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Mr. Ancha Baparao, a leading Radical Humanist, sitting in the middle at Shantiniketan, died on 17 Dec 2015 at Chirala, A P

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Secularism in India: The Inconclusive Debate

Justice R.A. Jahagirdar

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Ancha Baparao is no more

Mr. Ancha Baparao, a leading Radical Humanist belonging to Andhra Pradesh, died on 17 December 2015 at Chirala, Andhra Pradesh. He worked as editor of 'Sameeksha' and 'New Radical Humanist' and several Telugu magazines. He had conducted many study camps for Radical Humanists and himself participated in all-India study camps. He ran a tutorial school where he trained several students and published books on humanism in Telugu. He named his son as Manavendra.



Mr. Baparao was a good organizer whose death has created a big vacuum in the humanist movement in Andhra Pradesh. Several humanist leaders visited his center.

On behalf of the Radical Humanists I pay my respectful tributes to his memory and convey our condolences to his bereaved family and friends.

:- Innaiah Narisetti

Tributes to Ancha Baparao:

Ancha Baparao –A great loss to the humanist and rationalist movement

Indian Renaissance Institute (IRI) is deeply anguished on the sudden demise of Ancha Baparao on 17th December, 2015 at Chirala, Andhra Pradesh. He was in his mid-fifties. He was a dedicated radical humanist and life member of the IRI. He was also its trustee for some years.

From his young age he was influenced by rationalist and humanist thought. He became admirer of M.N. Roy and dedicated his life to the spread of the radical humanist thought and movement. He not only preached but practised the ideals cherished by him. Among his various diverse activities to promote rationalism and hu-

manism, he also founded 'Viveka Vidyalayam' (The School of Reason), a Humanist School with the objective to inculcate the spirit of 'scientific inquiry' and habit of questioning among the students. His demise is a great loss to the humanist and rationalist movement in general and to the Indian Renaissance Institute in particular. IRI will always remember his contribution to the promotion of the objectives pursued by it. IRI pays its heartfelt condolences to the bereaved family and friends.

N.D. Pancholi

Secretary, Indian Renaissance Institute

ANCHA BAPARAO

:- Babu Gogineni

With great regret I announce the death today of a dear friend and leader of Humanism in India, Ancha Baparao of Chirala.

Study Program on Humanism in Viveka Vidyalayam. "I am beginning to finally develop some financial resources so I can myself contribute to the development of Humanism".

The final floor of his college was just completed and we were all looking forward to so much happening with Chirala as the renewed focus for Humanism.

Mr. Baparao was Joint Secretary of the Indian Radical Humanist Association, held positions in the Rationalist and the Humanist organisations in Andhra Pradesh, was Editor of NEW HUMANIST, a Telugu monthly on Radical Humanism, and supported the publication of Hetuvadi monthly for a long time. He was at one time one of the closest associates of Ravipudi Venkatadri, the icon of Rationalism and Humanism for Telugu people, and also on the Committee of the Inkolle Radical Humanist Centre.



It is a crushing realization that sadly, he will not be there to welcome them anymore. For many of us of his close and intimate friends it is a deep personal loss of one who was affectionate and ever so kind. And ever smiling - like in this decades old picture.

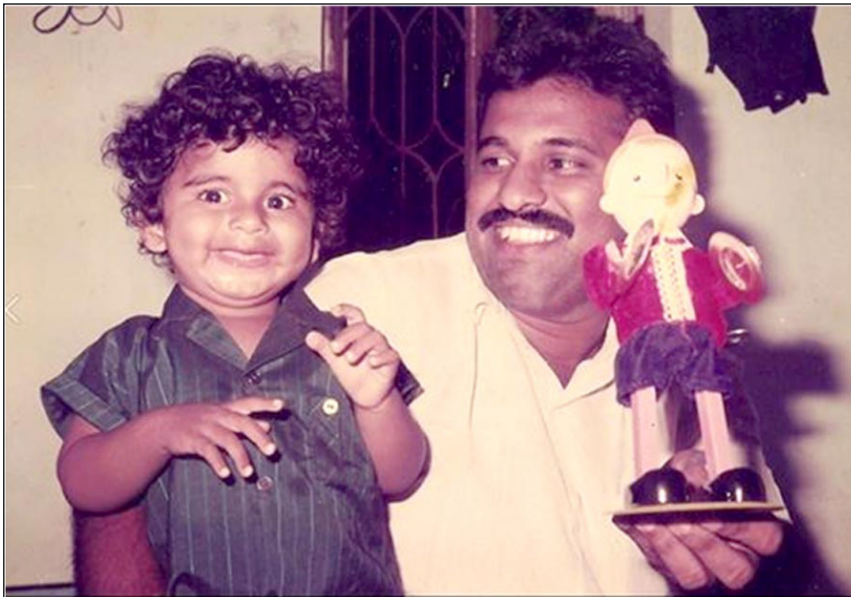
He had a massive heart attack this morning and died even before he could be taken to the hospital. He was in his mid-50s. Two years ago I was with him taking him to various doctors in tertiary care hospitals to address his heart issues. Despite the time bomb ticking with 30% heart capacity improved to over 50%, he was always active. He is survived by his wife Durga, daughter Manasa and son Manavendranadh Roy Ancha.

Just two days ago he was with all of us in Ongole for the Rationalist Training camp, told me that he was going to implement soon his plan to publish the script of THE BIG QUESTION and distribute it for free to all the schools in Ongole District, he wanted good illustrations and screen grabs from the program; he offered that he would organize a one week long residential

A lawyer by training, he started Viveka Vidyalayam (The School of Reason), a Humanist School with a unique Humanist approach for India: when it was established it was a sensation: teachers are responsible for a child not being able to learn, not the child. No homework. No physical punishment. No fear of exams in a country where the education system is in fact an examination system. No learning of answers, only understanding and questioning. All children will eat the same food as what

the school promoters ate - and no child would be charged more than the cost of the meal. Even this would be subsidized so that poor fishermen could educate their children. Often, the children from the very poor families would

Educational Institutions. When the school faced financial difficulties he converted it to a B Ed college and found that he could train many teachers and help spread Humanist ideas even further through them. It was the venue of many



In death, as in life he will be a model for the others for selfless living - his cornea would be donated to an eye bank, and his body would be donated to a medical college.

meetings - just last week a group of liberal Buddhists met there, a couple of months ago a revamped Rationalist Association of Andhra Pradesh was launched from this very venue.

When I met a leading educationist Dr. Parimi recently he remembered Baparao's school as he was there at the launch over 20 years ago, along with the late Justice Sambasiva Rao.

It was a proud moment for me whenever I took many of my Hu-

manist friends from all over the world to visit the school to show a unique Indian experiment in learning and teaching in a minimal building. In an extraordinary irony, the building got revamped, an additional floor was built and he was now eager to invite all the Humanist colleagues to come and use the new resource. He lived with his family in the school itself.

manist friends from all over the world to visit the school to show a unique Indian experiment in learning and teaching in a minimal building. In an extraordinary irony, the building got revamped, an additional floor was built and he was now eager to invite all the Humanist colleagues to come and use the new resource. He lived with his family in the school itself.

— *My respectful tributes to the memory of Ancha Baparao and sincere condolences to the bereaved family and friends.*

: - Ramesh Awasthi

— *With the premature death of Ancha Baparao, I lost a good personal friend and the RH Movement a good fighter. I met him in so many RH meets. He prepared to participate in the last year's Kolkata IRI GM. But he could not as he suddenly fell ill. We lost a gentle, brave and a pure rational mind.*

: - Ajit Bhattacharyya

Has Democracy Failed Us?

Mahi Pal Singh

When India became independent from the British yoke, the people decided to give themselves a republican democratic Constitution. It was hoped that as per the constitutional provisions the people of the country would be the ultimate sovereign and it would make them the real masters of their destiny as the people elected by them to run the country would act as the servants of the people and that they would run it in their best interests as per their wishes as the Trustees of their faith and hope. But that hope has been belied. The custodians of their hope and faith become their masters turning 'We, the People' who gave themselves that Constitution into mere subjects once they elect their 'political servants' once in five years. Once elected, these political servants never turn back to ask their supposedly sovereign masters (voters) what they want to be done. As a result out of desperation sometimes people ask, "Has democracy failed us?" On close analysis they realize that it is not democracy which has failed them but it is the political leadership of the country over the years, with some honourable exceptions, which has failed them. Those entrusted with the task of governing the country so as to empower the people, have only empowered themselves and their family members by becoming the modern maharajas of the country.

Party-based parliamentary democracy, as was anticipated by M.N. Roy long ago, has rendered democracy into a sham. Those who get elected through popular votes remain accountable to their respective political parties instead of the people who elect them. Many of them buy party tickets for elections and most of them spend crores of Rupees in the election campaign. For them the money spent by them is an investment as in a business venture. Obviously, they do not wish to get elected for serving the people. They want

to grab electoral power to make a lot of money through corrupt means which our political system provides to them. It is not surprising that one third of our legislators, in states and the national parliament alike, have multiple criminal charges against them, and the cases against them drag on for years and before the cases reach their logical conclusion, they complete their tenure as legislators. Instead of legislating, they boycott legislative house meetings on trivial matters. Some of them have even been caught watching pornographic content on their mobile phones during the sessions of the legislature. And what is even more bizarre, they get lifelong pension for their (dis)service as legislators even for a period of four years and a half, the shortest period in the world for becoming eligible for a lifelong pension. Political parties take huge money for elections from industrialists and after coming to power return it in the form of undue favours to them and remain more concerned for their benefits than the concerns of the poor people. These political parties refuse to come under the Right to Information Act because they do not want to disclose their source of funding which involves a lot of black money. Hence, contesting election in India has become too expensive an affair and an ordinary person, however well intentioned and committed to the welfare of the poor and secular-democratic values he/she may be, cannot even dream of winning, nay, contesting an election. Good people are, therefore, practically debarred from contesting elections and the field is left open to criminals who have money power. Backed by party support, which use caste, and do not even hesitate from fanning communal hatred to garner the support of some sections of the society, these anti-social elements get a clean sweep in the elections and what the voters ultimately get is

the same faces and the same parties coming to power alternately 'ruling' over them and implementing their (undeclared) agenda.

Under these circumstances 'development' has come to mean the development of the people in power and their benefactors and 'economic reform' has come to mean a rise in the share index and increased burden of taxes and rising prices, not a rise in the human development index of the ordinary people who are a means to gain power and their welfare is not the end to be achieved. The result is, thanks to the capitalist economics, the rise in the share prices is interpreted by our economists trained in the western countries as well as politicians in power as 'economic progress' while more than one third of our population which remains in 'below poverty line' slab is forced to continue to languish in extreme poverty like in-humans – homeless, malnourished, naked, without education and medical facilities, to sum it up, without the right to live or, to use a more appropriate term, exist. At the same time, ironically enough, our leaders, be it Mayawati, the supposed leader of the Dalits, or Mulayam Singh, the self-proclaimed socialist leader for whom socialism and welfare of the people is limited to the welfare and empowerment of his own family members, spend crores and crores of Rupees on their birthday celebrations.

It is not surprising, therefore, that the same people continue to be heads of most of their political parties. Bahujan Samaj Party (BSP) means Ms. Mayawati, Samajvadi Party no more than Mulayam Singh Yadav, his brothers, his son Akhilesh Yadav, daughters-in-law of Mulayam Singh and his nephews, Rashtriya Janata Dal (RJD) stands for Laloo Prasad Yadav, his wife, his daughter and his sons, AIADMK means Ms. Jayalalithaa, Dravida Munnetra Kazhagam (DMK) means M. Karunadhi and his two sons, Shiv Sena earlier meant Bal Thackeray now

followed by Uddhav Thackeray and will in future mean his son, Biju Janata Dal (BJD) earlier meant Biju Patanaik and now his son Naveen Patanaik, Mamata Banerjee is the sole leader of Trinamool Congress in West Bengal and National Conference (NC) in Jammu and Kashmir earlier meant Sheikh Abdulla, then his son Dr. Farooq Abdullah and now his son Omar Abdullah and People's Democratic Party (PDP) is nothing but Mufti Mohammad Sayeed and his daughter Mahbooba Mufti, Shiromani Akali Dal (SAD) is the sole property of Prakash Singh Badal, his son, his daughter-in-law and other relatives, whereas the Indian National Congress has always had someone from the Nehru-Gandhi (Indira) family as the supreme leader, the present incumbents being Ms. Sonia Gandhi as President and her son, Rahul Gandhi who will succeed her as the President, as the Vice-President. These details should amply show that politics is a family business for most political leaders and the CEOs of the party are from the same family. It is also pointer to the fact that there is absolutely no internal democracy in political parties, not even in the ones which have not been named here. When the Aam Aadmi Party came to power in Delhi with unprecedented support of the people it was hoped that at least this party would have internal democracy because all its leaders came from non-political social background. But with Arvind Kejriwal emerging as the face of the party, he too became master of manipulative one-man politics within no time and people like Yogendra Yadav, Prashant Bhushan, Prof. Anand Kumar and Ajit Jha, who had a longer record of commitment to social service than him, were thrown out of the party to leave no one equal to him in the party, paving the way for a one man party which it has become now. It is difficult to understand how political leaders and political parties, which do not believe in internal democracy, can promote democracy and democratic values in the country.

With the executive, the legislature, the political parties, the media houses all having sold themselves to the devil, and the judiciary remaining the only institution for the protection of constitutional democracy in the country, the future of democracy in the country cannot be said to be safe. There is still democracy in the country in form but it is missing in substance. But it is not democracy that has failed the country, it is those people and institutions which were entrusted the task of making it a success which have failed it. It is useless to hope that they will mend ways and bring it on the rails. 'We, the People', the ultimate sovereign, who gave ourselves the Constitution of India, will have to think, rise above the poli-

tics of caste and religion and throw away those leaders who have taken over all our democratic institutions and befool us in every election and become our rulers as if they are destined to rule, and we to be ruled. We have done so in bits and pieces in the past and we are capable of overhauling the whole political system. We have only to realize our potential and make a beginning. It may be a small beginning, but history tells us that all the successful movements, revolutions and changes had a small beginning. Shall we make that beginning and change the course of history or, believing in the theory of 'karma', resign ourselves into the hands of fate – to suffer eternally, as if we are destined to do so?

ON THE OCCASION OF 62nd DEATH ANNIVERSARY OF M.N. ROY

(21ST March 1887-25th January 1954)

From the writings of M.N. Roy:

NEED FOR INDIAN RENAISSANCE

Our present misfortune is due to the fact that India did not have her renaissance movement. Having had gone ahead of the European people in the earlier stages of intellectual development, she should have gone through the philosophical revolution known as the 'Renaissance', if insurmountable obstacles were not inherent in her ancient heritage. Suffice it to say at this moment that, upon the downfall of Buddhism, Indian intellectual life made no room for rationalism, and thus precluded the possibility of the eventual development of scientific thought.

GENUINE SECULARISM

An alternative development in the democratic, and therefore genuinely secular, direction will be possible only when the placid background of ignorance, superstition and blind faith will be ploughed up by the spread of knowledge, skepticism and a critical attitude. These are the characteristic features of genuine secularism.

Indian Renaissance Institute

M.N. Roy on Gandhi: “30th January: The Message of the Martyr”:

(Editorial Note: Roy was strong critic of the programmes and policies of Gandhi ji. Roy vehemently criticized his religious approach and mixing the same in the freedom movement. He rejected Gandhi's vision of 'Ram Rajya'. However he admired Gandhi ji's courage and his innate humanist outlook. In an article on Gandhi ji, published in October, 1938, Roy said that he 'appreciated Gandhiji's greatness better than any of his ardent admirers'. He further wrote, "...In my opinion, Gandhi ji will go down in history neither as a prophet nor as a saviour of the masses, but as their political awakener.....Why did the Indian masses hail Mahatma Gandhi as their liberator while many other men had been in the field before him trying for the honour? The reason is that he could speak in a language understood by the masses....". Roy was deeply anguished at the assassination of Gandhi ji and wrote following article in which he laments that Mahatma fell a victim to the cult of 'nationalism'-heavily tainted by Hindu orthodoxy, which he allowed to be preached in the freedom movement. Roy asks, "Will his martyrdom open the eyes of his followers?" Will they know how to honour his memory?"-----N.D. Pancholi)

THE MESSAGE OF THE MARTYR

:- M.N. Roy

Leaders of aggrieved India, have professed unswerving loyalty to the sacred memory of the martyred Mahatma and pledged themselves solemnly to be guided by his message. If the pledged is implemented, then death at the assassin's hand may still accomplish what a dedicated life could not. There is no doubt about the sincerity of sentiments felt in an atmosphere of poignant anguish and expressed spontaneously from the bottom of hearts moved by a dreadful experience. At the same time, it cannot be denied that, had nationalist India grasped the Mahatma's message and been guided by it without reservation, today she would not be mourning his death at the hands of assassin. Therefore, having recovered from the initial impact of the stunning blow, the country should even now try to understand the meaning of the Mahatma's message, if his martyrdom is not to be in vain.

Even during his lifetime, the Mahatma was hailed as the Father of the Nation. Nationalist India's homage to his sacred memory will be to canonise him as such. He was the patron saint of nationalism, which triumphed during his lifetime. Yet he fell a victim to the very cult he preached. That is the implication of the terrible

tragedy which stupefied the entire civilized world. But few seem to have learned the lesson. The patron saint of nationalism has been sacrificed at the altar of the geographical goddess of 'Akhand Hindustan', and all Indian nationalists, who today reaffirm undying loyalty to the Mahatma, also worship at the shrine of that goddess. Since that fanatical cult logically goes to the incredible extent of demanding the blood of its own patron saint, the Mahatma's message must have been greater than a mere call for suffering and sacrifice for the country. Essentially, it is a moral, humanist, cosmopolitan appeal, although the Mahatma himself allowed it to be heavily coloured by the narrow cult of nationalism. The lesson of the martyrdom of the Mahatma is that the noblest core of his message could not be reconciled with the intolerant cult of nationalism, which he also preached. Unfortunately this contradiction in his ideas and ideals was not realized by the Mahatma himself until the last days of his life. During that period, he was a disillusioned soul, full of sorrow, struggling bravely against the growing feeling of frustration with an apparently stout optimism based on the sand of an archaic faith. The doctrine of non-violence represented an effort to introduce

morality in political practice. But in the Mahatma, the politician often got the better of the moralist. Personally he may never have deviated from his principles, or faith, as he preferred to call it. Yet, he allowed, or condoned, compromise in the political practice and personal conduct of his followers. Even that he did not do willingly. His codes of morality appeared so very dogmatic to others that they often could not observe them without surrendering judgment. Except in some quaint details, the moral codes preached by the Mahatma are unobjectionable. As a moralist, he followed the footprints of the religious preachers of the past; and therefore his codes were bound to appear dogmatic in the rationalist atmosphere of our time. Instead of rejecting them on the specious plea of practical political pragmatism, one should provide them with a secular and rationalist sanction. Utilitarianism is not the only alternative to intuitionist or transcendental morality.

The implication of the doctrine of non-violence is the moral dictum that the end does not justify the means. That is the core of the Mahatma's message – which is not compatible with power-politics. The Mahatma wanted to purify politics; that can be done only by raising political practice above the vulgar level of a scramble for power. But for this, nationalist India today would not be intoxicated with the idea of having a strong army – an idea which logically spells the danger of war. In the atmosphere of the intoxication, it is blasphemous to pledge unswerving loyalty to the message of non-violence and peace preached by the Mahatma.

Nationalism, heavily tainted by Hindu orthodoxy, bred Muslim communalism. Therefore, the ideal of Hindu-Muslim unity, placed before the country by the Mahatma, could not be attained. The failure in this respect must have been the greatest blow for the Mahatma. During his last days, he staked his life for restoring communal harmony. He failed. Where he failed,

smaller men with less lofty motive will not succeed. Nationalism is heading towards its nemesis. The cosmopolitan (non-communal) and humanist message of the Mahatma was never so urgently needed by India as today. Caught in the vicious circle of the contradiction of his ideas and ideals, the Mahatma could not see the limitation of nationalism before it was too late. Will his martyrdom open the eyes of his followers? Will they know how to honour his sacred memory? That can be done by acting according to his message, more boldly than he dared himself.

The Mahatma's place of honour in history will not be that of a patron-saint of nationalism which, in power, is bound to go against the moral and humanist essence of his message. He will be remembered for having vaguely visualized a humanist idea, while still groping in the twilight of medievalism. Primarily a religious man he set before his followers high ideals which could not possibly be attained unless the human spirit broke out of the charmed circle of the religious mode of thought. Therefore, like all other religious prophets of morality, peace and human brotherhood the Mahatma was destined to fail in his mission. Communal harmony is not possible in the mediaeval atmosphere of religious orthodoxy and fanaticism. The ideal of individual liberty is precluded by nationalism, which is a totalitarian cult. In the absence of individual freedom, humanism is an unattainable idea. The inspiring vision of a peaceful human brotherhood is bound to be eclipsed by the ambition of making the nation great, prosperous and powerful. It would be idle to pledge loyalty to the message of the Mahatma unless it meant realization of its contradictions and an intelligent resolve to place the moral and humanist core of his teachings above the carnal cult of nationalism and power-politics. Otherwise, the Mahatma will have worn the crown of martyrdom in vain.

---'Independent India', February 8, 1948.

Modi lives in make-belief world

:- Kuldip Nayar

I am amazed at the silence of the Prime Minister Narendra Modi's government and his Bhartiya Janata Party (BJP) on the return of awards. Engrossed in petty politics they do not seem to realize what an award in literary, scientific or other fields entails.

Heights are not easy to scale. The awardees must have walked an extra mile to reach the place of distinction. Their charge is that an atmosphere of intolerance prevails. Modi who speaks at the drop of hat is conspicuous by his silence.

The charge of intolerance is not made by an individual. Some 500 eminent scholars, scientists and artists from all over the country have returned their awards. They have not consulted one another but have felt choked in the same way in the atmosphere of intolerance. When all of them, from different clines, feel that they cannot express themselves freely, the Modi government should sit up and find out why such a feeling has cropped up.

There can be many reasons. One is because of the increasing say of extremist RSS in the affairs of Central government. To dismiss the feeling of intolerance as a 'manufactured response', as Finance Minister Arun Jaitley has observed is closing eyes to the realities. By this time, the BJP should have realized that its emphasis on religious differences between Hindus and Muslims has given rise to parochialism and intolerance and have kept the two communities distant.

One writer, who has returned the award, has said in his letter to the Akademi that the current trend of curbing the views of dissent, freedom of expression has forced them to take the step. He has cited the example of murder of intellectuals like Narendra Dabholkar, Govind Pansare

and MM Kalburgi because of their writings.

I believe that the awardees will march on the streets of Delhi on Jan 26 to voice their protest. What has happened to the tolerant nation is beyond my comprehension. It fought a fierce battle against the British. Both Hindus and Muslims had waged the independence movement. Among those in the Muslim community were leaders like Maulana Abul Kalam Azad and Frontier Gandhi Khan Abdul Ghaffar Khan. The BJP was not even born at that time. It is tragic to see those in power who did not contribute a bit to the independence struggle.

What is happening today is worse. There is a thickening atmosphere of communal polarization, hate crimes, insecurity and violence. People occupying constitutional posts seem to be promoting or patronizing the hate campaign.

And one can see that the government is not functioning independently. RSS is in charge. Things have come to such a pass that the government-owned Akashwani disseminated the views of RSS chief Mohan Bhagwat. He did not say anything objectionable. But the country knows how strong his belief in Hindutava is. It is apparent that the extreme fringe of Hindus has taken over the government. It assumes that what it says or does is what constitutes the will of people. It is the judge and plaintiff rolled into one.

Leave the liberal elements among Hindus aside, none in the Jamaat-e-Islami can afford to be liberal. One, he would never be allowed to air his views from the Akashwani. Two, if he were ever to do so he would be as extremist as the RSS chief.

Still we talk about pluralism. If it has to have any meaning, the minorities have to enjoy equal

rights. The constitution says so. But there is no implementation because those in power have their own parochial agenda.

With 80 per cent Hindus in the country, we could have become the Hindu Rashtriya, the destination of RSS. Yet, being midnight children of partition, we in India have preferred secularism and do not to mix religion with the state.

True, Pakistan has become an Islamic state. But this is despite the stand by its founder, Mohammad Ali Jinnah. He said, after the establishment of Pakistan in the wake of the British rule, that we were either Indians or Pakistanis, not Muslims and Hindus. But the Maulvis took over Pakistan. After a long time and with great difficulty, people there have brought a bit of liberalism.

Where we in India have slipped is the pro-Hindu sentiment which has come to prevail with the advent of the Modi government. This has meant the denial of secularism, which is written in the preamble of our constitution.

The stand of the Muslim League before partition was for a separate state of Muslims. True, the Islamic Republic of Pakistan came to be constituted. But the fallout, I think, has not been favourable for the Muslims. They have got di-

vided in three countries, India, Pakistan and Bangladesh. Imagine if the Muslims had been together, they would have been some 35 per cent, which is a large number in a democratic polity.

The frightening part, as the experience of last 70 years shows, is that the line drawn on the basis of religion has institutionalised the enmity between Hindus and Muslims in the shape of India and Pakistan. One can see how the enmity between the two countries has come in the way of the region's development. Not only that, both are at each other's throat all the time. They have had two wars and the Kargil adventure. There is no prospect of permanent peace between the two even though India's foreign minister Sushma Swaraj has said that war is no option.

Pakistan goes on saying that Kashmir is the core issue which, if and when solved, can bring about a fruitful friendship. But my contention is that Kashmir is symptom, not the disease. The disease is mistrust. Unless that is removed, no agreement pact can bury the hatchet between the two countries.

(Kuldip Nayar is a veteran syndicated columnist catering to around 80 newspapers and journals in 14 languages in India & abroad. kuldipnayar09@gmail.com)

Mahatma Gandhi on Dissent

I have repeatedly observed that no school of thought can claim a monopoly of right judgement. We are all liable to err and are often obliged to revise our judgements. In a vast country like this, there must be

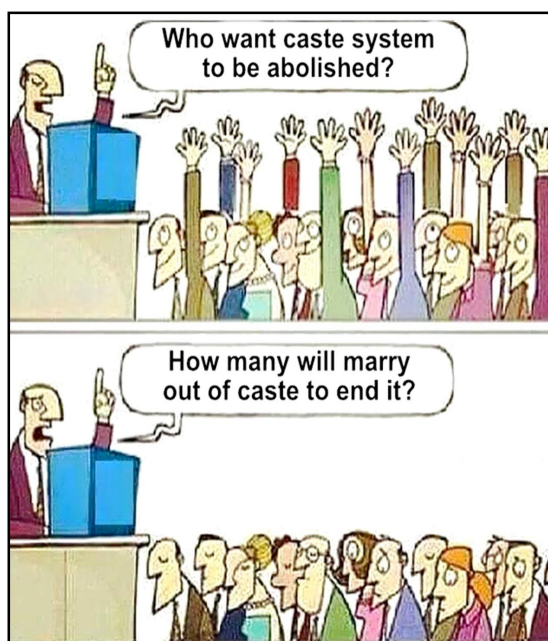
room for all schools of honest thought. And the least, therefore, that we owe to ourselves as to others is to try to understand the opponent's view-point and, if we cannot accept it, respect it as fully as we expect him to respect ours.

:- Mahatma Gandhi

Lohia on Caste – a few critical observations

:- Bapu Heddurshetti

Vice President Hamid Ansari, delivering the first Rammanohar Lohia lecture in Gwalior on 23rd September 2015, inter alia said that ‘Lohia had pronounced views on the caste system and the damage it has done to Indian psyche. At the same time, he was realistic about ways of modulating it’. This is an attempt to critically view Lohia’s views on the origin, effect and the ways of modulating the caste system.



Rammanohar Lohia, played an important role in the socialist movement in India. After he left the Praja Socialist Party and set up his own Socialist Party in 1956, he advanced certain ideas and theories about the origin and character of the castes and the caste system; about the Caste and Class being the same with mobility as the distinguishing factor; and about the modes of destroying the castes.

However, most of his formulations on caste and caste system appear dubitable and contradictory. For example, Lohia says that “Classification by

birth or its recognition by religion is not a necessary quality of caste.”¹ Needless to say that this offends the very etymology of the term ‘Jati’. The root ‘Ja’ out of which the word ‘Jati’ is derived refers to birth.

On the origin of the castes he appears to have held three different views – that they arose because of distinction between manual and mental labour; that they arose because the victors in wars instead of destroying the vanquished, sought to restrict their status and income; and that castes are a sort of conflict resolution system of society.

In his article ‘Towards the destruction of Castes and Classes’ he says: “This rift between manual and brain work and evaluation of one as the lower and the other as the higher and the increasing complexity and permanency of this rift are behind the formation of caste”².

While it is true that there has always been a rift between manual and mental labour, if such a rift was the cause behind the formation of castes, then there should have been only two castes – one doing mental labour and another doing manual labour. Thus the formulation does not explain the existence of not only thousands of castes but also the existence of several castes within those doing mental labour and thousands of castes within those doing manual labour. Thus Lohia’s formulation appears to be too much of a generalisation hurriedly arrived.

In another article Lohia appears to subscribe to the theory that the caste system was some sort of a spoils system wherein certain conquered tribes were, instead of being destroyed, subjugated with their status and incomes determined by the victors. Though he says, “How the caste system in India arose, and whether whole tribes which were conquered were integrated into the

Indian caste system as its various castes” is a moot point for Indian historians, as they did not know the facts,³ his later statements on caste treating status and income fixation as a criteria of castes makes one believe that he did subscribe to the theory. He appears to have been influenced by the theories advanced by some of the western scholars that the Shudras and the Untouchables were originally non-Aryan people who were vanquished by the Aryans but accepted in the Vedic society by giving them a lower status.

However it is doubtful if this theory can be extended to explain the rise of thousands of castes in India. If one accepts the hypothesis, many inconvenient questions arise. If all castes arose out of the vanquished people who were the victors? If Aryans were the victors, Aryans themselves were divided into Varnas which had the characters of castes. If Varnas were castes, who vanquished the Brahmins and restricted their incomes? Vaishyas were a very rich people who were lending money even to the Kings and Emperors. Who vanquished the Vaishyas and were their incomes also restricted by the victors? Or, if their incomes were not restricted, were they the victors? If after such restriction, the Vaishyas still grew rich, how did the victors allow such growth? The theory also does not explain how thousands of castes could have arisen out of the vanquished people.

Also the equation of incomes with castes certainly appears very incongruous. The two did not go together in the caste system. While Brahmins were very poor in incomes, they were the highest in status and the Vaishyas though very rich came third even in the hierarchy of the Varna system.

In the article ‘Class and Caste’, Lohia, by defining caste system as a conflict resolution system, makes it a universal phenomenon not restricted to India. He says: “Some may be inclined to think that caste is a specifically Indian phe-

nomenon. In the sense that caste has endured an unbelievably long time that it has acquired some very sharp features, it is a uniquely Indian institution. But as an institution in which different classes of population have found their proper place and do not dispute much with one another, it is universal”.⁴

But if one accepts this theory also very inconvenient questions arise. How did they get, their places in society? Did they get it through conflict or through contract? If through conflict, how come the Brahmins occupied a higher place than the Kshatriyas? If by contract, what made the Shudras accept a lower position in the society? In what sense were the places obtained by them ‘proper’?

Socialists all over the world were greatly influenced by Karl Marx and the Russian Revolution. Marx had talked about the existence of classes and had called for class struggle to create a classless society. In India there were castes also. Hence efforts were made to find out an equation between classes and castes by many thinkers. Socialists noticed that the lower classes and the lower castes generally coincided. Acharya Narendra Deva, the doyen of the Indian Socialist movement, by saying “that the lower castes, who are the expropriated ones consisting of landless agriculture labourers and small peasant, are rising against the vested interests and economically superior higher castes”,⁵ recognised the coincidence. Examining the class-caste relations Dr. B.R. Ambedkar, who was also a Socialist, though he did not claim to be one, said “class and caste, so to say, are next door neighbors, and it is only a span that separates the two. A Caste is an Enclosed Class”.

Marx had said ‘all human history hitherto has been a history of class struggles’. Lohia, in literal imitation of the Marxian formulation, of which he appears to have been very fond, said “All human history hitherto has been an internal movement

between castes and classes, between classes solidifying into castes and castes loosening into classes,”⁶ and spoke about caste struggle to create a casteless society. “Why are those, who view class struggle as inevitable for the establishment of a classless society, so much averse towards caste struggles for the creation of a casteless society?” he asks.⁷

On the possible relationship between classes and castes Lohia said, In his article ‘Class and Caste’, “What distinguishes caste from class is immobility that has crept into class relationship, the immobility of an individual to get into a higher caste and of a whole caste to move up in status or income. Class is mobile caste. Caste is immobile Class.”⁸

So it was Class = Caste + Mobility and hence Caste = Class – Mobility (Class is equal to Caste plus Mobility and hence Caste is equal to Class minus Mobility). So Class and Caste were two forms of the same substance which changed its form like a chameleon. The equation has two elements – one, the equation presumes that there was mobility in classes whereas there was no mobility in castes, and two, if both were different states of the same substance, then destroying one would entail the destruction of the other automatically, which strangely Lohia vehemently denied.

Based on his Class-Caste equation, Lohia even ridiculed Marx in the same article: “Karl Marx tried to destroy class, without being aware of its amazing capacity to change itself into caste”. Did he mean that when the bourgeois class is destroyed by the proletarian class in a revolution, it assumes the form of a caste and co-exists with the proletarian class? Was the ‘New Class’ referred to by Milovan Djilas a new caste of Lohia’s conception? To do so it would require stretching of the definitions of both Class and Caste beyond recognition.

One can have two reservations about Lohia’s Caste-Class equation. Firstly even in ancient India, there were instances, not only of an individual rising higher in the caste system but also of whole castes rising higher in the caste system. Secondly the equation is self-defeating.

M.V. Nadakarni a noted sociologist, says that “even after the caste system emerged in Hindu society, there was considerable social and occupational mobility”. In support of his arguments he quotes two verses from Mahabharata for the rise of an individual to the higher status in the caste system - Yastu Shudra dame satye, dharme cha satatottithah, tam brahmanamaham manye, vritten hi bhavet dvijah. Na jatih karanam tata, gunah kalyanakaram, Vritasthamapi chandalam, tam devah brahmanam viduh. A free rendering of these verses in English would be: That Shudra who is ever engaged in self-control, truth and righteousness, I regard him a Brahmin. One is a twice-born by conduct alone. And birth is not the cause, my friend; it is virtues, which are the cause of welfare. Even a Chandala observing the vow is considered a Brahmana by the gods.

About the entire caste rising higher in the caste system in his article “Religion and Society among the Coorgs of South India” M.V. Nadakarni, concludes that there was mobility even among castes. He says that “To gain a higher rank in the caste system, they practised what the upper castes practised, like upanayana (sacred thread ceremony), and even certain 'homas' and pujas through which eventually several castes gained in caste status” Such attempts are called as sanskritisation by him.

Secondly, in the equation, if caste is infused with mobility it becomes class and then class can be destroyed using Marxian methods. Again, if class is destroyed the caste would automatically get destroyed because of the class-caste equivalence. For example, if steam, water and ice are the three

forms of the same substance depending upon its state, then, if water is destroyed, then there will be no question of its becoming steam or ice.

Socialists are against the caste system because it inheres inequality and, Socialism, is a doctrine of equality. Hence, on the modes of destroying the caste system, Socialists wanted the destruction of the inequalities in the system though in such an eventuality castes would continue to exist in the society but would not be hierarchical in nature and structure. However Lohia ploughed a different furrow. He wanted the total destruction of the castes themselves and not just the inequalities between castes.

Lohia said, "Those who talk of equality while retaining castes are either scoundrels or fools. There can be equality among castes only when castes are abolished."⁹ This is a contradiction in terms. Equality can exist only in a situation of plurality. If there are no castes at all the question of equality does not arise at all.

However, the modalities for destruction of castes suggested by Lohia were inter-dining, inter-marriage and preferential opportunities for the backward castes, which were once again contradictory to one another. He said, "the caste system, can be destroyed only when inter-caste marriages become common". He also said, "On the day that marriage between Sudra and Dvija is designated as a qualification, among others, for recruitment to the administration and the armed forces and refusal to inter-dine as a positive disqualification, the war on caste will begin in earnest".¹⁰

He further said, "A political program to attack the Caste system must be coupled with social activities such as collective feasting etc. Time is yet not ripe to chalk out a program of making inter-caste marriage obligatory." But in the same breath he says "as the logical consequence of the policy of destruction of caste until the system

of caste is totally destroyed the reconstruction of India should have preferential opportunity as its basis".

Once again two caveats can be entered. Firstly, inter-caste-dining and more so inter-caste-marriages have been advocated because it is presumed that while inter-caste-dining eases the tension between different castes, the child born out of inter-caste-marriage loses its caste because in the traditional caste society the child inherits the caste of its parents. However, inter-caste-marriages have been taking place in India since time immemorial and the castes have still persisted. Historian K.M. Pannikker opines that even before the end of the Vedic period, inter-caste marriages had been started by Seers themselves.¹¹

This is perhaps because the caste-system gave a new name to a child born out of inter-caste-marriage and created a new caste. The rules relating to the 'Gotras' show that exogamy was the rule in ancient India. It is precisely when inter-Varna marriages started taking place that endogamy had to be forced on the society and that is how the castes came into being. Manu had prepared such a water tight compartment for castes that even inter-caste marriages gave rise to newer and newer castes so that the purity of the original castes was never compromised. Manu categorised inter-verna marriages as anuloma and pratiloma marriages and gave a new name to the progeny of each of these inter-verna marriages. These progeny formed the different castes. For example, he calls the progeny of a Brahmin father and a Shudra mother 'Nishada' and the progeny of a Shudra father and a Brahmin mother 'Chandala'. He then named each progeny of an inter-caste marriage as a new caste. For example, the progeny of a marriage between a 'Nishada' and a 'Chandala' was named 'Antyavashayin'.

Moreover marriage is a personal matter and

involved the 'liberty' of the persons marrying. If one opts for marrying within one's own caste, nothing could be done about it. Everyone had to be persuaded to marry outside his caste and see that the child did not inherit the caste of the father or the mother but became caste-less. However, Lohia was keen to enforce inter-caste marriages even by making them obligatory for recruitment in Government and the Army. This clearly offends the concept of liberty which is the first core value of Socialism.

Lohia was of the view that the preferential opportunities will destroy the castes.¹² But then the question is whether the preferential opportunities 'destroy' the castes or strengthen them? A person who does not believe in caste will marry a person from another caste. But a person who wants the benefit of a preferential opportunity will have to stick to his caste to claim the benefit. And

since a large majority of people are backward and would like to benefit from preferential opportunities, this would only tend to strengthen the castes and thereby the caste system, rather than destroying them. However, though the preferential opportunities may not be able to destroy the castes, they would certainly reduce the inequalities between castes and bring about equality among them, which is what exactly the Socialists wanted.

Finally, Lohia says, the real and modern revolution can take place only when the poor of the lower castes and of the upper castes together take up the leadership.¹³ Then what happens to the caste struggle that he was speaking about to bring a caste-less society? Shall we say that this was a case of class overtaking the caste? Did Lohia mean that ultimately for achieving a 'real and modern revolution' the caste struggle has to yield to class struggle?

1. *Collected Works of Dr. Rammanohar Lohia: Ed. Mastram Kapoor: Vol. 2.P.141.*

2. *Collected Works of Dr. Rammanohar Lohia: Ed. Mastram Kapoor: Vol. 2. P. 278.*

3. *Purpose and History: Collected Works of Dr. Rammanohar Lohia: Ed. Mastram Kapoor: Vol. 2. P. 120.*

4. *Class and Caste: Collected Works of Dr. Rammanohar Lohia: Ed. Mastram Kapoor: Vol. 2. P. 141.*

5. *Towards Socialist Society: Ed: Brahmanand. P-340.*

6. *Class and Caste: Collected Works of Dr. Rammanohar Lohia: Ed. Mastram Kapoor: Vol. 2. P. 150.*

7. *See Collected Works of Dr. Rammanohar Lohia: Ed. Mastram Kapoor: Vol. 2. P. 328-331.*

8. *Class and Caste: Collected Works of Dr. Rammanohar Lohia: Ed. Mastram Kapoor: Vol. 2. P. 141.*

9. *See the resolutions passed at the All India End Caste Conference held by Lohia's Socialist Party held between 31st March and 2nd April 1961 at Hajipur and at the Third National Conference of his Socialist Party held in Banaras in April 1959. These are available in Volume Two of Collected Works of Dr. Rammanohar Lohia: Ed. Mastram Kapoor from pages 328 to 336.*

10. *The Two Segregations of Caste and Sex': Collected Works of Dr. Rammanohar Lohia: Ed. Mainstram Kapoor: Vol. 2. P. 202.*

11. *See 'Geographical Factors in Indian History'*

12. *'Guilty Men of India's Partition: Collected Works of Dr. Rammanohar Lohia: Ed. Mastram Kapoor: Vol. 2, P. 97.*

13. *See Uttara-Dakshina-Page 146-published by the Dept of Kannada and Culture, Govt of Karnataka.*

"Information is the currency that every citizen requires to participate in the life and governance of society." **Justice A. P. Shah**, former Chief Justice, Delhi and Madras High Courts, (2010)

The Plight of the Second Class Passengers & Ministry of Railways - Achievements & Initiatives

Dear Shri Sureshprabhu,

Please allow me say that whatever your vision of the Indian Railway's future, it is of no worth unless you provide a seat to every second class passenger you have charged for the same. To be honest, it is sickening to hear P.M. Narendra Modi swearing in the name of the poor but treating them as worse than cattle. Please see for yourself the condition in which you compel the passen-



If this is the condition of the Second Class passengers on Indian Railways trains, can bullet-trains be the priority of the country?

gers of the second class to travel. The issue is not only of the consumers' rights, but of your and the nation's conscience, morality and humanity .I mean no personal offence in saying that any Railway Minister (and the nation itself) worth its salt should be ashamed of himself at treating his own people so inhumanly. I put it to you to decide for yourself whether any Railway Minister with even an iota of human feelings and conscience can conceive of spending 98000 crore on a bullet train to cover a distance of a little over 500 km to serve a handful rich passengers while treating the overwhelming number of the passengers of the Second Class, who are poor as worse than animals. I had written to the P.M. also because I was taken in by his pro-poor rhetoric but did not hear from him. I hope you would consider the merit of the issue of humanity, integrity and fairness to the passengers of the Second Class you subject to such inhuman treatment simply because they are poor, simple and helpless.

I sometimes notice media report about the prompt response you gave to a passenger who approached you on Twitter for your help .I would not judge your reported act as a gimmick without waiting for your response to this problem, which concerns your human feelings, integrity, sensitivity and ethics as a person and Minister for Railways.

With regards,

Prabhakar Sinha

The Truth about The Gita

By Late V R Narla*



V.R. Narla

(On 30th August 2015 Prof. M.M. Kalbrgi, a renowned rationalist scholar and former Vice-Chancellor of Hampi University, Karnataka was shot dead at his residence. Co-Convenor of the Bajrang Dal's Bantwal cell, Bhuvith Shetty, welcomed the assassination of M.M. Kalburgi. Earlier a leading rationalist and anti-superstition activist Dr. Narendra Dabholkar was murdered in Pune on 20th August 2013 and another left leader and outspoken critic of Hindutva, Govind Pansare was murdered in Kolhapur on 20th February 2015. All these had the courage to speak the unsavoury truth based on their research without fear of consequences. All of them are suspected to have been killed by right wing religious extremists. With the BJP government at the Centre providing tacit support, right wing Hindutva elements are emboldened and are increasingly coming out openly against persons who are merely critical of Hinduism.)

Human rights activists have strongly condemned the killing of Kalburgi and earlier those of Narendra Dabholkar and Govind Pansare. As a mark of respect to these scholars and rational thinkers, and our commitment to rationalist thinking and also upholding the cause of freedom of speech and expression as granted by the Indian Constitution, we are publishing some chapters from the book 'The Truth about the Gita' written by late V.R. Narla, also a great scholar and rationalist, beginning with the September issue of The Radical Humanist. – Editor)

Archaeology is mute. And yet, it can reveal truth. Literature is articulate, but it has a natural tendency to embroider truth. And when it is that special branch of literature called myth and mythology, truth gets hopelessly enmeshed in its gaudy embroidery. Literary evidence should therefore be treated with extreme caution when one is writing the history of far off ages. Indeed, it should not be trusted unless it is corroborated by other sources, especially by archaeology.

This is a precaution that is taken by the historians of ancient Sumeria, Babylonia, Assyria, Egypt, Phoenicia, Crete, Media, Phrygia, Lydia, Carthage, Greece, Rome, Persia, China, in short, of every ancient nation. But it is hardly the case with the historians of ancient India. Why? Is it because of fear of disillusionment? Yes, indeed! For two thousand years or more, we as a nation have been living on a diet of myth and mythol-

ogy. No, I am wrong there. It is more a drug than food. We swallow it in large doses and it makes us euphoric. Ignoring our present, we gloat over our past. We boast about the glory of Ayodhya and the glitter of Hastinapura. We brag about that ancient Disneyland, the Mayasabha of Indraprastha.

If we take up the spade and start to dig, it may, we fear, reveal to us the truth about our Aryan past in all its stark nakedness. It may scatter to the winds our illusions about our supposed golden age presided over by Rama and Krishna. In fact that happened whenever we excavated the sites associated with the Ramayana and Mahabharata. It blew up sky-high the myth that the Aryans brought with them a superior civilization when they descended on India as conquerors. As it happened in several other parts of the world, and as it happened in several other periods of history,

invariably the invaders were barbarians while the invaded were the civilized people. The onslaught of the Aryans meant a violent blow to the higher civilization of the Harappans and resulted in its gradual decline and death.

And for almost a millennium, say, till the rise of the Magadhan Empire (and it was the very first empire in Indian history), India had no more cities like Harappa and Mohenjodaro, no more towns like Kalibangan and Rangpur, no more ports like Lothal. The Aryans lived in mud houses, cooked in mud pots, ate out of mud bowls and drank out of mud cups. Their material culture was poor; they were total aliens to urban life and its amenities.

Together with their cows, they lived in village settlements, often sharing the same compound with their cows. This last statement is not meant to be a sneer; it is a statement of fact. Cow was their unit of exchange; it was their currency; it was their wealth, their status symbol. The highest luxury for them was to press the soma juice, a kind of strong liquor, thrice a day, and quaff potfuls of it. The material culture of the Aryans was thus of the lowest order. Writing in 1962, Stuart Piggott said: "Like the Amurru in Mesopotamia, the Aryans were people who had never known a city." A greater archaeologist than Piggott, Sir Mortimer Wheeler, writing in 1966, was far more emphatic, and he stated:

Let us admit uncompromisingly that no Aryan culture has yet been isolated anywhere in India as a material and recognizable phenomenon... .I

The verdict of these two foreigners should have been taken up as a challenge by the devotees of Rama and Krishna. They should have stunted neither time nor money nor effort to prove them wrong. Every site that had anything to do with the Ramayana and the Mahabharata should have been excavated long ago, not perfunctorily, but with utmost diligence to demonstrate how incor-

rect are the Piggotts and Wheelers. Instead of doing that they vie with each other in drawing unwarranted conclusions from the shreds of the Painted Grey Ware found over a wide area, a few glass beads and iron arrow-heads discovered here and there, and a solitary twelve-room mud house located at the level of the last phase of the Harappan culture. Except to people given to wishful thinking, these prove nothing but the fact of the low level of the material culture of the Aryans during the thousand years from the time they forced their way into India to the rise of the Magadhan Empire with its base in what was predominantly a non-Aryan region.

Of course, it is said that a statement made in the Puranas, namely, that after it was badly eroded by the flood waters of the Ganges in the eighth century B.C., the capital of the Kurus was shifted to Kosambi has been proved correct by drillings into the bed of the river at Hastinapura. Just because that one statement is corroborated by archaeology, does it follow that the many silly things said about that city in the Puranas should ipso facto be correct? One such silly thing is this: Hastinapura, the Puranas tell us, was founded by Hastin; they also tell us, that Dushyanta, and his more famous son, Bharata, had Hastinapura as their capital. In the Puranic genealogical lists, Hastin is the fifth in succession to Dushyanta. How could the city founded by Hastin be the capital of his forefathers? ³ But nothing is too silly or absurd or crazy where Puranas are concerned.

Potsherds, glass beads, arrowheads and a twelve-room mud house —these cannot bear witness to a high material culture; that can be done only by massive monuments. As no such monuments have been found at Hastinapura, A. Ghosh rightly sounded a warning. He said:

... a word of caution is necessary, lest the impression is left on the unwary reader that the Hastinapura excavation has yielded ar-

chaeological evidence about the truth of the story of the Mahabharata and that here at last is the recognition by 'Official archaeology' of the truth embodied in Indian traditional literature. Such a conclusion would be unwarranted. Beyond the fact that Hastinapura, the reputed capital of the Kauravas, was found to be occupied by a people whose distinctive ceramics were the Painted Grey Wall in a period which might roughly have synchronized with the date of the origin of the nucleus of the Mahabharata story, that this occupation came to an end with a heavy flood and that this Ware is found at many early sites, some of which are connected, either in literature or by tradition, with the epic heroes, the excavation has no bearing on the authenticity or otherwise of the epic tale. It is indeed tempting to utilize archaeological evidence for substantiating tradition, but the pitfalls in the way should be guarded against, and caution is necessary that fancy does not fly ahead of facts.

But we do allow our fancy to fly ahead of facts where our old myths and mythologies are concerned. We fail to realize that the bulkier the old books are the greater the interpretations into them and the value of their anthropology, their geography, their history and the skeleton of that history, I mean, their chronology. The orthodox crowd, and to our deep regret it includes even many of our archaeologists, anthropologists and historians, are blind to this.

A typical representative of this blind crowd is C.V. Vaidya. "The Mahabharata War or rather battle", he wrote with a grand flourish, "is the first authentic event in the ancient history of India." s As if it was not enough, he affirmed that "nobody has doubted the truth of the event". A brasher statement can hardly be imagined. Not only the event, but also the date of the event was questioned very much by very many people, as we have already seen. And people would continue

to question these things despite all the shouting, all the wailing and all the gnashing of teeth by the traditionalists.

In the spirit of a true historian, Vincent Smith said:

From darkness to light. The advent of the Maurya dynasty marks the passage from darkness to light for the historian. Chronology suddenly becomes definite, almost precise; a huge empire springs into existence

That is too much for the sanatanists to swallow. "Much earlier", they will tell you at the top of their shrill voice, there were six great emperors who ruled the whole world from their imperial throne in India. And all of them were pure-blooded Aryans and Kshatriyas who descended directly either from Surya (the Sun God), or Chandra (the Moon god). To hail the Maurya Chandragupta, the upstart, as the first emperor, they will declare, is a part of the dirty plot of Europeans like Vincent Smith to deny the honour of hoary antiquity to Indian history. In their bid to counter this plot, they maintain that the Chandragupta who was a contemporary of Alexander the Great was not of the Maurya Dynasty, but of the much later one, the Gupta dynasty. This would place the Gupta dynasty in the fourth century B.C. If you dare to protest, they will knock you down by hurling at you all their panchangas and all their Puranas. What counts, they pontificate, is that great divide between the Dwapara and Kali Ages, the Mahabharata War, fought in 3102 B.C. If that takes Asoka back at least by a thousand years, as it was pointed out by A.A. Macdonell,' and if it does not synchronize with world chronology, let Asoka and the world chronology be consigned to the blazing pits of hell. Being a Rai Bahadur and a little more sophisticated, Vaidya did not say it openly, but the Vijayawada historians and Vijayawada author to whom I referred to earlier, did!

Now, we have that new technique called "Carbon -14 dating". It was a discovery for which Willard F. Libby got the 1960 Nobel Prize for Chemistry, Libby's dating technique enables us to explore the past as never before. With its aid we can establish chronologies for prehistory as well as for the recent geologic and climatic changes. Of course, it has some limitations. It can, as Libby himself explained, take us back in time for a period of forty thousand years only "with an error of measurement of about one century in the period zero to twenty thousand years and somewhat larger for older dates".⁸ True, since the time of Libby's statement which I quoted, it has been found that a slightly wider margin for error has to be allowed. But that has not taken away the importance of Libby's carbon-dating technique.

And yet, to accept its efficiency is to admit that your panchangas and Puranas are of no use in fixing a chronology for Indian history. And so, the margin of error, in radiocarbon dating, is exaggerated, indeed, the whole technique is belittled. And we are left wondering whether our Vaidyas are not really mythologists in the garb of historians!

The best thing to do with our Vaidyas is to ignore them; to argue with them is to give needless importance to their chatter, or, their gibberish, if you prefer the stronger expression. Carbon-14 dating has, on the whole, confirmed the correctness of the chronology of Indian history sketched roughly for the first time by Sir William Jones. It was he who identified the "Sandrocottus" of the Greek writers as Chandragupta Maurya, and established the synchronism of Chandragupta and Alexander. It was James Prinsep who deciphered the Brahmi and Kharosthi scripts and enabled us to read the Asokan inscriptions. It was Alexander Cunningham, the Father of Indian Archaeology, who pieced together the geography of ancient India. Before these pioneering savants made us

realize the place of Chandragupta and Ashoka in Indian history, they were either forgotten or derided, denigrated and denounced. How many of us know that, according to our dictionaries, the word "Vrishala" means a Sudra, a sinful man and also Chandragupta? How many of us, again, know that "Devanampriya", the title which Asoka had taken for himself in his inscriptions, has only one meaning, and that is an imbecile while praising, nay, worshipping the mythical folk heroes of the epics and the Puranas we heaped contempt on the heads of some of our greatest historical personages.

Insofar as this chapter is concerned, what remains to be said is this: The Kurukshetra War was in all probability a myth. In case it was not a myth, it took place about 1000 B.C. Even so, it can hardly be called a war, much less, a great war; it was a local skirmish between some Aryan tribes. Indeed, it was such a trivial thing that it was ignored totally by the entire range of the Vedic literature. Furthermore, the skirmish was perhaps not between the Kurus and Pandavas, These are by no means original ideas that are being advanced by me for the first time; more thorough students of the Mahabharata than I postulated them decades ago.

Apart from the authorities whom I cited in my second chapter, there are many others whose verdict is that the Kurukshetra War was a myth. To quote only a few from among them, Vincent Smith was fully convinced that "the entire framework of the story of the Mahabharata is essentially incredible and unhistorical."¹⁰ Albrecht Weber was completely persuaded that it was no more than a war "between the Aryan tribes..." Romila Thapar thought that it was "a local feud."¹² Basham did, no doubt, give it the status of "a battle", but he held that it was a "battle magnified to huge proportions."¹³ Christian Lassen was perhaps the first to take the stand that "the original struggle at Kurukshetra war between the

Kurus and the Panchalas and the career of Pandava brothers and their connection with the Panchalas was included to promote the Brahmanical interests." The Pendyala Sastri of Pithapuram may not have even heard name of Lassen, but on the basis of his independent study of the Mahabharata, he also came to the same conclusion as Lassen.

What does all this show? It shows that the historicity of the Kurukshetra War is doubtful; its date is doubtful; the long list of its participant kingdoms is doubtful; its extent and ferocity are doubtful; indeed, everything about it is doubtful including the singing of the Song Celestial by Krishna. And yet there are owls in the orthodox crowd who titus blithely the exact date when that war started. Before Galileo erred his telescope to the sky in the first decade of A.D., the seventeenth awry, astronomy was not much of a developed science in any part of the world. In its former crude stages it was more an ally of wily priests and astrologers in fleecing the credulous people, and not an aid to seekers of knowledge to peer a little further into the depths of the vast cosmos.

And yet, on the basis of the pre-Galilean astrology, some members of our orthodox crowd venture to fix a chronology for ancient Indian history! None can accuse A.D. Pusalkar of being a heretic, much less a pashanda. And yet here is his criticism of our dependence of moth-eaten almanacs to fix a date for the Kurukshetra War:

Astronomical references in the Mahabharata itself about the position of the Nakshatras and planets have been utilized for determining the date of the war. But, the same data have yielded various divergent results. As a matter of fact, the statements in the Epic are conflicting and self-contradictory, so that in order to arrive at some conclusion it is necessary to reject certain state-

ments or their implications as later interpolations or mere exaggerations. No satisfactory and acceptable result can be arrived at from these data. 15

The kind of foolish ventures criticized by Pusalkar are, by no means, confined to India. Over a hundred years ago Bishop Ussher announced to the world on the basis of his study of the Bible that God created Adam on March 23, 4004 B.C. 16 Perhaps inspired by this foolish Bishop, some decades ago Velandi Gopal Aiyar came out with the grand announcement that the Kurukshetra War broke out on October, 14, 1194 B.C. " Correcting Aiyar, another luminary has recently stated that the Kali Age began on February " 3102 B.C., and that the Kurukshetra War was fought thirty-six years later in 3138 B.C. He gave a generous life span 01 125 years to Krishna and assigned 3227 B.C., for the Bhagavan's birth and 3102 for his death. In other words, the Kali Age started on the day of the Bhagavan's death. All very neat, very brave, and very stupid !

Another such luminary is S.B. Roy. After retirement from his position as a high-ranking Income-tax Officer, he is utilizing his genius for figures, tables, schedules and balance-sheets to decide for good the whole range of chronology, not only for India but for the entire world. Indeed, there is no riddle in human history to which this worthy has not a ready answer. As Director of the Institute of Chronology, New Delhi, he is throwing a flood of light on every dark corner of history. To enlighten laymen, he has written a small book, and for the study of scholars a large tome. "

"Vyasa," says Roy, "represents the grand personality of the intellectual world of the Epic-Upanishadic age." And Roy represents the grander personality of the "Age of Chartered Chauvinism" in which India, that is Bharat, is now living. Hats off to our modern Vyasas!

The Inconclusive Debate

Justice R.A. Jahagirdar

(Since the BJP led government has taken over at the centre, the forces of Hindutva have started raising their communal agenda. On more than one occasion, Mohan Bhagwat, the RSS supremo, has said that Hindustan (and not 'Bharat' as the Constitution calls us) means the land of the Hindus and all those living in it are Hindus. A few days after asking why all Hindustanis (Indians) should not be referred to as "Hindus," the Rashtriya Swayamsevak Sangh (RSS) Sarsanghchalak again on 17th August 2014, minced no words in stating that "Hindutva is the identity of India and it has the capacity to swallow other identities." "We just need to restore those capacities," he added. More than one minister in various BJP governments in the States has said that the Modi government will lead the nation towards the formation of the 'Hindu Rashtra'. The forces of intolerance have become more aggressive and the secular fabric of our multi-cultural society has come under serious threat. Hence the debate on the secular character of our country, as mandated by our Constitution, has again begun afresh. It has become all the more important for us to understand what secularism really means and how we can protect it.

Late Justice R.A. Jahagirdar, a leading Radical Humanist like Justice V.M. Tarkunde, both of whom valued secularism as an essential ingredient of a truly democratic society, gave three important lectures on Secularism. As part of the ongoing debate, we are publishing all the three lectures. The first one 'Secularism Revisited' has already been published in the February 2015 to May 2015 issues of The Radical Humanist and the second one 'The Road Behind and the Road Ahead' in the October issue. The following is the second part of the third one of the series.

In the December 2015 issue the title of this article was inadvertently printed as 'The Inclusive Debate'. The error is regretted. – Editor)

Continued from the previous issue.....

Non-Discrimination

The trend of speeches of some of the members on related subjects did not show a full and proper understanding of the need to define secularism or in fact an understanding of secularism. The following extract from the speech of Pandit Laxmi Kanth Maitra on 6th December 1948 can be said to reflect the consensus of the members:

By (a) secular State, as I understand it, is meant that the State is not going to make any discrimination whatsoever on the ground of religion or community against any person profess-

ing any particular form of religious faith. This means in essence that no particular religion in the State will receive any State patronage whatsoever.²⁹

The non-discriminatory character of a secular State is undoubtedly imprinted on the Constitution. There is freedom of religion – the right to freely profess, practice and propagate religion.³⁰ Every religious denomination has been given the fundamental right to establish and maintain its own institutions and to manage its own affairs in matters of religion (Art.25).

There are a couple of provisions, which, it is easily seen, do not prevent the utilisation of funds belonging to the State for non-secular purpose. Article 27 stipulates that no person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion. Does this prevent appropriation from the general revenue for such purposes? It is the application of funds from the general revenue that is making possible the broadcasting of devotional songs and Kirtans³¹ and telecasting unabashedly of religious programmes. It is the application of funds from the general revenue that facilitated the 300th Anniversary of Khalsa³² on which Rs.300 crores are reported to have been spent. Can you legally prevent the reconstruction of Babri Masjid or construction of Ram Temple at Ayodhya with the aid of Government funds? Article 28(1) says: “No religious instruction shall be provided in any educational institution wholly maintained out of State funds” [Emphasis mine]

Note that the ban applies only to institutions wholly maintained out of State funds and not to institutions recognised by the State or receiving aid out of State funds. It is well known that almost every private educational institution in India is run to a great extent on funds provided by the State or State agencies. The mischief that would be occasioned by this provision was recognised by Prof. K.T. Shah who unsuccessfully sought to get the words “wholly maintained” substituted by “wholly or partly”.³³

These provisions have been noted by Luther in his book³⁴. He has also pointed out that the State in India can get entangled in the management of religious affairs and institutions. For these and other reasons and in the light of the connotation the word ‘secular’ has acquired historically and legally, Luther has argued that India is not a secular State.

The Somnath Episode

An early challenge to the theory and practice of secularism in India was provided by the episode involving the reconstruction of Somnath Temple in Gujarat. As is well known to students of Indian history, Somnath temple was destroyed in AD 1025 by Mohmed Gazri and the Shivalinga³⁵ was broken into pieces. Since then the Hindu sentiment had been strongly agitated and reconstruction of the temple and the installation of a new consecrated lingam had been strongly desired by believing Hindus.

After India attained independence in 1947, moves were initiated towards the reconstruction of the temple. K.M. Munshi, in his *Pilgrimage to Freedom*³⁶ recalls that Sardar Patel, as Deputy Prime Minister, pledged the Government of India to the reconstruction of the historical temple and that the Cabinet, presided over by Jawaharlal Nehru, decided to reconstruct the temple at Government cost. But Gandhiji advised Sardar Patel not to have the temple constructed and suggested that sufficient money should be collected from the people for this purpose. This advice was accepted and a committee for overseeing the project was appointed under the chairmanship of K.M. Munshi. The decision of the Government, therefore, became irrelevant.

What followed is important. The Constitution of India came into force in January 1950 and in December of the same year Sardar Patel passed away. Munshi invited President Rajendra Prasad to perform the ceremony of the installation of the deity and requested him to accept the invitation only if he was sure of fulfilling the promise. This was because Munshi suspected that Jawaharlal Nehru might jeopardise the President's commitment. However, the President Prasad stood by his commitment and performed the installation function on 11th May 1951.

It seems Jawaharlal Nehru did not take well the association of Munshi with the work of the restoration of Somnath temple. For, Munshi says:

At the end of a Cabinet meeting Jawahar called me and said 'I don't like your trying to restore Somanath. It is Hindu revivalism.'³⁷

This Cabinet meeting was of 23rd April 1951 because in a letter which Munshi wrote on 24th April 1951, he recalls "Yesterday you referred to 'Hindu revivalism'..."³⁸ This letter sets out the history of the restoration work with which, as the letter sets out, the States Ministry was closely associated.³⁹

This episode gives rise to some important questions. Was the Government of India justified in resolving to undertake the restoration work of a temple (though as a result of Gandhi's suggestion the money was not provided by the Government)?

If such a decision was taken in a Cabinet meeting over which the Prime Minister presided, was he justified in protesting to the President about the latter's participation in the function and in chiding Munshi for associating with a work of Hindu revivalism? It is true that the Prime Minister's protest and rebuke occurred after the 'secular Constitution' came into force but no Government could have disassociated with the implementation of a decision taken by it.

These questions have been rendered irrelevant by the conduct of the later Prime Ministers (not excluding Jawaharlal's daughter) and the Presidents travelling at State expense to religious places and for religious functions.

M.N. Roy had already commented on this phenomenon in his article in 'The Radical Humanist' of 14th May 1950 as follows:-

What is necessary is not facile profession of secularism, but a movement for the

popularisation of cultural values. The process of secularisation, assuming that it is desired by the Government, cannot be promoted by legislation or executive orders. But men at the helm of affairs could help, if they did not willingly swim with the contrary current, as they do as a rule. The President of the Republic, Governors and Ministers of the States and the lesser are frequently taking leading parts in public religious ceremonies. This demonstrative religiosity is entirely different from religion as a part of one's private life.

Warming up to his theme, Roy pointed out:

The President of the USA or the Prime Minister of the British Labour Government may go to the Church on Sundays and try to lead their personal lives and conduct the affairs of the State according to Christian morality. But their daily lives, either as private citizens or as Statesmen, do not bear the faintest stamp of religious ritualism.⁴⁰

No wonder that even the agnostic Jawaharlal could not prevent the birth of Independent India at an astrologically auspicious time.

Is India a Secular State?

A very comprehensive study of the Constitution of India and also of the social and cultural conditions in India with a view to determining whether India is a secular State has been made by Prof. D.E. Smith in India as a Secular State noticed earlier. It has been rightly regarded as a pioneering study on the subject. Contrary to popular understanding, Prof. Smith does not assert that India is a secular State. To the question whether India is a secular State, his answer is a qualified 'Yes'. The reason why he does not answer in the negative is that he poses the question, in this author's opinion, wrongly, as: What is the meaning of the term 'secular State' in the Indian context? There were several features of the Constitution which were strongly

suggestive of secularism. The prevalent cultural indicators were supportive of secularism.

On page 40 of his book, he formulated his famous table enumerating five characteristics of the three religions - Hinduism, Buddhism and Islam - which indicated whether they were favourable to the secular State. Of five factors, four were positive in the case of Hinduism and Buddhism while four were negative in the case of Islam - which meant that the possibility of an Islamic society becoming secular is practically nil.

However, Prof. Smith did not fail to notice that the forces of Hindu communalism were bidding their time and thought it was not unlikely that the future would bring circumstances more congenial to their growth. He was cautious not to dismiss the possibility of a future Hindu State, but felt that on the basis of evidence then existing the possibility did not appear a strong one. His ultimate verdict: The secular State has more than an even chance of survival in India.

Degrees of Secularism

I believe that Prof. Smith is in error in holding that India is a secular State, to a degree. There cannot be degrees of secularism - at least in such a way that quantitative difference results in qualitative one. The provisions in the Constitution have been examined earlier here which are capable of producing secular practices. On the other hand, they have created and are creating a situation of non-secular and anti-secular ethos. Luther is more correct on this question.

This is so despite what is stated in some of the judgments of the Supreme Court of India. Recently the Supreme Court had an opportunity of examining whether dismissals of the Bharatiya Janata Party (BJP) Governments in some States and imposition of the President's rule under Article 356 of the Constitution on the ground "that a situation has arisen in which the

government of the State cannot be carried on in accordance with the provisions of the Constitution ..."41 was right or not. This was consequent to the demolition of what was known as Babri Masjid at Ayodhya, Uttar Pradesh, by the BJP volunteers and other members of the Sangha Parivar.⁴² The BJP was in power in Uttar Pradesh. It should be recalled that the BJP had contested the election and had come into power on the basis of a Manifesto, which contained the following:

BJP firmly believes that the construction of Shri Ram Mandir at Janmasthan is a symbol of the indication of our cultural heritage and national self-respect. For BJP it is purely a national issue and it will not allow any vested interest to give it a sectarian and communal colour. Hence Party is committed to build Shri Ram Mandir at Janmasthan by relocating superimposed Babri structure with due respect."⁴³ [Emphasis mine]

The emphasised words were used to indicate the BJP stand that the structure was not a mosque at all and it was built upon a site where Ram Mandir (temple) originally existed.

It must be mentioned straightaway that in S.R. Bommai⁴⁴ the Judges did not examine the concept of secularism in the light of the theory of separation of Church and State but dubbed as secular the situation existing in the context of the Constitutional provisions such as Articles 25, 26, 29, 30, 44 etc. Sawant, J., who delivered the leading judgment, after examining the Articles mentioned above and some more, said :

These provisions by implication prohibit establishment of a theocratic State and prevent the State either identifying itself with or favouring any particular religion or religious sect or denomination. The State is enjoined to accord equal treatment to all religions and religious sects and denominations.⁴⁵

Basic Structure

Some other judges delivering separate but concurring judgments went further. K. Ramaswamy, J., for example, opined:

Secularism is, therefore, part of the fundamental law and basic structure of the Indian Political System to secure to all its people socio-economic needs essential for man's excellence with material and moral prosperity and political justice⁴⁶.

After examining the relevant Articles, Jeeven Reddy, J. (for himself and on behalf of S.C. Agarwal, J., said:

Secularism is thus more than a passive attitude of religious tolerance. It is a positive concept of equal treatment of all religions.⁴⁷

More eloquently, though not accurately, he proceeded to say:

In short, in the affairs of the State (in its widest connotation) religion is irrelevant; it is strictly a personal affair. In this sense and in this behalf our Constitution is broadly in Agreement with the U.S. Constitution, the First Amendment whereof declares that 'Congress shall make no laws respecting an establishment of religion or prohibiting the free exercise thereof ...' (generally referred to as the "establishment clause"). Perhaps, this is an echo of the doctrine of separation of Church and State; maybe it is the modern political thought which seeks to separate religion from the State - it matters very little.⁴⁸

Even better: "In this view of the matter, it is absolutely erroneous to say that secularism is a

'vacuous word' or 'a Phantom concept'."⁴⁹

It is at this stage necessary to examine the judgment of the Supreme Court in Dr. Ramesh Yashwant Prabhoo v. Prabhakar Kashinath Kunte and others⁵⁰ (hereafter Prabhoo's case). This was a judgment of a bench of three judges (not the Constitutional Bench) which by this judgment disposed of two appeals from the judgments in election petitions of Bombay High Court. The question before the Court was whether the prohibition of an appeal by a candidate to vote for him on the ground of his religion [Section 123(3) of the Representation of the People Act] was violative of the fundamental right under Article 19(1)(g) of the Constitution.⁵¹ Such a prohibition would be permissible if it amounted to a reasonable restriction under Clause (2) of Article 19. This question was answered in the affirmative so emphatically that the secularists' joy knew no bounds. A restriction can be said to be reasonable if it is on the ground of, among other things, "public order, decency or morality". In paragraphs 28 and 29 of the judgment,⁵² the judges held that seeking votes at an election on the ground of the candidate's religion in a secular State is against the norms of decency and propriety of the society. Proceeding further, the judges said, in paragraph 30, that in the context of the abolition of separate electorates based upon religion and secularism being the creed in the Constitution scheme, appeal on the ground of the candidate's religion was inconsistent with decency and propriety of societal norms.⁵³

To be Continued.....

²⁹ CAD, Vol. VII at 834.

³⁰ Art.25

³¹ Religious discourses.

³² The founding of the Sikh religious or-

der

³³ CAD, Vol.CII, at 868.

³⁴ Supra, note 2.

³⁵ The phallus sculpture of Shiva, one of

Hinduism's deities.

36 *Bombay: Bharatiya Vidya Bhavan, 1967.*

37 *Ibid, at 289.*

38 *Ibid, at 563.*

39 *For detailed account by Munshi of the Somnath affair, see pp.287-288 and 559-566).*

40 *Article reproduced in V.K. Sinha (ed.), Secularism in India, supra, note 5, at 156.*

41 *Art.356.*

42 *The extended family of the Rashtriya Svayamsevak Sangh (RSS), a staunchly pro-Hindu cultural organisation closely linked*

with the BJP.

43 *Cited in S.R. Bommai v. Union of India, AIR 1994 SC 1918 at 2002.*

44 *Ibid.*

45 *Ibid. at 2000, paragraph 88.*

46 *Ibid. at 2020 and at paragraph 124.*

47 *Ibid. at 2066, paragraph 237.*

48 *Ibid, at 2067*

49 *Ibid. at 2067, paragraph 41.*

50 *(1996) 1 SCC 130*

51 *The right to freedom of speech and expression.*

52 *Dr. Ramesh Yashwant, supra, note 50, at 152-3.*

"The people of this country have a right to know every public act, everything, that is done in a public way, by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing." Justice K K Mathew, former Judge, Supreme Court of India, (1975)

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NEW APPROACH TO POLITICAL AND ECONOMIC PROBLEMS***M.N. Roy**

(M.N. Roy, a great visionary as he was, had visualised even before the country attained Independence the shape of things to come so far as the functioning of parliamentary democracy was going to take place in the country after Independence. He visualised how there was going to be mad scramble for power by politicians winning elections using money and muscle power, and how they were going to neglect the people who would vote for them; how the party leaders were going to be dictatorial in their approach and how elected representatives of the people were going to be more responsible and accountable to their respective political parties and not to their electors; how delegation of the sovereignty, which rightfully belongs to them, by the people to their parliamentarians was going to make them completely powerless and helpless, being denuded of their democratic freedoms and rights, before the so-called 'servants of the people' who were going to become their rulers and how democracy, 'the government of the people and by the people', was going to become 'the government for the people' run by modern Maharajas and their family members for their own benefits. Roy not only visualised the problem but also suggested the remedy of bringing in 'power to the people' or direct democracy, as defined by some political scientists, empowering the people at the grassroots: exercise of the people's sovereignty by themselves through 'People's Committees', putting up their own candidates for election and not voting for the candidates put up by various political parties.

In 'Politics, Power and Parties' Roy has given a realistic view of our politics and parties today. During the last 68 years of our independence, morality and idealism has completely disappeared from our politics, parties and our political leaders. Given the condition of our politics today, and for the betterment of our political life and democracy in our country Roy's views are insightful and worth considering. Therefore, in order to present a complete view of Roy's thoughts on all these issues facing our country, we have started the publication of his lectures/articles compiled in the book for the benefit of our readers. – Editor)

There is widespread discontent throughout the country with the political as well as the economic conditions. As the economic conditions affect the daily lives of all more immediately, attention is concentrated on the evils in that sphere of public life. But the problem of political democracy is closely associated with the economic life of a country.

The process of building up new political institutions in free India has hardly begun. People had been made to expect that, after India would be free from foreign domination, a new era

would dawn and all the evils of which the Indian people have been suffering for so long would disappear. There was really no ground for such high optimism, because big changes do not happen from today to tomorrow; or if they do, it is by way of an imposition from above, which is not freedom.

The democratic reconstruction of the economic life of a country as vast as India cannot happen in this way. If it were only that sufficient progress was not being made, one could plead for patience. But unfortunately, the eco-

economic condition of large sections of people is going from bad to worse. That naturally causes anxiety and a sense of insecurity in the public mind. And this anxiety, in its turn, tends to preclude an objective and sober approach to the existing problems.

It would be wrong to encourage the tendency of always finding fault with others, of grumbling, dissatisfaction, frustration and hopelessness. In such an atmosphere, public life becomes demoralised, and any attempts to do at least the best possible get foiled. It is quite natural for people who have always been accustomed to look up to authority, to find fault and express dissatisfaction with those at the helm of affairs when they have promised so much, and to be against everything connected with government, has been a patriotic virtue for generations. I hold no brief for them. We must examine the situation objectively to find a way out, and for that it will not do simply to blame somebody else always. It is quite possible that the problems are not being solved because they are being tackled with a wrong approach, in spite of best intentions. Perhaps the methods which are being adopted are not suitable to the conditions of our country, even though they may have had good results elsewhere in the world, at other times.

There are two opposing sets of ideas, about changing the economic conditions of the country with the purpose of raising the standard of living of the people. But in the well-intentioned proclamations from both sides, one crucial fact is usually being ignored: The fundamental problem of Indian economy is not an economic problem properly; it is the problem of population. The rapid rate at which the Indian population is growing is bound to make all economic problems more complicated. If we persist in finding a solution for the economic problems in either of the old ways, which were conceived in conditions where the population problem was not so acute or non-existent, we shall not succeed.

Although there are two methods advocated, and hotly disputed, for improving the economic conditions in a backward country, both postulate rapid industrialization through the application of modern science and technology to the process of production. Both maintain that the cause of India's poverty is her industrial backwardness, and unless modern industries are built up in the shortest time, the standard of living in India cannot be raised. One of the methods advocated for the purpose is the old capitalist mode of production, leaving it to private initiative and capital to bring about the desired state of affairs. As against this, there is the point of view pressed by various shades of socialist and communist opinion. These two latter have differences as regards the policies and methods of coming to power, which is a precondition postulated by all, but their economic programmes are essentially the same. They maintain that private property is the cause of all evil and that common ownership and nationalisation of land as well as the other means of production must be the starting point of any reconstruction beneficial for the masses of the people. There are different variations of both the brands of leftism, and emphasis may be laid on different points by some of them. But these broad outlines on the whole exhaust the Marxist-leftist remedies for curing all economic ills.

Driven by the experience that these methods have failed elsewhere, and are therefore not likely to achieve their objects in India either, further explorations for new methods must start from the experience of the world at large since Marx, examine how they have worked in other countries, and then see if they can be applied in the peculiar conditions of India. The method of concentrating on rapid industrialisation by building up heavy industries as a means to raise the standard of living of the people is obviously not suitable to India. The main consideration in favour of this method is that, unless labour is

shifted from the land to fields of production where the productivity of labour is higher, national wealth cannot grow; and unless the total national wealth grows and grows quickly, its equitable distribution will not substantially alter the prevailing economic conditions. Before advocating the method of rapid industrialisation, we shall have to see if it will produce the desired result.

If it was possible to industrialise India by the methods through which Europe was industrialised in the eighteenth and nineteenth century, perhaps it might be a good thing to go through this stage, may be with suitable adaptations. But in those days industries existed on a smaller scale.

Technology had not yet developed to such a high degree, and consequently a very large volume of labour had to be withdrawn from agriculture, causing a substantial redistribution of labour power in those countries. Today, if India builds industries on the model of eighteenth century Europe, she will go down in the world competition which all industries have to face nowadays, because all the other countries have adopted the most modern techniques and they could compete with great success, not only in the world market, but even in India. Because, if goods produced in other countries can be sold cheaper in India than goods produced in India herself, the poverty of the people will compel them to buy the cheaper goods, however, patriotic they may be, and no country can live behind tariff walls forever. Therefore, the industrialisation of India would have to be on the most up to-date pattern, and that is actually the plan of the advocates of economic reconstruction by rapid large-scale industrialisation, whether on capitalist or socialist lines.

A little knowledge of the structure of modern industry shows that even if India would be industrialised to the greatest possible extent

within the next ten or fifteen years, not more than perhaps ten million people could be shifted from agriculture to industry. That will be less than a flea-bite considering the degree of population pressure on the land. That much shift of labour will have no substantial influence in changing the structure of Indian economy, not to mention the standard of living of the Indian people. If it is maintained that the living standards would at least be a little improved by comparison, there are other considerations which could be held against that contention. The obvious difficulty will be that, once modern industries are built and begin producing goods on a large scale, India will experience the curious problem of over-production while people continue to suffer from chronic under-consumption. And again, that will be so whether under capitalism or socialism, as they are known from contemporary practice.

Capitalism produces goods not with the primary consideration of supplying the needs of the people, but of selling them at a profit. When goods cannot be sold with sufficient profit, capitalists will curtail production. We have had this experience with the sugar industry in this country, where sugar mills close down and cane prices go down, although people never get enough sugar to eat. Industries can succeed only on the basis of a home market. A healthy export trade begins only when the home market is satisfied. The restriction on the development of Indian industry in the past was not merely political, as we have been told, but the real cause was that the purchasing power of the Indian people was so very limited. The removal of the foreign rule has not changed this basic condition.

In modern times, when countries are industrialized without any reference to the needs and purchasing capacity of the people, a way out is found in subsidizing export trade. That is how Japan became a Great Power. There are many

leading experts in our country who would take Japan as the model for Indian development. It is argued that Japan has gone out of the market, Britain is in difficulties, and therefore India can now step in their shoes and supply the entire Asian market and to some extent the African market also. But the difficulty is that other Economic powers have already arisen, and Japan is rising again. And all these powers have certain advantages over India. Therefore, India cannot succeed in this plan without heavy government subsidies. Government can produce the finance for subsidies only by taxing the people, which means lowering their standard of living even more. Thus, we may have a prosperous export trade, but an even poorer standard of living of the people.

To produce for the restricted home market is not an attractive proposition for Indian private capital. It promises small profits and involves risks. While some advocate government financing, others clamour for foreign capital investments, as a way out. It is true that India is a poor country. But it is not true that India does not possess enough resources to undertake industrialisation on a useful scale. With the resources she has, a modest beginning can be made, and it is by no means certain that a very high degree of industrialisation would be at all good for India. On the other hand, small-scale industries are of little interest to big capitalists, but they can be started by the people themselves on a local scale.

Indian industrialists are clever enough to realise that, if they put their money in big industries, they would be very soon confronted with an abnormal and paradoxical over-production. They may also surmise that by that time there might be a different government, not so sympathetic to the commercial and industrial interests. Therefore, our industrial leaders have developed the theory that India has not enough capital re-

sources, that capital must be borrowed from outside, and that means, from America, which has most of the world's surplus finance. The result would be that America acquires a stake in our country. Thus, on the one hand, in association with American capital, which today dominates the world markets, India might get a share in world trade; and on the other, if America invests a large amount of money in India, there would have to be guarantees against dangerous political changes implying encroachments on private capital investments.

The leaders of our country, and fortunately the Prime Minister also, are quite aware of the possible political strings which can be attached to foreign capital. Because of their politically reserved attitude, American capital is not coming fourth so easily as had been hoped, and hence industrialisation is making little headway so far. But things will not improve if we simply stand and watch and complain that nothing happens. Since all the conventional ways appear to be closed to us, we must think of other possible ways by which the economic conditions of the country can be improved.

The popular remedies offered by the leftist parties will not serve the purpose. When a country has still to build industries, their nationalisation is evidently a premature proposition. Socialism was conceived as a way out of the crisis of capitalism in advanced societies with a high degree of industrialisation and a mature working class. That is a very different matter from building up new industries in backward countries where the workers are still half peasants. Socialism today would mean a more or less equal distribution of poverty. Therefore, the main plank in the economic programme of the leftist parties has very little in common with the scientific Socialism evolved by Karl Marx under entirely different circumstances.

If we want to modernise and reorganise In-

dian economy and increase national wealth, we must naturally begin with the main sector of Indian economy, which is agriculture. Again, the type of reorganisation of agriculture which is necessary and possible in our country has nothing in common with Socialism. The abolition of landlordism is a feature of historically earlier revolutions. And it is yet to be seen whether the abolition of the zamindari system by itself will really have the miraculous effect hoped for. In some Indian States, this method has been adopted and laws passed to that effect. The system as such was doomed anyhow. But will its abolition by law alone improve the conditions of the peasants?

In view of the structure of Indian agriculture and the budget of the peasants, the answer to these questions cannot be in the affirmative. It is easy to thunder from the platforms against feudalism. But it is difficult to prove that, once feudalism is formally abolished, the peasants will be better off. Instead of paying rent to the landlord, they will now pay it in form of tax to the government, and in some cases the government is even planning to increase this rent or tax, so that the abolition of feudalism may immediately mean an additional burden on the peasantry.

This is no plea for the zamindari system. But economic problems must be approached in the first line from a purely economic point of view, without preconceived ideas and with no political preoccupation. The main cause of the poverty of our peasantry is the low level of agricultural productivity due to the fragmentation of land into uneconomic holdings and the absence of an active urge on the part of the peasants to improve their position by greater effort and enterprise. Such a problem, which has its roots deep in the social soil of the country, cannot be solved by merely passing laws. The primary and perhaps the only condition for improving the condition of the peasantry is to change the methods of production and of rural economy as a

whole. The major consideration is that, even if industrialization took place very rapidly, the pressure of population on the land would be reduced only very little. The vast majority of labour of the country will still be employed in agriculture. Modernisation of agriculture is the greatest need of the economic life of our country if production of wealth is to be increased. But this is more a matter of organisation of rural economy than of mechanisation, which is widely believed to be the only panacea. In the past, very largely for political considerations, it was held as an article of faith that an agrarian country is bound to be poor, and in order to get rid of the evils of poverty, the country must be industrialised and agriculture mechanised. Unfortunately, that obsession is still persisting and prevents us from making a fresh, realistic and unprejudiced approach to our problems.

Even America was a predominantly agricultural country until fifty years ago, and even today the value of American agricultural production is no less than that of its industrial production. To produce food for the people is the most elementary human activity. The reorganisation and development of agriculture as the foundation of a healthy rational modern economy stands a greater chance than any other method to succeed in removing the poverty of the Indian people. The experience of all attempts to the contrary is gradually compelling thinking people to reconsider their preconceived ideas about the economic reorganisation of the country, and to see that, before producing industrial goods, we must be sure of a market, and we cannot have a market unless we improve the condition of the agriculturalists.

The improvement of Indian agriculture presents us with a new problem. Apart from the dogma of nationalisation, we have the old theory that in order to increase the productivity of land, agriculture must be mechanised: the plough must be replaced by the tractor and other machinery.

But here again we come up against the poverty of the peasants. Few of them can afford a tractor, and to employ machinery profitably, agricultural holdings must be very large. The average holding of the Indian peasant is so small that the application of machinery is almost out of question. Therefore, it is argued that agriculture must be abolished in favour of large farms owned by the State, or perhaps formally owned by peasant co-operatives, so that big machinery can be introduced.

Leaving aside the question whether it can be done by democratic means, and even whether it is at all suitable for Indian soil and other conditions, how will you then solve the problem of the displacement of labour? With big machinery, agricultural production can be carried on with perhaps less than ten p.c. of the labour now employed on the land, and not even the most rapid industrialization with modern technology can absorb even a fraction of the vast army of unemployed which we would then have on our hand. Thus, instead of solving the problem of improving the lot of the rural population, you would only aggravate it.

These are the facts and realities of the Indian situation, which must be faced in order to find a solution, and as this is a novel situation, we must have a fresh approach to the problem which will be more suitable to the conditions of our country. The first consideration is to meet the primary needs of the people. These are food, shelter and clothing. The primary purpose of economic Development is to supply these primary needs of the people. It is obvious that for this purpose the first condition is by no means the building of steel mills or chemical factories. Nor is it necessary immediately to introduce mechanical means of agricultural production. This had to be done in new countries with vast uncultivated tracts of land and inadequate labour power. There, machines had actually to be in-

vented to bring virgin land under cultivation, and thereby increase the food production of the world.

In India, that necessity is not there. There is more than enough labour to produce food for the people. If this labour could be employed in a more rational manner, agricultural production could be considerably increased without having to think of industrialisation in a big way. What are the main handicaps of our agriculture? Firstly, lack of irrigation. Our agriculture depends entirely on rain fall, and through a wrong forest policy over many years even that rain fall, inadequate in most seasons at the best of times, has been reduced. An improved irrigation system is probably our first need, and it can be met by providing innumerable wells, water reservoirs and local canals, bunding etc.

Secondly, the fertility of the land needs to be maintained and increased. The productivity of land falls very low when small plots are cultivated without rotation, and when the natural fertiliser of the cattle dung is being wasted for fuel; that fertiliser has to be given back to the earth, which will be possible and much better than chemical fertilisers produced in big factories. It has been calculated that the artificial fertiliser thus produced will cost much more than the peasant can afford. But at the same time it is being ignored that India has the largest supply of natural manure from its enormous cattle population. This problem can be tackled. The villagers burn the cow-dung because they need fuel. But there is plenty of coal in several parts of the country. The government can certainly see to it that coal is made accessible to the villagers. And when coal is available, a little education will convince the peasants that by putting the cow dung back into the land they will increase their income by more than the coal will cost them. This will at the same time promote one of India's natural industries, namely, coal mining.

Thirdly, the countryside needs many new roads and improvement and repairs of existing ones; also rural consumers and subsidiary industries can be organised on a small local scale on co-operative basis to provide the unemployed and under-employed villagers with useful occupation and income. For these, very little capital is required, which can be partly raised from the local population and partly financed by co-operative credit organisations which should be helped by the government. That would cost the government much less and involve less risk, and give much more immediate benefit to the people, than vast projects which may change the face of the country without effecting any change in its economic system and living standards.

With such measures, much more can be done for immediate economic improvement than by those over-capitalised huge projects which cost too much and must therefore charge too much for their services, once these will at long last become available. If disinterested public workers will take the initiative, small scale local projects could easily be undertaken by the local people themselves with relative little help from the government, and that should certainly be forthcoming once a realistic start is made from below. The government is bound to prefer this method to constant dissatisfaction, complaints and demand, and encourage any such initiative of practical local self-help.

But the start has to be made from below. From the top, only big schemes can come, and these are likely to turn out to be white elephants. The peasants are apt to be suspicious; they will do what they are told to do from the top; but unless their very spirit and outlook is changed, the moment they are again left to themselves, they will let everything slide back to the traditional ways in which it has been going on before. The method of reorganization from below, through co-operative self-help, presupposes a certain democratic spirit, the confidence that the affairs of the

people can be managed by the people, in their own localities. That is how the humanist economic approach is linked up with that of building up a democratic State in India. We do not visualise an over-organised collectivist agriculture, but there should at least be provision for a minimum size of agricultural holdings. The alternative to uneconomic holdings on the one, and huge-scale collectives, on the other hand, would be co-operation between agricultural units of reasonable and manageable sizes. The peasants can easily be convinced that co-operation with others, all holding their own land, will produce great benefit and profit for all of them in many ways. Whenever the initiative is taken by the government, experience tells that the result is not as desired. The initiative has to come from the peasants themselves, and co-operative organisation should never go to an extent beyond what they are voluntarily prepared for. Only then will their resistance be eliminated. If it can be shown to them that their problems of irrigation and fertilisers, of selling and purchasing etc., can be solved profitably by their own co-operation and initiative, they will certainly understand that, and only through such experience it is possible to extend the area of co-operation in future. By this method, the incentive for increased production through intensified and improved cultivation is preserved and even heightened. At the same time, not only the income of the peasants will be increased, but also the food problem of the whole country can be solved. And there does not seem to be any other way to increase the purchasing power of the majority of the population, and with it, our national wealth.

This new method and approach can be applied here and now, provided the young men of the country, who are ready to do such big things like overthrowing governments and establishing dictatorship, will adopt this new outlook and realise that in no other way is there any hope for them to do anything real and tangible imme-

diately. If they will go and spread this outlook among the people and show them how it can be applied, not only will they improve their lot, but they will at the same time lay the foundation of a new democratic social and political order for the country as a whole.

India is supposed to be a democracy, having a Constitution which is considered very democratic. But what do the people know and understand of it? First of all, the Constitution is much too big and complicated for people to read it. What is needed, and what can be understood by the people, is the spread of the ideas of democracy and the desire to have a government of themselves and by themselves. They cannot even conceive of this unless they develop the urge for a democratic way of life. The prevailing backward mentality of the people is rather inclined towards authoritarianism and dictatorship. Most people who have any political ideas at all, whether of the Left or of the Right, are obsessed with notions of one kind of dictatorship or another, whether Ramraj or Soviet, or a paternal despotism under the garb of formal democratic parliamentarism.

In India the experience of imposing democracy from above will have even worse results than elsewhere, because 90 p.c. of the electorate are illiterate, and have no sense nor experience of democratic citizenship, civil rights and responsibilities. This fact places a heavy premium on demagoguery in all elections. It is so much easier to make indiscriminate claims and promises than to educate the people. Therefore, there will be no end to promises, which the people will not be able to judge. The outer paraphernalia of democracy, the practice of formal parliamentarism, under the given conditions, will only encourage greater corruption, irresponsibility and demagoguery.

This does not mean that we should not have elections or a parliament, or that there cannot

be any democracy in India. It only means that you cannot build a house by beginning to build the roof. We must first lay down the foundation of a democratic political structure. The people must first want a democracy and believe that it is possible. By coming together to solve our most immediate problem of increasing agricultural production in the way briefly outlined before, we can make such a beginning. Encouraged by the result of their own initiative in solving their local problems, within a very short time the eyes and minds of the people will be opened also to our new approach to a democratic political reconstruction.

Every member of the various rural co-operative institutions will be a voter. These very co-operative institutions can be the local nuclei of a democratic political structure. Having come to know each other in the working of economic co-operation, instead of voting for an outsider nominated by some political party in an election, they will easily understand that one of themselves would be a much better representative of their interests in the parliaments. Thus, through the means, and following from the experience, of economic co-operations, we can also create local political democracies, which may replace the present local self-governing institutions, now so full of corruption and devoid of any democratic significance. The whole electorate can come together in local conventions and choose a candidate from among themselves whom they know because he lives with them and has proved his worth in co-operative institutions, and who cannot run away with his promises once the elections are over. He will remain directly under popular influence and control, which alone will make a formal democracy a real democracy or as we call it, a Radical Democracy.

Thus, while laying down the foundation of a healthy economic system, which will also determine the higher economic organs of the country, you will at the same time have created the

preconditions for a democratic political reconstruction of the country. In such a society, there will be no room for political practices or malpractices which make it possible today, on the pretext of being representatives of the people, for some self-willed minority to usurp the sovereignty of the people. So long as any group of politicians can usurp the people's sovereignty, democracy is not possible. Therefore, democracy has not yet succeeded anywhere in being what it was meant to be—namely, government of the people and by the people. The conventions of formal democracy have created a barrier to the emergence of a real democracy.

Seeing this experience made in more advanced countries, our own backwardness may prove to be a blessing in disguise. We have no such false conventions to overcome. We begin from scratch. The peculiar conditions of our country do not allow us to travel the beaten track.

But to make good use of this blessing in disguise, we must find an entirely new approach to the whole problem of democracy, in its political operation as well, as in its application to economic problems.

It is not a question of Western or Indian ways of life. The old Indian way of life was not so good that we should want to preserve it. The western way of life—not because it is western, but because it has led into a blind alley is also no attraction. What we need is a new way of life, which is a human way of life, where the qualities of the human beings will become decisive and will be allowed to determine the system under which they will work and live.

* Lecture at Patna University, 1949



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While sending appeal for donations, it is to clarify that we cannot accept donations from foreign sources as IRI is not registered under the Foreign Contribution Regulation Act (FCRA) which places sever restrictions on foreign contribution to societies and journals. Please note that contributions should be made only from Indian sources within India. I am also addressing this mail to all the trustees and well wishers for their information.

N.D. Pancholi, Secretary, IRI

INDIAN RENAISSANCE INSTITUTE

G-3/617, Shalimar Garden, Sahibabad 201005, GZB

9th January 2016

To,

**All the members of the Indian Renaissance Institute
& Special Invitees
Agenda of the Study Camp & IRI Conference.**

Dear friends,

As informed earlier by my mail dated 27th Sept. 2015, the Study Camp and the meeting of the Board of Trustees will be held on 13th & 14th February 2016. The Agenda of the Study Camp is as under:

STUDY CAMP: SUBJECT:

Radical Humanism, Electoral Politics & Dangers of Religious Revivalism

13TH February 2016

(1) 10.00 A.M. to 12.00 P.M.:

Radical Humanism and Electoral Politics

(2) 12.00 P.M. to 1.00 P.M.

Role of Humanists in the present political scenario

LUNCH – 1.00 P.M. to 2.00 P.M.

(3) 2.00 P.M. to 4.00 P.M.

Varying facets of Religious Revivalism & Obscurantism

(4) 4.00 P.M. to 5.00 P.M.

How to combat Rising Tide of Religious Revivalism & Obscurantism.

14th February 2016

(1) 10.00 A.M. to 1.00 P.M.

Meeting of the Board of Trustees will be held between 10.00 A.M. to 1.00 P.M. on Sunday the 14th February 2016. If required, this meeting may continue after lunch at 2.00 P.M. For this meeting separate Agenda is being circulated.

VENUE

**TIWARI BHAWAN , JAWAHARLAL NEHRU NATIONAL YOUTH CENTRE,
(NEXT TO GANDHI PEACE FOUNDATION), DEENDAYAL UPADHYAYA MARG,
NEW DELHI 110002.**

A limited accommodation has been reserved for the delegates between 12th and 14th February 2016 at Gandhi Peace Foundation as requested.

I request all the members and the Trustees to attend the above Study Camp and the meeting.
N.D. Pancholi, Secretary, IRI

Human Rights Section:

Seminar on “The Right To Health”

Reported by :-

Dr. Kriti Gangwar, Postgraduate MD Student in Community Medicine, VMMC & SJH New Delhi

The Department of Community Medicine of Vardhman Mahavir Medical College and Safdarjung Hospital, New Delhi in collaboration with Center for Inquiry India organized a seminar discussing the sensitive and often neglected issue of ‘Right to Health’.

The event was organised on the 3rd of December 2015 at Lecture Theater of Vardhman Mahavir Medical College New Delhi.



(From Right to left: N Innaiah, Jugal Kishore, Kuldeep Kumar, Vidya Bhushan Rawat and on back side Dr. Priyanka Hemrajani and others are seen) – Photograph by Kimi

Introduction: Health is often not looked upon as a ‘right’ by the common public primarily because the direct effect of ill health is felt at a personal level. However, in some instances especially those pertaining to mass events such as disasters or epidemics, suddenly the public ‘expects’ government to miraculously fight a win over the situation, shrugging away any personal responsibility what so ever. Obviously, both the approaches are flawed and while we highlight ‘Health for All’ we must also highlight ‘Health by All’. It is imperative for us all- common public and health care providers alike- to understand

that health is a ‘right’ of every citizen and so the government and service providers must strive hard to provide it, but also, for enjoying a right we must all do our ‘duties’ and thus, each one of us must acknowledge our role in our own well being and in the well being of the society to which we belong and that is directly and intimately affected by our actions.

The seminar on ‘The Right to Health’ was aimed at raising some such issues.

Participants: The seminar was attended by Undergraduate and postgraduate students from

the host college as well as from a few more medical colleges such as Lady Harding Medical College, Nightingale College of Nursing, Sharda University, Maulana Azad Medical College, Army Medical College. There were four eminent speakers from different areas of work and expertise who shared their views and enlightened the audience. Mr. J Laxmi Reddy, Retd Professor of Hindi Delhi University, Ms. Kimi freelancer photographer, Mr. Rohit from Drug Today were also present.

Issues discussed: The seminar was very holistic and had a unique take on the relatively less highlighted determinants of health. It highlighted the sensitive relationship between childhood and health in its delicately detailed discussion on not just the children's right to health, but also on the effect of deprivation of the same on a child's health later in life.

We all know that there is an army of doctors, nurses and paramedics working relentlessly towards better health care. However, what is exactly provided as a 'right' to the people is given in the constitution. There are various laws that protect the citizens against potential harm whilst safeguarding the medical fraternity in their decision to not provide a certain service in certain circumstances. A very good example of this is the Medical Termination of Pregnancy Act. While a rape victim has a 'right' to MTP, a person asking for the same for simply getting rid of the pregnancy cannot force a doctor to do so by calling it a 'right'. This also safeguards the unborn child and deems him/her a citizen of the country and with the constitution backing him up.

While the above mentioned issues can be extrapolated globally, India being the diverse nation that she is, has certain unique problems as well. Such issues stem from the endless variety of culture co-existing in the country. The seminar also addressed these socio-cultural deter-

minants of 'the right to health' and of its denial.

Lastly, the various legal aspects of health were discussed. Laws related to patency, role of pharmaceutical companies and right to health were presented by the speaker in a very lucid manner.

The speakers: The audience was fortunate to be amongst eminent people from varied areas of expertise. A writer and a humanist, Dr. Innaiah Narisetti has been a long time journalist for several Telugu and English magazines. He is also the former chairman of the 'Center for Inquiry- India'. An MD and PhD in Philosophy, he spoke about 'Child Rights' and how denial of the same often leads to health implications.

Dr. Kuldeep Kumar from the Department of Medicine, All India Institute of Medical Sciences and a panel member in AIIMS Centre for Excellence for Extra Pulmonary Tuberculosis, spoke about the constitutional provisions of the 'right to health' and how it is linked with the medical profession. He highlighted the importance of the Bhole Committee and the shortcomings in the medical care due to lack of constitutional support. He stressed that knowledge of the constitution must be imparted to the students so that they grow into well informed adults who understand their rights and know how to enjoy them.

The socio-cultural determinants of exploitation of 'the right to health' were explored by Mr. Vidya Bhushan Rawat. He is a Human Rights activist with an MA in English and Masters in Mass Communication. While he accepted the lack of medical facilities, he also brought out the flip side of the coin- superstitions and faith healing. He said that while faith was important to assist healing by calming the patient and providing him hope, 'faith-healing' is a plague that denies many people, especially women, their right to proper medical care in many areas of

the country. Finally, the legal aspects of the 'right to health' were discussed by Dr. V. K. Ahuja, Faculty of Law in Delhi University.

Conclusion: The seminar was an extremely interesting event that helped us to broaden our

perspective. It highlighted that 'Health is National duty' and that a fine understanding of the various factors determining both access to and utilisation of the services is required for us, as a nation, and as global citizens, to ensure that we carry it out.

Readers' Comments

Dear Editor,

Writing on the 'Common Civil Code' in the Radical Humanist- No. 549, Pratap Reddy says "in the Western and Southern parts of Country, there was a system of Hindu law known as "Mitakshara Law" attributed to be originated from the great saint "Yagnavalkya". Both 'Dayabhaga' and 'Mitakshara' are commentaries on the 'YajnavalkyaSmiti'. While Dayabhaga has been written by Jimutavahana, the Mitakshara is written by Jnaneshwara or Vijnaneshwara both being the same person's two names.

He also writes: "Coming to the question of Divorce, it is no doubt true that while Sections 12 to 15 of the Hindu Marriage Act, 1955 provide for the right and procedure for the divorce, but at the same time, A DIVORCE BY CUSTOM IS NOT ruled out". However while the provision regarding the ceremonies needed to solemnize the marriage gives primacy to the customs of the parties to the marriage provision regarding divorce does not leave any space for customs. Section 7 reads as follows: "Ceremonies for a Hindu marriage.-(1) A Hindu marriage may be solemnized in accordance with the customary rites and ceremonies of either party thereto. (2) Where such rites and ceremonies include the sapthapadi (that is, the taking of seven steps by the bridegroom and the bride jointly before the sacred fire), the marriage becomes complete and binding when the seventh step is taken."

Section 13 providing for divorce reads: "Divorce- (1) Any marriage solemnized, whether before or after the commencement of the Act, may, on a petition presented by either the husband or the wife, be dissolved by a decree of divorce and then the section enumerates the various grounds for obtaining divorce."

The difference between the two provisions is obvious. Section 4 of the Act clinches the issue and bars any divorce by custom. The section 4 reads: "Overriding effect of Act - Save as otherwise expressly provided in this Act.- (a) any text, rule or interpretation of Hindu Law or **any custom or usage** as part of that law in force immediately before the commencement of this Act shall cease to have effect with respect to any matter for which provision is made in this Act." This was so because there was no concept of divorce under ancient Hindu law.

Bapu Heddurshetti, Bengaluru.560003. Mob: 9916309346.



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(Professor **S Pendyala** recommends the following titles for readers of **The Radical Humanist**. These books can be obtained through amazon.com)

1. **M N Roy - Selected Writings**
edited, compiled by N. Innaiah
2. **Forced into Faith**
by Innaiah Narisetti
3. **God Delusion**
by Richard Dawkins
4. **Living without Religion**
by Paul Kurtz
5. **Letter to Christian Nation**
by Sam Harris
6. **Why I am not a Muslim?**
by Ibn Warrack
7. **God is not great**
by Christopher Hitchens
8. **The Truth about the Gita**
by V. R. Narla

(Prometheus publication with introduction by Innaiah Narisetti)