives should be,” he said.

If the government believes that the NJAC is not the ideal solution for the process of appointment, only then there can be an alternative, he said, pointing out that the process should be transparent, looking at merit and not favouring persons who are ideologically and deeply committed.

“So, both institutionally, the government and the judiciary must accept the fact that these systems that are in place are not working, once they accept that, there are a lot of solutions that are possible,” the former minister said.

Courtesy **The Hindu**, 23 March 2025. 

Articles/Reports for The Radical Humanist

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- Mahi Pal Singh,

Editor, The Radical Humanist

Constitution, Constitutionalism and Ambedkar

Kanwal Bharti

(Lecture given on the topic “Constitution, Constitutionalism and
Dr. Ambedkar” in Allahabad on 27 March 2025)

(English translation from original Hindi; SR Darapuri I.P.S.(Retd)

Respected Chairman, Dr. Pranay Krishna Ji, and learned friends present here!

I am grateful to Vinod Tiwari Ji, on whose loving request I am present here and I also got the opportunity to present a series in this 18th Satyaprakash Mishra Smriti Lecture series organized under the aegis of Satyaprakash Mishra Sahitya Sansthan.

Let me make it clear that I am not from the academic world, so I have no hesitation in saying that I am not familiar with the contribution and work of Satyaprakash Mishra Ji. It was from Vinod Ji that I got to know about him. Mishra Ji did not like inertia and status quo, and whatever was wrong and against justice, he always raised his voice against it. I bow to the memory of such a great literary person, and put my point before you.

Friends, I do not consider myself an authoritative scholar of any subject. And this topic, ‘Constitution, constitutionalism and Ambedkar’, I do not have any special understanding of the constitution and constitutionalism except Ambedkar. In fact, this topic is in the domain of a jurist and legal expert, not of a Dalit critic like me. Anyway, I will try to throw some light on this topic with my limited intelligence and limited knowledge.

We all know the constitution, but constitutionalism is a word separate from it even though it is related to it. This is the first time I have tried to think and know something about it. Ambedkarism, Gandhism, socialism is easily understood words, but when I thought about constitutionalism, I found it very broad and complex. What Gandhi had said is recorded in Gandhi’s books, what Ambedkar had said is

recorded in Ambedkar’s books. There can be no change in their thoughts or words, although their interpretations may be different. Change or amendment is not possible in the principles of socialism either, even if its interpretations are different. But this is not the case with the Constitution. The Constitution is not immutable. There have been many amendments in it, perhaps more than a hundred. And the High Court and the Supreme Court keep interpreting it according to their own convenience. Therefore, in my opinion, constitutionalism is not a philosophy that is fixed in a particular framework.

Just as socialism tells us how society should be, constitutionalism also gives us an indication of how the Constitution should be. When we say socialism, then immediately, as soon as we say socialism, the concept of constitutionalism also emerges in our mind. But still, both are not synonymous with each other. Constitutionalism also depends on the cultural morality of a country. If the morality of a country is formed by religion, then constitutionalism there will give priority to such a constitution which will be based on religious values. We can see these values in the Constitution of Pakistan and Islamic Republics. However, religious egalitarianism is also a part of constitutionalism in many countries. But it is not a form of democracy. There is a Muslim brotherhood in the egalitarianism of Islamic constitutionalism, but men and women are not equal in it. The egalitarianism of Christian constitutionalism is based on the Biblical belief that ‘there is neither

Jew nor Greek, there is neither slave nor master, all are one in Christ Jesus.’ But if we talk about Hindu constitutionalism, whose voices have been raised continuously for the last few years, then its position is that it does not claim any egalitarianism like Islam or Christianity. As Ambedkar said that like Islam and Christianity, Hinduism says that all humans are born from one Brahma, but it also says that some humans are born from Brahma’s mouth, some from his arms, some from his thighs and some from his feet. Therefore, there is a lack of fundamental equality in them.

Therefore, there is not a thin line between the Constitution and constitutionalism, but a thick line. The Constitution does not create the society. It neither makes the society a moral society, nor an immoral one. It only controls the society. But constitutionalism contains the spirit of creating a particular kind of society. Therefore, what inspires the creation of a good or bad constitution is undoubtedly constitutionalism. It is the name of a constitutional concept, philosophy or ideology.

Niccolò Machiavelli is considered the father of modern constitutionalism. Machiavelli arrived at the conclusion of constitutionalism after studying ancient republics. Modern constitutionalism and ancient republicanism share three central beliefs: first, the government should serve justice and the common good; second, this work should be done by the government through laws; third, this should be done securely through a well-made constitution. This work of Machiavelli changed the politics of emerging modernity and reorganized the government around the world.

Many scholars have discussed the ancient republics of India. Dr. Ambedkar has also praised the ancient republics of the Vajjis, Licchavis and Shakyas of India. But those republics were not democratic states. In those republics, only the princes took decisions by mutual consent. The general public did not

participate in their decisions. It took two and a half thousand years for a republic with public participation to come to India. The concept of constitutionalism with which democracy is to be closely associated came to India in the nineteenth century, and fully in the twentieth century. Therefore, it would perhaps not be wrong to say that constitutionalism in India is a gift of British colonialism.

This colonial constitutionalism has a close relationship with democracy, which demands a strong protection for the interests of citizens, their freedom and minority communities. But constitutionalism is also a weaker concept than the constitution, because the constitution is capable of restraining governments, while constitutionalism is not capable, which is just a concept, not a power.

But most scholars are of the opinion that constitutionalism originated from the French Revolution of 1789. They believe that this revolution had declared the rights of citizens, which gave birth to constitutionalism. This constitutionalism itself created the French Constitution. This revolution had greatly influenced Ambedkar. Inspired by it, he did the Mahad Satyagraha for the human rights of the Untouchables in 1927. In that conference, he had issued a manifesto of what rights a Hindu should have. However, this was not a manifesto of human rights, but a manifesto of the rights of a Hindu. That is because at that time his emphasis was on providing rights to the deprived Dalits in the Hindu society. The rights of a Hindu that he had declared in his manifesto were as follows -

1. The social status of all Hindus is equal by birth, and should remain equal.
2. The public is the source of all power. Therefore, the claim of privilege by any person or class cannot be valid unless the entire public recognizes it.
3. It is the birthright of every Hindu to have the freedom to work and speak.

4. Any Hindu can be deprived of other rights, apart from his birthright, only by law.
5. Law is not the order of any person or group of persons. Law is a mandate for change. The law should be made with the consent of all, and it should be implemented on everyone without any discrimination.

You can see that Ambedkar's constitutionalism speaks in this manifesto. This manifesto was the constitutionalism that took shape by looking at the deprived communities and reading the Manusmriti. We can also see this constitutionalism in Ambedkar's memorandum titled 'States and Minorities' given to the Constituent Assembly in 1947, in which he demanded the creation of a constitution with a socialist economy.

Ambedkar considered the role of the constitution to be essential for changing society. During the Round Table Conference in London, Ambedkar distributed a booklet among British leaders and intellectuals, titled 'The Untouchables and the Pax Britannica'. In this, he said that society is always conservative. It cannot be changed until it is forced to change. And this work can be done only through law. You must know that when Pandita Ramabai demanded the government to open a school for girls in Bombay, the Sanatani Brahmins opened a front against her. The most prominent leader of this protest was Bal Gangadhar Tilak, who was considered a nationalist. During the same period, when the Dalits demanded their political representation, the same Tilak had said in a meeting in Sholapur, will these oilmen and tamolis go to the assembly and plough the fields? When a proposal was brought in the Central Assembly to increase the marriage age of Hindu girls from 8 years to 14 years, Madan Mohan Malaviya, the pride of the Brahmins, raised a hue and cry against it and said that the British want to end our eternal Hindu

religion. Similarly, when in 1850 the East India Company government gave legal recognition to the marriage of Hindu widows and accepted their right in the property of the deceased husband, even then the orthodox Brahmin leaders had raised the same voice that to save the Hindu religion, there would have to be a rebellion against the government. You can guess from this how much the Brahmin class, which was also the ruling and intellectual class of India, disliked the reforms. The reason for this was the constitutionalism embedded in his mind, which was formed from the memories of Manu and Yagyavalkya. At the other end of this was Ambedkar, whose constitutionalism took shape from the feeling of changing the pitiable condition of the powerless Untouchables suffering from the orthodoxy of Hindus. He wanted change. He had told the whole country in 1927 by burning the Manusmriti in his Mahad Satyagraha what kind of constitution India should have. This act of his should not be seen as burning of books or literature. He had not burnt literature, he had burnt the black law. Even today copies of black laws are burnt. A few years ago in the Kisan Andolan, farmers had burnt copies of the three anti-farmer black laws.

In 1943, Ambedkar had said that if the sufferings from which the Untouchables are suffering have not been publicised as much as the sufferings of the Jews have been, then this does not mean that the sufferings of the Untouchables are not real. And neither the means nor the methods used by Hindus against the Untouchables are any less cruel, but they are as cruel as the methods and means used by the Nazis against the Jews. The Nazis' 'anti-Semitism' against the Jews is not at all different in thought and action from the Hindus' 'Sanatanism' against the untouchables. He read this paper at the Canadian Peace Conference. He said that now the time has come to understand the problem of the

Untouchables of India in comparison with the problem of slaves, Negroes and Jews.

Ambedkar knew that discrimination against Negroes, i.e. discrimination between black and white, was not in the Bible, but in the laws that were made against them. But in India, it is the opposite. Here, there is social discrimination in Hinduism, while there is no discrimination in law. Therefore, the law is not as effective as religion is here. But this does not mean that the law has not changed the society. Many evils of Hindu society were extremely inhuman, which gradually ended during the British period due to the pressure of law. But what is the reason that the evil of untouchability and discrimination against Dalits did not end? Ambedkar gave the reason for this that only those evils were removed, which the Hindus themselves wanted to remove. Those were the evils of the Hindu family, which included Sati Pratha, widow remarriage, women education etc. But Hindus do not consider untouchability to be an evil, rather it is a structural system of Hindu society for them, which they do not want to end. What would you call this? Except that if a society does not want to remove its religious evil, then the law cannot do anything. This is the reason that despite untouchability and caste discrimination being abolished by law, these two evils still exist in Hindu society. You all know how much violence is unleashed by Hindus against Dalits if they grow moustaches, if they perform Ghodchadhi (Mare riding during marriage), if they take out their wedding procession in front of upper caste houses, if they touch a water pot. And all these are recent incidents. This news is from Rajasthan this month that the head master of a primary school killed an innocent Dalit student because he drank water from his pot. You must have also read this news from Pratapgarh this month that a Dalit was tied to a cot and burnt alive on the charge of theft. These evils exist because these are not evils of the Hindu family like Sati Pratha, widow remarriage

and women education, but it is the structural system of Hindu society, in other words it is their Sanatan Dharma, which they follow. Now no Hindu has the thought of burning or abandoning his widow. Now no Hindu has the thought of keeping his daughter uneducated, but on seeing a Dalit, the feeling of untouchability comes in his mind. The religion of Hindus teaches untouchability and discrimination against Dalit castes. Therefore, in this matter he does not follow the law. In insulting or torturing a Dalit, he does not even care about the SC-ST Act. The police officers and judges who take action under this Act also do not give much importance to it. Thousands of cases are registered under this Act, but in most of the cases the culprits are acquitted with honour. In the midst of this entire process, the mentality created by the Hindu social system works. Even today, the domineering upper castes believe more in punishing the Dalit in their own way, they do not believe in the punishment of law. Ambedkar had said, and this is the experience of Dalits too, that when upper castes and Dalits meet, they meet as two different nations. One is the nation which is the ruler, and the other is the nation which is its subjects. This is the reason that even today there is no natural friendship between Dalits and upper castes and upper castes with Dalits. There can be exceptions, and I salute such exceptions.

I will not go into the debate that the RSS has started on whether Ambedkar is the architect of the Constitution or not. This will make the speech very long, and it will also be a digression. In this regard, all the proceedings of the Constituent Assembly have been published. How Ambedkar debated each and every clause of the draft constitution while resolving the doubts of the members, and what kind of problems were faced in drafting the constitution, all of that is now available, which can be seen. But I would definitely like to say that one of the problems of the RSS and the BJP is also the

name of Ambedkar, which has been associated as the architect of the constitution. If Ambedkar had not been a Dalit, but a Brahmin, he would probably not have had so much trouble. I think, this same mentality is behind the breaking of Ambedkar's statues all over the country. Wherever they see Ambedkar's statue, Ambedkar's picture, see Jai Bhim written on a Dalit's bike, the hatred in their minds towards Dalits comes out in the form of action. Such incidents have started happening in large numbers since 2014. Because now Sanatan Dharma is being brought back to its original form.

The RSS itself had launched a nationwide campaign against the Constitution. It had burnt Ambedkar's effigies, and had opposed the Constitution by organizing a large gathering in Delhi's Ramlila Maidan. An editorial was written against the Constitution in the 30 November 1949 issue of RSS's mouthpiece 'Organizer'. It said - 'The worst thing about India's new Constitution is that there is nothing in it that can be called Indian. It has neither Indian laws nor Indian institutions. It does not even mention the unique laws of ancient India. Such as the laws of Manu, which were written much before Lycurgus of Sparta or Solon of Persia. Today the laws of Manusmriti inspire the world. But they have no meaning for our constitutional pundits.

Which ancient institution of India should have been in the constitution? No RSS person tells about this. But I want to ask that which law of the Manusmriti, which they call the unique law of India, did they want to keep in the constitution of India or do they want to keep? Is this the law that a 30 year old man should marry an 8 year old girl? Or this law that a Shudra has been made to serve the Dwij, he should not be socially interacted with? Or this law that a woman has neither education nor freedom, only serving her husband and staying within the four walls of the house is her religion? Or this law that if a Shudra preaches, then boiling oil should be

poured in his mouth and ears? Or this law that a Shudra should not be allowed to accumulate wealth, he should be kept poor? Which law is there in that ancient and best law of the world, which the RSS wants to keep in the constitution? No RSS leader reveals this.

The matter of Hindu model was raised in the Constituent Assembly also. On 4 November 1948, Ambedkar, while speaking on the criticisms of the Constitution in the Constituent Assembly, said that some critics allege that no part of it represents the ancient politics of India. Those critics said that the new Constitution should have been prepared on the Hindu model of the Indian state. Those critics wanted that the Constitution should have been based on the village panchayat and district panchayats, and not on the principles of the West. Ambedkar said that he pities the intellect of Indian intellectuals towards the rural community. These intellectuals seem to be overwhelmed by the praise of Indian villages by Metcalfe, who described them as small republics. Ambedkar said that these people do not know that these so-called republics of villages are the biggest reasons for the destruction of India. He expressed surprise at how those who condemn provincialism and communalism became champions of villages? He said that what are villages other than the dens of ignorance, narrow-mindedness, casteism and communalism? He said that these may be republics for Hindus, but for Dalits these are no less than ghettos. He said that I am happy that in the draft of the constitution, the village has been removed and the individual has been adopted as the unit.

The fundamental rights accepted in the draft constitution were criticized the most. The reason for this was that this was a new thing for the Hindu psyche formed by the caste system. Hindus, especially Brahmins, could not even think that apart from the Dwij, Dalits and Shudras can also have some rights. While debating in

the House, Ambedkar said that the history of fundamental rights in India is very strange. He said that in ancient Hindu India there were fundamental rights for only two people, one for Brahmins and the other for cows. The king was committed to protect both of them. Then the Muslims came, they abolished both these rights, of Brahmins and cows. The rights they gave to Muslims, they did not give to non-Muslims. After them came the British, and the laws they made from 1772 to 1935 did not contain the fundamental rights that the Constitution of independent India gave to its citizens. The right to equality, the right to freedom, the right against exploitation, the right to education and the right to security were neither accepted by the orthodox Hindus nor by the feudal Muslims. Both Hindu and Muslim critics criticized the fundamental rights by saying that they were taken from the Constitution of the United States. But the far-sighted and aware members of the Constituent Assembly had understood that if democracy is to be established, then these fundamental rights of the individual cannot be denied.

On 25 November 1949, while speaking on the draft constitution in the Constituent Assembly, Ambedkar shared his concern that whether India would retain the independence it had gained or lose it again? He said that the elements due to which our country had lost its independence have not ended. They are still active in the form of religion and caste. He said that he did not know whether the people of India would put religion above their country or their country above religion? But it is certain that if political parties put religion above the country, our independence may be in danger for the second time. He further said that if we want to maintain this democracy, we will have to firmly adopt constitutional methods to achieve our social and economic objectives. He said that the second thing, which can be fatal to our independence, is bhakti i.e. hero-worship. He

said that bhakti in religion may be the path to liberation of the soul, but in politics, it is definitely a path leading to degradation and ultimately to dictatorship. He said a third thing that on 26 January 1950 we will enter a contradictory life. In politics, we will all be equal on the basis of one person one value, but in social and economic life we will suffer from inequality. We must remove this contradiction as soon as possible. Otherwise, people suffering from inequality will destroy the structure of this democracy built with hard work.

But alas! Neither social inequality has ended, nor economic inequality. On the contrary, it has increased even more. Today, there is a huge number of people suffering from economic inequality in India. But Ambedkar's prediction proved wrong. The people suffering from inequality did not revolt, they did not destroy the structure of democracy. What is the reason for this? Do they not realize the socio-economic inequality, or are they not suffering from this inequality? However, the truth is that they are aware of the inequality, and they are also suffering from it. But they cannot revolt. Why? The main reason I see for this is religion. Religion, with which they are deeply connected, rather it should be said, have been connected. The establishmentarians who maintain socio-economic inequality have left thousands of saints and mahatmas among them, who keep strengthening religious beliefs, the results of past lives, fatalism, the beliefs of salvation and satisfaction-patience among the poor and the weaker sections. This propaganda created a belief in them that whatever is destined by Ram, happens. Or, who can erase the fate that is written in our lives? Or, when poverty is in our fate, what can we do? Or, the saints and sages telling that your poverty, your being a Dalit is the result of your deeds of your previous life. This is the most barbaric concept of religion, and also anti-human. A Hindu who believes in fate and karma can never be sensitive. He

cannot have any sympathy for the suffering and the poor, because for him it is the result of his deeds. There is a book by Katherine Mayo, 'Slaves of the Gods.' There is an example in it. An old cow, which was left free on the road by its Brahmin owner, lives or dies. It was so weak that it did not have the strength to walk. One day dogs surrounded it and tore it apart. It died in agony. An English Collector saw this scene with his own eyes. He complained to the Brahmins there that you people cannot even serve an old cow. To this those Brahmins replied that Sahib this cow has suffered the consequences of its previous life. So, this teaching of religion has destroyed the compassion of man. This belief will never let the poor realize that the reason for their poverty and misery is not the karma or fate of their previous life, but the wrong policies of the government.

Finally, I will conclude my talk by mentioning Ambedkar's constitutional concern on land reform. In 1954, while speaking on an amendment bill presented on Article 31 of the Constitution regarding land acquisition, Ambedkar opposed this bill. In this section, there was a provision to take land from the landowners by giving them full compensation. Ambedkar said that this section was not in the draft of the Constitution, so it is not our draft, and he cannot take responsibility for it. When this section was being debated, Ambedkar was probably the first person in the House who was against it. Ambedkar was against private ownership of land. He wanted that the land should be owned by the state. But the members of the Congress party were not in favour of this. There was a reason for this, they were owners of thousands of acres of land. During the debate on this section, there were three factions in the Congress. Vallabhbhai Patel was in favour of giving 15 percent compensation to the landowners along with the market price of the land. Nehru was against giving compensation.

But Pant wanted to find a middle way, i.e. a method of safe delivery. This dispute was settled on the killing of land reforms. Ambedkar said that this section is so ugly that 'I don't even like to look at it.'

On the problem of land, Ambedkar had stressed in his debate: 'I believe that the ownership of farmers in this country will completely ruin the country.' He said, 'Although I am not a communist, what I want is the Russian system of collective farming.' He said that 'this is the only way in which we can solve our agricultural problem.' But this was possible only when the land was owned by the government.

In this regard, Ambedkar narrated an incident of Napoleon. He said, once Talleyrand had asked Napoleon, 'Why do you have so much hostility towards Europe? Why don't you agree to become the emperor of France? I will become your Prime Minister.' Some soldiers were standing outside Napoleon's palace, the bayonets of their guns were clearly shining in the sunlight. Napoleon was very angry. He asked Talleyrand, 'Are you watching my soldiers?' He said, 'Yes, I am watching them.' Then, Napoleon said, 'When I have an army, why am I not an emperor?' The answer Talleyrand gave to him is important here. He said, 'You can do anything with these bayonets, but you cannot sit on them.' Ambedkar said, similarly, the government cannot sit on the private property it has created, but the owners of the land will definitely sit on it. He said that Congress could have nationalized the land, but it did not take such a step to win political elections and the situation has become such that now it has become impossible for it to even determine the limit of land. He said this in 1954.

On the basis of the study I have done, I leave you after presenting my views before you on the subject of 'Constitution, Constitutionalism and Ambedkar'. Thank you very much to all of you. 

110 years ago, in the name of the world's socialist revolution!

This article is a little old. But keeping the topic in mind, its usefulness is as much today as it was when it was written. Because seeing the competition of the present world to run after capitalism, it is even more important. Soviet Russia and China, the countries that were the guides of socialism for the entire world at one time, are today moving ahead in the competition of capitalism at such a fast pace. And the way they are exploiting their own workers, they are already defeating the countries that supported capitalism. From human rights to the workers and farmers, with whose help the socialist revolutions took place in Russia 108 years ago and in China 77 years ago. But today in the current situation of both those countries, it seems a state of doubt. Did socialist revolutions really take place?

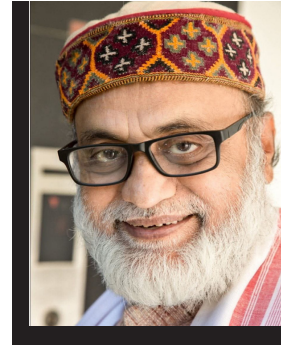
So I am posting this post of mine again! On the 142nd death anniversary of Karl Marx, yesterday was the 142nd death anniversary of Karl Marx. I am currently at home after a long time for the last one and a half years due to Madam Khairnar's ill health. So in my free time, I have kept old books in my library, mainly from the 15-year-old residence of Calcutta, on the College Street pavement and some from the book fair. I have not read all of them completely. So whenever I get free time, I keep flipping through them. On 13 March, in this sequence, as soon as I got a small book of less than 100 pages by a Malayali writer named N.E. Balaram of the Communist Party of India, I read it and came downstairs (my study room is on the second floor).

In 1912, Marxist Swadesabhimani Ramakrishna Pillai wrote Karl Marx's biography on Indian soil. But till then there was no political movement on Marxist ideology. In 1921, Muzaffar Ahmed, who worked among the

Young Nationalists and workers in Calcutta, Comrade S.A. Dange in Mumbai, and Ghulam Hussain in Lahore were making some efforts in 1923. They were also publishing some magazines. Navayug was being published from Calcutta, Socialist from Mumbai and Inquilab from Lahore by Ghulam Hussain.

The Communist Manifesto was published in Bengali and Marathi in 1921. In 1923, this activity was started in Madras, and some efforts were made in foreign countries as well. M.N. Roy himself was involved in Afghanistan, Germany and Russia. After gaining a good reputation among the workers of the industrial cities of India, Mumbai, Calcutta, Kanpur, Ahmedabad and Madras, from 1911 to 1922, about 1.25 lakh workers participated in the strike (1918). Similar strikes (1920, 1921) took place in the iron factories of Jamshedpur, the railways in Jabalpur and the textile factories of Ahmedabad and as a result, the All India Workers Congress was born in 1920. (AITUC) means the organization of communist workers was born five years before the Communist Party of India.

In 1919, the Jallianwala Bagh massacre was a response to the protests against the Rowlatt Act. At the same time, the Khilafat Movement and the farmers' movement were on the rise. In the February meeting of the Bardoli Congress Working Committee in 1922, the Civil-Nafaramani movement was suddenly announced to be suspended as a result of the



Dr. Suresh Khairnar

Chauri Chaura incident on the advice of Gandhiji. After this announcement, Motilal Nehru, C.R. Das, Lala Lajpat Rai and Jawaharlal Nehru also criticized Gandhiji's decision.

In this context, the process of the formation of communist groups accelerated. In fact, the Ghadar Party had been formed in 1913. So was the Bengal Revolutionary Party. Among all these groups, Muzaffar Ahmed and mainly M.N. Roy, who himself was a member of the Communist International's executive from 1924 to 1929, were very active in the Communist International. It is a different matter that he was expelled from it in 1929.

In 1924, many communist leaders were arrested in the Kanpur Conspiracy Case in which Comrade Mirajkar Dange, Muzaffar Ahmed and other comrades were sent to jail. Therefore, the coming into existence of the party was halted for some time. But within a year, in December 1925, it was announced in a conference in Kanpur. It started functioning from January 1926 in which Comrade S. V. Ghatate, Muzaffar Ahmed, Singaravelu Chettiar, Hasrat Mohani, Janaki Prasad, Nimkar and Joglekar were the first secretaries of the party. S. V. Ghatate remained till 1929. This is the brief history of the first communist party of India.

But in the Second World War, falling into the trap of the Russian Communist Party, they first took the side of the war and then immediately made the mistake of deciding against the war. And being caught in the same trap, the decision to go against the Quit India Movement of 1942 caused a deep blow to world credibility due to the role of the party. Therefore, some beginning was made to remove the anti-India tag. But in 1962, when China attacked, they made the biggest mistake in history by calling it a liberator. After that, they split into two factions. But the damage that was to be done was done. They could not correct the image of the anti-national party among the

public. And not even 15 years had passed, so in 1974, they not only kept away from the J&K movement by calling it a conspiracy of the CIA, but in 1974, they played an important role in spreading propaganda against that movement in the entire country along with the Congress although the ordinary workers of the Communist Party were doing a very good job. In comparison to his sacrifice and penance, it has little political recognition among the people in India, except in Bengal, Kerala and Tripura. And it had to face defeat in Bengal and Tripura too. The question arises how long will Kerala remain? Where is the RSS, which was born in 1925, today? And why are the communist parties, which have been working continuously for the exploited, oppressed, farmers and laborers, facing such misery today?

After 1925, we are still facing the consequences of these three mistakes. We started moving forward by learning from them. And that is why we got the opportunity to form the government in West Bengal in 1977. It ruled for 35 years continuously only by conducting Operation Barga. But we were removed from power in an attempt to impose anti-people projects like Nandigram and Singur, which is the biggest mistake till date. But when will the party suffering from the disease of making mistakes and not learning anything from them emerge again in this country? Only time will tell.

That's it for today in memory of Karl Marx.

I have tried to pay humble tribute to Karl Marx on his 142nd death anniversary. I have no intention of insulting or hurting anyone. But if anyone feels this way, I apologize because at present our biggest problem is to unite to drive out communal forces, not to belittle each other. As per my habit, I keep introspecting like this on the occasion of my birthday and the birthdays of my ideal people.

Dr. Suresh Khairnar, Nagpur, 14 March 2025 A free contemplation on the occasion of the 142nd death anniversary of Karl Marx. 🌈

Book Launching Ceremony organized on 6th April 2025 at Ahmedabad:

Rekindling the Flame of Radical Humanism in Gujarat: A Timely Re-Launch of V.M. Tarkunde's Vision

Bipin Shroff



Book Launching Ceremony organized on 6th April 2025 at Ahmedabad. Dr. Sujav Vali, President Gujarat Rationalist Association, Manishi Jani, Activist cum Reporter, Prof Dhawal Mehta (Veteran Radical Humanist), Aswin Karia Retired-Principal of Law College, N. Indrayan, Retired Head Law Dept. Rajkot University & many others.

The recent launch of the Gujarati translation of V.M. Tarkunde's seminal work, *Radical Humanism: The Philosophy of Freedom and Democracy*, marks a pivotal moment for intellectual discourse and activism in Gujarat. Originally published in English in 1983, this profound exploration of radical humanist philosophy was first translated into Gujarati by Prof. Dinesh Shukla of Gujarat University's Political Science Department under the aegis of the Chandrakant Daru Memorial Trust, with editions released in 1983 and 1991.

A Renewed Intellectual Endeavor

The decision to publish a third edition in both English and Gujarati arises from the growing urgency to revisit Tarkunde's ideas amid

contemporary socio-political challenges. The earlier editions, nearly four decades old, had become increasingly scarce, necessitating renewed accessibility to his lucid articulation of humanist principles. I secured reprint permission from Manek Karanjewala, Tarkunde's daughter, ensuring the preservation of his legacy. We have published 1000 copies in Gujarati & shall publish 500 copies in English which will be ready before the end of June month.

Philosophical Relevance in Modern Contexts

The republication underscores the enduring relevance of Tarkunde's framework, particularly in addressing Gujarat's evolving political landscape. His philosophy—rooted in freedom,

rationalism, and secular morality—provides critical tools for activists navigating rising challenges to individual liberty and democratic values. The publisher highlights a concerning global shift toward centralized political and economic power, where individual agency risks being subsumed by loyalty to collective identities, political parties, and state-controlled technologies.

Confronting Centralization and Identity Politics

The re-launch responds to the marginalization of the individual in favor of nationalist, religious, and partisan allegiances. Modern advancements, once envisioned as tools for societal empowerment, now risk reinforcing authoritarian control. Tarkunde’s work offers a counter-narrative, advocating for a society centered on human dignity, ethical governance, and rational discourse—a vision critical for sustaining representative democracy amidst rising polarization.

Event and Participants

The book launch ceremony, held on 6 April 2025 in Ahmedabad, featured prominent voices including Dr. Sujat Vali (President, Gujarat Rationalist Association), activist-journalist Manishi Jani, veteran radical humanist Prof. Dhawal Mehta, retired law college principal

Vithal Mahadeo Tarkunde

(3 July 1909 – 22 March 2004) was a former judge of the Bombay High Court, prominent Indian lawyer, civil rights activist, and humanist leader and has been referred to as the “Father of the Civil Liberties movement” in India.



Aswin Karia, legal scholar N. Indrayan, and activists Girish Sudhia and Pravin Gadhvi. Their collective presence emphasized the continued resonance of Tarkunde’s ideals in fostering public awareness and rational discourse.

Conclusion

This initiative not only revitalizes Tarkunde’s vision but also equips a new generation to engage critically with threats to individual freedom and democratic pluralism. By bridging historical philosophy with contemporary struggles, the re-publication serves as both a scholarly resource and a call to action for humanist advocacy in Gujarat and beyond.

Bipin Shroff, shroffbipin@gmail.com 🌈

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The Humanist Frame

A Humanist View of Progress

Morris Ginsburg

(Summarized by : **Vinod Jain**)

I propose in this essay to restate the case for the belief in progress and the part played by the growth of rationality in the shaping of progress.

As formulated in the eighteenth century the theory of progress contained three tenets. Firstly, the belief in human perfectibility, in the power of reason not only to utilize the forces of nature in the service of human needs, but also to bring about improvements in human relations and the behavior of men. Secondly, the belief in the unity of mankind. This rested on the assumption that the powers of the mind were in essentials the same in all men, and that there was a moral obligation to reduce inequalities and break down the barriers that separate them. Thirdly, the belief that in the history of man there was in fact a movement towards these ends and that progress consisted in this movement.

Let us consider what is living and what is dead in these beliefs. It seems to me that the essential point in the theory of progress remains true, namely, that in the course of historical development man is slowly rationalized and that man is moralized in proportion as he becomes more rational.

Advance in knowledge is estimated by the degree of consistency and mutual support attained by explanations offered and by the range of inclusiveness of the experiences covered.

What reason claims is not that it can reach ultimate truth here and now, but that it is the method of growth in understanding. From this point of view the notion of development is to be conceived as lying at the basis of validity itself. The system of knowledge is in process of correlated growth, changes in any one part

inducing or being accompanied by changes in others, so that the whole undergoes transformation, while maintaining its identity through modification. The wider and more coherent the system, the stronger are its claims to represent reality. Judged in this way there has undoubtedly been progress in knowledge.

On the side of knowledge the role of reason is to organize experience by the methods of analysis and synthesis. In essentials reason is the effort towards greater unity and systemic connection.

The general acceptance of ideas depends on social conditions. They may remain dormant for long periods and burst upon the world with resounding effect.

Moral ideas appear to influence society mainly through religion and law, and in both spheres rational factors play a great but complex role and are liable to be overcome by factors making for unreason. Religious teachers have again and again pointed to a way of life far in advance of the morality of their day. On the other hand, religious conservatism has often stood in the way of moral innovation. Thus churches have found no difficulty in turning the God of love into the God of battles, and they have sought to persuade men to endure present injustice by bidding them find consolation 'in the final proportions of eternal justice.' Their comparative failure in practice is not due entirely, or even mainly, to the hard-heartedness of men, but to their inherent limitations, their tendency to a morbid exaggeration of the ascetic elements in morality, their inability to apply the principles of personal morality to the problems of social organization. This seems to be true in varying degree of Christianity, Buddhism and

Hinduism. In so far as there has been an improvement in the morality of the modern world it owed probably more to the impact of rational enquiry and its tendency to moralize religion rather than to any developments within religion as such.

The impact of moral ideas on the evolution of law has not been systematically explored. In the early stages law, morals and religion are not clearly differentiated, and changes are slow and unconscious. This unconscious growth persists in higher phases, in response to the pressure of new needs or of changes in the balance of social forces, but conscious efforts at generalization and systematization gain in importance. The history of legislation in democratic countries does show the growing influence of conceptions of well-being: witness the reform of the criminal law, the regulation of industrial relations, or the changes in the legal status of women.

The important point is that in democratic societies not only is law in increasingly closer contact with the moral sense of the community, but the efforts are made to define the limits of law. On the other hand, in modern authoritarian regimes public opinion is given little opportunity of systematic expression, is starved of independent information, and is pauperized by being subjected to perpetual and highly organized emotional propaganda.

From this brief survey it emerges that the influence of moral factors, is highly variable, and is only one of the forces shaping the life of societies. The social structure, in turn, is affected by structural strains resulting from countless interactions, moral, non-moral, and immoral.

What has so far been attained in some societies in equalizing rights and removing the barriers that divide men, in reconciling order with freedom, in bringing together the principles of personality with the principles of social responsibility, justifies the conclusion that we are beginning to discover the conditions of

correlated growth and that steadier progress will become possible as our knowledge grows.

I now turn to the second element in the theories of progress, namely, the unity of mankind, including the belief that progress is something shareable by all mankind.

It is now clearer than ever that if there is to be progress, it must be the concern of all mankind. The problems confronting the people's of the world are problems in which all are involved and in the solution of which all must play their part. Today, I suppose, mankind may be considered as divisible into five or six major groups: (1) East Asia (China and Japan); (2) India and Indonesia; (3) Islam; (4) Russia ; (5) the Western World; (6) the emergent African peoples. It is plain that none of these either does or can develop independently of the rest. Economically, it is realized, further development can only be achieved within a world economy. Politically, peace is now more clearly indivisible. What is to be hoped for is rather that each religion will contribute in its own way to the enrichment of spiritual experience and that this will result in mutual tolerance and respect, and in the general acceptance of a broadly based Humanist ethic.

It is clear that a process is now going on in large areas of the world, familiar enough in the history of Christianity, namely, the secularization of law and politics and the laicization of culture. Thus India has deliberately adopted the policy of creating a secular welfare state....The values involved were largely those of the Humanist tradition — order, justice, reason.

An important aspect of the unification of mankind is the unification of law. There are, I believe, now only eight or ten legal systems in the world. More than half the population of the world is under the influence of the Common law or the systems derived from Roman law.

To these developments must be added the growth of international law, and of numerous institutions serving international economic and

social functions.

The general conclusions which emerge from the comparative study of civilization may now be briefly indicated.

- (1) The history of morals establishes the reality of moral progress along certain lines. This has consisted in the clarification of ideals, in the growth of insight to human needs and purposes and the conditions of their satisfaction. I believe there are principles of appraisal in the light of which their own development and their contributions to the general development of morality can be evaluated. There are five criteria which may be thus used:

- (a) "Differentiation" of morals from custom, law and religion involving the emergence of a distinctively moral attitude, i.e., the recognition of values and obligations as self-sustained and independent of external sanctions;
- (b) Growing "universalization" of the range of persons to whom moral rules are held to apply and increasing impartiality in applying them.
- (c) Widening "comprehensiveness" of the range of needs and values of which morality takes account, greater sensitiveness in dealing with them and openness to new values;
- (d) Increasing "coherence" in systematizing moral judgments and disentangling underlying assumptions;
- (e) Expansion of the scope of "self-criticism" and self-direction, as shown more particularly in the extent to which impartial investigation of relevant facts and scrutiny of the ends which are pursued, or might be pursued, are allowed to shape

public policy.

It is easy to see that advance in one direction does not necessarily carry with it advance in others.

- (2) Moral development is multilinear not only in the sense that it goes on in different centers, each with its own tradition, but also that within each centre there are various lines of growth, traceable to different sources.... There may well be critical points in these developments beyond which progress may be more continuous and assured.
- (3) Knowledge has increasingly to cope with problems which its own development brings about. It is clearer than ever that knowledge can be used for evil as for good purposes and that the situation is the more serious when to the power over nature is added the power over the minds of men.

The case for progress rests on the fact that in the course of historical development some degree of progress has definitely been achieved, that various possibilities of synthesis have been opened out, and on the hope that with the advance of social knowledge and moral insight, the causes making for discrepancies or one-sidedness in development may be discovered and brought increasingly under control. We know from experience that liberty and order are not incompatible, that societies which encourage spontaneity, tolerance of differences, openness to new values, are not weaker and may well have greater chances of survival than those based on rigid organization, fanaticism and the suppression of individual variety.

We can see that the risks which knowledge brings with it must be met not by suppression but by the search

for yet further knowledge.

- (4) I conclude that the early theories of progress were substantially right in regarding progress as a movement towards 'reason and justice'. Of the quest for justice we can say confidently that it persistently shows an upward trend. And it is a rational quest, for it is the nature of reason to exclude arbitrariness and to make for unity and integration. These ideas have now spread all over the world and are everywhere contributing to the emancipation of peoples.

The belief in progress is the belief that the quest for justice will continue and that the partial successes so far attained point the way to further success. Morality is rooted in the rational nature of man and that historically there is a growing correlation between the development of knowledge and moral and social development.

However, the correlation may be more fully set out. Firstly, though knowledge as a whole undergoes development in the sense of correlated growth, the sciences dealing with the different spheres of reality tend to have a life of their own and to differ in their rates of advance.

Secondly, as we have seen, the function of reason is to organize thought and experience. But experience is not all of a piece. Moral, religious and aesthetic experiences contain elements which are not easily integrated with sensory and cognitive experiences utilized by the natural sciences. Hence the complexity of the relations between science, art, religion and morals. On the one hand the growth of science has affected religion profoundly, in the sense that events and experiences which once had a religious explanation are in later phases left to the sciences to interpret. Religion is slowly moralized and the progress in religion has often depended on fresh ethical insight. The problem

of evil, including moral evil, has haunted all the religions of the world: yet neither religion nor philosophy is identical with morals and, in practice, religion and goodness often fall apart.

Thirdly, social institutions may be conceived as arising out of efforts to adjust human relations to the needs of life. These efforts in their early phases are, so to say, trial-and-error experiments whose results are embodied and hardened in habits and customs. Ideas and beliefs play an increasingly important part, though they may be ineffectual if unable to make a strong emotional appeal.

Finally, in dealing with the development of mankind as a whole we have to take into account differences of level and rate of advance. Technological achievements are now readily diffusible and even the theoretical equipment involved can now be acquired more quickly than used to be thought.

The immediate task for a Humanist ethic is to rid the world of the now palpable irrationality of war. Once freed from the fear of war, the peoples of the world will be free to develop each in its own way, but in relation to the whole human community, and to deal with the problems that knowledge can deal with, the conquest of disease and poverty and the removal of the barriers that divide men.

They will then realize that they have a common positive aim — the unfolding and fulfilment of human faculty. Both sociological analysis and historical survey show that this aim can only be achieved by an organization covering the whole world and by methods which call forth the willing response of all its members. In this conclusion ethics and sociology are at one. The task before them is now to clarify further the conception of a self-correcting humanity, to work out its practical implications, and to give it the vivid and imaginative expression which would convert it into a guiding force. 🌈

(To be continued....)

Readers' Comments on the two Volumes of "Selections from The Radical Humanist" posted on www.academia.edu:

Kuldip Kumar left a reason for downloading 'Who will Save India's Democracy?'

Respected Mahi Pal Singh ji,

Where has been democracy for a common Indian ever? Did any poor, particularly SC ST OBC, ever taste democracy? What difference does it make to a daily wage earner as to who and how a leader occupies the chair of prime minister, CJI, CEC, President, VP, Speaker or anything like that?

We the so-called activists of democracy never cared for them. Today when our pen is being crushed we cry democracy!

Yesterday TOI reported one Varma who was appointed as justice by a self designated collegium has been found with keeping some 50 crore cash in his bungalow. Today the HOD and fire chief yell no cash found! But Kejariwal, Lalu, Soren etc are kept behind bars even if a single piece of paper is not found.

Revolutions have always been generated by common man; may it be Kabir, Ravidas, Nanak, Ambedkar, Phule or like that. Sir, democracy will be saved only if it exists for common man.

Thanks and Regards.

P.K. Rajan left a reason for downloading The Radical Humanist Volume I

Dear Comrade Mahi Pal Singh,

As you I too have spent 40 years in CPI-M. But disillusioned. I tried very hard to reform but being an ordinary member i was unable to do much. I realized it is not because of my handicaps -which can not be said as the whole and sole reason- I am in search. I found many points raised by Com.M.N.Roy are relevant. Hence my interest has increased his tradition.

Thank you.

Yours comradely

Akhilesh Mohan left a reason for downloading The Radical Humanist Volume I

Dear Mr Mahi Pal Singh,

My interest in RH is mostly personal than academic. My father who was a close associate of M N Roy read RH to his very old age. He used to discuss Roy's ideas and about his remarkable life in the family. After my father's death in 2003, I retrieved whatever books by Roy and RH volumes I could find not destroyed by weather or pests, and have kept these as memorabilia in my house. Today when cleaning the shelf I had the urge to find out about the current state of the movement and I searched and discovered your site. It is heartening to see the movement is drawing lot of interest still.

Thanks and Regards.

Soumen Chatterjee left a reason for downloading The Radical Humanist Volume I

Respected sir,

Hope you are well. I am working on the local history of Kheput, the birthplace of M.N.Roy. I need the following article by Roy: "The Dissolution of a Priestly Family," in The Radical Humanist, XVIII, Nos. 6-7, Calcutta, February, 1954, 66-68, 72-74. Will you please help me in this matter.

Thanking you,

Soumen Chatterjee

Eugenio Mendoza left a reason for downloading Selections from The radical Humanist Vol. II

Dear Mahai Pal Singh,

I am very interested in learning how the term neo-humanism and radical humanism have been coined. I am Mexican living in Venezuela, and have been studying the socio-economic

Progressive Utilization Theory.

I sense MN Roy ideas are very important to study to make this a world free of exploitation. Thank you for posting the book.

My email is :

borjas_mendoza@petalmail.com

Please let me know how I can contact you.

Sunil Kulchandra left a reason for downloading [To Be or Not To Be - Editorial](#)

Thank you

Priscilla Raj left a reason for downloading [Selections from The radical Humanist Vol. II](#)

Dear Mr Singh

I am interested in this volume as I am translating MN Roy's essays. Best wishes

Avijit Nandy left a reason for downloading [Selections from The radical Humanist Vol. II](#)

I have Volume 1 and want to read volume 2.

Swadesh Mahajan left a reason for downloading [Selections from The radical Humanist Vol. II](#)

Thank you for keeping this great tradition alive

Chandrasekhar Atla left a reason for downloading [The Radical Humanist Volume I](#)

Thanks a lot for sharing the literature and magazine articles on 'The Radical Humanist'. This type of sources will make the present day people to look back and make his own identity with free thought process.

Mallikarjuna Sharma left a reason for downloading [Selections from The radical Humanist Vol. II](#)

Thanks for this collection of articles in the Radical Humanist, of which I was an occasional reader.

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My research on the Life and Works of M.N.Roy sparked the downloading of this paper

Bhaskaran Kesavan left a reason for downloading [Selections from The radical Humanist Vol. II](#)

I am interested in the Life and Works Of M.N.Roy and hence this downloading

Evelin Lindner left a reason for downloading [Selections from The radical Humanist Vol. II](#)

Dear Mahi Pal Singh! Thank you so much for your cogent paper! I wonder, could you help me identify the exact reference for the following quote by M.M. Roy: "Throughout history, any profound political and social change was preceded by a philosophical revolution, at least among a significant section of the population?" Thank you so much! Most warmly, Evelin Lindner, e.g.lindner@psykologi.uio.no

Indranil Biswas

Respected Sir,

I am Research Associate (Cultural) in Anthropological Survey of India, Ministry of Culture, Govt. of India, now posted at Kolkata. During my tenure at Dehradun from 1996-2003, I came in contact with the Humanist Home at Mohini Road, Dehradun and M.N. Roy's writings. I want to be a subscriber of The Radical Humanist magazine. Please let me know the details.

With Regards,

Indranil Biswas

sabdokatha@gmail.com

Muthu Kumar left a reason for downloading [Selections from The radical Humanist Vol. II](#)

Dear Mahipal ji,

The present situation in the country with the

government and the media promoting elitist right wing philosophy leading to a situation of a near breakdown of civil life. Need to read up on these ideologists.

Thanks and Regards.

Moazzam Wasti left a reason for downloading Selections from The radical Humanist Vol. II

U have a very interesting selection of articles from those who are often overlooked. Keep it up. U can contact me because I am also a researcher in history.

Regards
Moazzam Wasti
emdublew@yahoo.com

Mostafa Mostafavi left a reason for downloading Selections from The radical Humanist Vol. II

Dear Mahi Pal
Thanks a lot for your paper,
My paper in this regard also is available here in this address:

[http://mostafa111.ir/images/file-down/Globalisation and Hindu Radicalism in In.pdf](http://mostafa111.ir/images/file-down/Globalisation%20and%20Hindu%20Radicalism%20in%20In.pdf)

Thanks and Regards.

Rahul Kharat left a reason for downloading Selections from The radical Humanist Vol. II

Being a social and political thinker and believing only humanity is a religion, interested to know past of India and human being.

Thanks and Regards.

Manaspratik Das left a reason for downloading The Radical Humanist Volume I

Dear Sir Mahipal Singh,

I was searching for some literature on Sri Moni Dasgupta and happened to come across this volume.

Thanks for the reading opportunity.

Regards,
Manas Pratim Das

Courtesy www.academia.edu, 22 March 2025.

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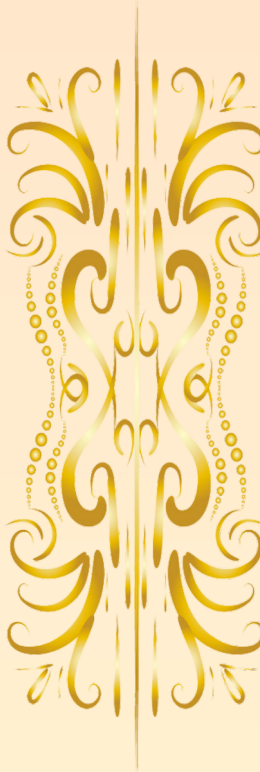
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Stashing Cash

21 March 2025

If there is so much smoke
There must be some fire
To find out what is burning
News Channels never tire
A milord went on a holiday
Soon after lucrative pay day
Controversy ignited at home
And all shouted "May Day"!
The firemen who rushed
Doused the fire and ash
Strangely what survived
Were wads of hard cash
All think cash is milord's
Too bad he did not share
Such non-cooperation
None in future must dare
As punishment the milord
Will go back to parent place
Stashing cash is bad enough
Getting caught is a disgrace!

{ Raju Z. Moray }



Raju Z. Moray practices law in Mumbai. For more than 30 years, he has been a contributor of articles and poems to publications of the Lawyers Collective. He is the author of several books including Court Jester (2017), The Locked Down Lawyer (2020) and Tales of Law & Laughter. His new book *DYC: For Better or Verse*, circumscribing the former CJI's legacy, is now available.

We smell a rat..

23 March 2025

{ Raju Z. Moray }

First they said	Now they all give	But no one wants
There was fire	A different amount	Unwelcome guest
Then they said	First they said	What they all seek
They put it out	See the videoclips	Is that "treasure chest"!
Now they say	Then they said	First they said
There's some doubt	They are all blank	This seems a bribe
First they said	Firemen,policemen	Then they said
It was in house	Who do we thank?	Let him explain
Then,in outhouse	First they said	Yet all are agreed
Packed in a sack	Boss wasn't home	Rumours are a pain
But others say	Now the boss is	First they said
We saw big stack	Not to be found	There was cash
First they said	But don't worry folks	Now they claim
There was cash	The system is sound	They didn't say that
Lots and lots of it	First they said	So why blame us
They didn't count.	Let us transfer him	If we smell a rat?

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A total of 2,090 people have read your papers on Academia till 19 April 2025. 2,679 papers mention Mahi Pal Singh.’

The two volumes have been read in **280 cities in India and 666 foreign cities,** a total of 946 cities of the world.

Editor, ‘The Radical Humanist’