

# THE RADICAL HUMANIST



Founder  
M.N. ROY

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**Shri N. Damodaran, a veteran Radical Humanist  
(1919-2016)**

*The Kashmir Affair*  
*M.N. Roy*

**What Did the Prominent Journalists Observe in Kashmir?  
Iftikhar Gilani**

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# THE RADICAL HUMANIST

Vol. 80 Number 7, October 2016

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## Shri N. Damodaran, a veteran Radical Humanist is no more

We have been informed about the death of N. Damodaran, veteran radical humanist and Royist in Kerala on 27th July 2016 at his residence in Valanchery at the age of 97. On behalf of the Radical Humanist community, I pay my tributes to his memory and convey our condolences to his family members and friends. As a mark of respect to him, we publish below a note on his life and work written by Parambath Chandramohan.

- Mahi Pal Singh, Editor

## Shri N. Damodaran (1919-2016)

Sri N. Damodaran, one of the doyens of the Radical Humanist movement in the country, was born on 23rd May 1919 into a traditional matrilineal Nair family called Nellakkat *Taravadu*, at Valanchery in South Malabar in the erstwhile Madras Presidency as the son of Nellakkat Devaki Amma and Vellat Raman Menon. While studying at Valanchery upper primary school, he was caught in the web of Indian nationalism. As his mind was filled with nationalist feeling, he went to Calicut at the age of fourteen to participate in the Civil Disobedience movement in 1933. He met Gandhiji apart from other leaders. However, the camp's "dictator" denied him permission to participate in the movement as he was a minor and too young to bear the brutality of the colonial police. Since he was expelled from his school, he stayed back in Calicut with his maternal uncle. During this period he got the opportunity to hear the inspiring speeches of Mahatma Gandhi, Rajendra Prasad, Kasturba Gandhi, C. Rajagopalachari, Urmila Devi, etc. His nationalist fervor made him a staunch Congress man. In 1936 he came back to his village and as a result of his initiative and efforts the Valanchery Village Congress Committee was formed. He was its first organizing secretary. He later became its general secretary and actively took part in Congress activities and Kisan Sabha movements at Ponnani *taluk* for over three years. It was during this period that he was influenced by Jayaprakash Narayan's book 'Why Socialism' and became a sympathizer of the Congress Socialist Party.

After the decline of the matrilineal system and

subsequent disintegration of Nair *taravads*, like many other Nair youths Damodaran also left for Madras (present Chennai) in 1939, in search of livelihood. The life in Madras city, the then cultural and intellectual capital of South India, played a seminal role in the political and intellectual transformation of this village lad from an ardent nationalist socialist to a radical democrat. While reading facilities in Connemara Library introduced to Damodaran the newly emerging intellectual and ideological trends in Indian and International politics, his constant interaction with A.K. Pillai, a reputed Barrister and an eminent author, and M. Govindan, a noted poet and one of the greatest intellectuals of the time, exposed him to Royism, a new ideology based on humanism which opposed, on the one hand the authoritarianism of Communism and on the other the 'revivalist medieval approach of Mahatma Gandhi' to Indian polity and society. Besides, in Madras he met people like British Communist Philips Spratt, who with Roy co-authored their famous book *Beyond Communism*, famous Indian trade union leader S.V. Ghate and Bhupendra Kumar Datta, an old revolutionary comrade of M.N. Roy. However, the decisive factor, responsible for his conversion to Royism was his close contact with A.K. Pillai and M. Govindan, the two early Royists in Madras Presidency.

When Roy started the Radical Democratic Party in 1940, Damodaran not only joined the party but also worked with M. Govindan in Madras for sometime in organizing its trade unions of hotel, *beedi* and Railway workers. However in 1942 he

left for Malabar to work for Radical Democratic Party. He met K.C.S. Panikkar, a rational and creative intellectual, who had already laid the foundation of Royist Movement in Kerala and K.S. Narayanan, the leader of Royist group within the Congress Socialist Party. He received ample support and guidance from A.K. Pillai, M. Govindan and K.C.S. Panikkar. K.A. Namboodiripad, K.K. Mahdhavan, T.A. Paraman and many others joined with him in his endeavours. The Party opened an office at Calicut under the charge of Sri Damodaran. Under its aegis many political activities were organized during the "Quit India Movement". As it faced stiff competition from Congress and Communist parties, the two strong political organizations in Malabar region, the Radical Democratic Party could not make any dint in this area in the early 1940s. The main problem was dearth of finance. By the time the party slowly started taking root in Malabar region, Roy's decision to dissolve the Radical Democratic Party was announced in 1948 and simultaneously he decided to launch the Radical Humanist Movement. Though disillusioned, like many of his compatriots, Damodaran did not join any other political party. Instead he decided to leave party politics, and devoted his time to propagate the ideas of Roy's Radical Humanism.

Damodaran imbibed Royism to such an extent that like Roy he too believed that cultural and intellectual changes are a pre-requisite for socio-political and economic transformation. He, therefore, joined M. Govindan, V.T. Bhattacharipad, Eddasseri Govindan Nair, P.C. Kuttikrishnan, Akkitham Achuthan Namboodiri, Kadavanadu Kuttikrishnan, T. Gopala Kurup and many others to organize the Ponnani Taluk Kendra Kala Samiti in 1951. Shri V.T. Bhattacharipad, a distinguished revolutionary, social reformer and a renowned Malayalam writer, was its first President and Damodaran was its first Secretary. However, for all practical purposes M. Govindan was the brain behind the *Samiti* and its organizational leadership

was vested with N. Damodaran. They organized seminars, lectures and study camps in various parts of Kerala. These study camps and conferences emphasized the need for building a new social order "from below" through a cultural revolution by educating the masses and replacing "faith by reason". These activities of the Kala Samiti to a great extent helped in bringing together the writers and intellectuals from all parts of Kerala. The Kuttippuram camp of 1952 was a turning point in the intellectual and cultural history of Kerala. As part of its activities, the Kala Samiti started a publishing house by the name of West Coast Publishers, which introduced to Malayalam readers, many prominent writers of present day Kerala. Damodaran was its publisher till it closed down in 1960. Damodaran also edited *Gopuram*, a quarterly journal, and was also associated with *Navasahiti*, *Samiksha*, and *Jwala*. These publications provided Malayalam literature and culture a new perspective and outlook.

It was during these years that Damodaran got an opportunity to expand his intellectual circle by associating himself with varying groups of creative minds consisting of writers, poets, artists, social activists, rationalists and historians. These included, among others, G.Sankara Kurup, C.J.Thomas, P.K. Balakrishnan, M.C. Joseph, G. Kumara Pillai, T. Padmanabhan, M.V. Devan, K. Sachidanandan, Attoor Ravi Verma, Kadamanetta Ramakrishnan, Prof. Thomas Mathew, Ayyappa Pannikar, N.N. Kakkad, K.A. Kodungaloor, P.K. Rahim, N.P. Muhammad, Pavanan, Thayat Sankaran, M.G.S. Narayanan, M. Gangadharan, P.K. Sarat Kumar, A.N. Nambiar, M.P. Balakrishnan, and M.K. Sanoo. After 1960 the activities of Royists were mainly confined to a small group of writers and intellectuals who published leaflets and booklets emphasizing Roy's philosophy of New Humanism. Due to their efforts some of the important works of M.N. Roy such as *New Humanism*, *Beyond Communism*, *Historical Role of Islam*, *Science and Philosophy* and *India in Transition* were translated into

Malayalam. Besides a study of *Science And Philosophy* by Dr. R. Ramakrishnan and Professor M. Sreedharan was also published. All these endeavours helped in making Radical Humanism a well-known intellectual movement in Kerala.

Damodaran maintained personal relations with almost all prominent Royists, such as Ellen Roy, V.M. Tarkunde, V.B. Karnik, V.G. Kulkarni, K.Ramakrishna Rao, Devakinandan Rao, R.L. Nigam, K.K. Sinha, C.R. Dalvi, Dharmadas Gunavardhan and Indumati Parekh.

As a voracious reader, Damodaran deeply studied Gandhism, Marxism and Leninism apart from the writings of Roy. This helped him to look at Roy and his Radical Humanism in a critical manner. However, he remained always an ardent follower of Roy and his Radical Humanism. To him, Roy and his ideas were an integral part of his life. He named his house “Manava Niwas” and one of his sons after M.N.Roy.

While struggling to maintain a large family, he found time to read and write. He was an author of distinction. However, he came into his own as a writer after 1960, till which time he was busy with political and cultural activities. He wrote several articles and many books in Malayalam of which the most important are as follows:

1. *Vyakti Samudayam Vipallavam (Individual Society and Revolution)* (1969)
2. *M.N. Roy Swathanthryanweshiyayya Viplavakari (The Life History of M.N. Roy)* (1987)
3. *Swathandhriathinte Rashtreeya Pariprekshyam (The Political Perspective of Freedom)* (1991)
4. *A.K. Pillai – A Brief Biography* (1993)

*Swathanthriyathinte Sabdam (The Voice of Freedom)* (2000)

While *The Life History of M.N. Roy* won the

award for the best biographical work in 1990 from Kerala Sahitya Akademi, *The Political Perspective of Freedom* and *The Voice of Freedom* won the C.J. Smaraka Award and the Sahodaran Ayyappan Award in 1991 and 2001, respectively. Damodaran was the first recipient of the A.A. Malayalee Memorial Award, which was constituted in 2005 for the writer who renders “remarkable service in the field of literature”. The main focus of his writings is MAN and his emancipation from all bondages - social, political, economic, cultural and intellectual - which earned him the sobriquet “Manushiyan Damodaran” or “Humanist Damodaran”.

N. Damodaran was a passionate lover of justice and fair play. Till the end he remained a rationalist to the core and a man of principle. He was disillusioned with the growth of communalism and the swift decline of values in society and politics for which he blamed unethical and power - hungry politicians, belonging to all political parties, irrespective of the ideologies they claimed to follow.

He had been virtually leading a retired life since 2001 after the death of his wife Smt. P. Ammukutty Amma, who was his strength and solace for nearly six decades. However, he was intellectually alert, despite his frail health and failing eyesight, which made it difficult for him to read and write - the two enduring passions of his life. He became active and vocal whenever he met his old friends or people who visited him to discuss Roy and his political philosophy or the current political situation in the country. As healthy as a man could be at 97 he passed away peacefully on 27th July, 2016 at his residence in Valanchery. A rationalist to the core even in death he remained steadfast in his convictions and according to his wish his last rites were performed without any customary rituals and religious practices.

(Prepared by **Parambath Chandramohan**, Email id- [pcmohan1952@gmail.com](mailto:pcmohan1952@gmail.com), Tel No: 09911280166)

A leaf from the Pages of the '*Independent India*' (now '*The Radical Humanist*'):  
February 22, 1948 Volume XII Number 7: NOTES OF THE WEEK (Editor M.N. Roy)  
(The following note was written just after the assassination of Mahatma Gandhi on 30th January 1948. Keeping in view the continuing simmering situation in J&K at present, the note written around 68 years ago may be of interest to the readers of the Radical Humanist. **N.D. Pancholi**)

## THE KASHMIR AFFAIR

M.N. Roy

The Kashmir Affair has reached a very delicate stage. Military operations are proceeding in the State, but they do not appear to lead to any decisive result. They have already cost India very heavily in men as well as money. Casualties suffered so far number about a thousand – and the financial cost is mounting at the rate of Rs. 4 lakhs a day. In a forum of the United Nations, India has suffered a severe defeat. The Indian delegation is back in the country for consultations with the government. There can be no doubt for whatever has happened so far in the meetings of the Security Council that its verdict will not be in favour of the line of action suggested by India. At the last meeting of the Security Council, before it adjourned the discussion of the Kashmir question on the request of India, the leader of her delegation Mr. Gopalaswamy Ayyangar said, "the impression has been going that my great country and its Government have not elicited at the hence of the Security Council the consideration that they are entitled to." This expresses pithily the disappointment of the India delegation at the turn of events in the Security Council. It will be very easy to attribute this unexpected result to the machinations of England and America and to their supposed partiality for Pakistan. It will be equally easy to decide to make up for the political and diplomatic reverse in the Security Council by more vigorous operations in the military field. It will not be at all difficult to whip up popular sentiment and secure popular support to the policy of settling the Kashmir issue purely on the basis



of military operations. The crucial question is: Will that be useful? Will that be wise and will that be in consonance with the policy of Mahatma Gandhi to whom so much homage has been paid during the last three weeks? We are of the opinion that the Government of India should reconsider their policy on the Kashmir affair. The tragic assassination of Mahatma Gandhi renders such reconsideration necessary as well as appropriate. The trend of discussions in the Security Council should convince the Government that they cannot expect international support to the line of action that they propose following. It should be further clear that there is no point in securing accession on the strength of arms. Why not then accept the obvious conclusion following from the communal composition of the State's population and settle the issue on that basis through friendly negotiations with the Government of Pakistan? That would certainly be much more dignified course than to wash the dirty linen before the Security Council and in the end accept foreign intervention in a domestic affair. That is creditable neither to India nor to Pakistan. A solution on this line may appear to be a retreat, but it is a retreat that will enhance the moral position of the Indian Government as well as pave the way for an abiding friendship between the two sister Dominions. This is a solution which is in keeping with the teachings of Mahatma Gandhi. The return of the Indian delegation for consultation provides an excellent opportunity for trying a solution of the Kashmir affair on that line

**Santosh Bhartiya's detailed letter to his former colleague,  
Prime Minister Narendra Modi on Kashmir**

## **What Did the Prominent Journalists Observe in Kashmir?**

**Iftikhar Gilani**



**Is this the 'Healing Touch' in Kashmir?**

While the three months long popular agitation, following the death of Hizbul-Mujahideen Commander Burhan Wani, and the recent killings of 18 soldiers in the border area of Uri, has plunged the region into a war hysteria, some sensible individuals, instead of relying on the information provided by the Government and the media, have on their own been trying to reach to the depth of the situation. I am experiencing this almost every day in Delhi.

Recently a journalist, working for a Hindi language magazine, barged into my office and showered onto me, in one breath, a series of questions like pellet guns. I advised her to, instead of depending on my responses, travel to Kashmir herself and then personally apprise me of the situation as well on her return.

**Similarly, few weeks ago, prominent Hindi and Marathi journalists Santosh Bhartiya and Ashok Wankhede, were also curious to know about the situation. They were perplexed why on earth the Kashmiris have stood up against the**

**country's democratic setup?**

I advised them too to travel to Srinagar and, if possible, go to the regions of Chenab valley and Peer Panchal, with open minds.

These two journalists and the known analyst, Professor Abhay Kumar Dubey, spent four days in Kashmir.

Santosh Bhartiya has also served as a Member of Parliament and is known to be very close to BJP leaders, specially the Minister of State and former Army Chief Gen. V.K. Singh (Retired). After his return Mr Bhartiya wrote a detailed letter to his former colleague, Prime Minister Narendra Modi.

The difficulty for news channels is that they cannot even condemn these guys as rebels and unpatriotic because until recently all of them had been supporting the government and the army on Kashmir through these very channels. All three intellectuals said that this visit has opened their eyes and minds that had, until now, been blocked and blinded by the national media and

the government.

**I am here producing some excerpts from Santosh Bhartiya's letter written in Hindi:**

‘Dear Prime Minister, I have just returned, after a four days’ tour of Kashmir. During these four days I stayed in Kashmir valley and feel that I should acquaint you with the situation there. I am certain that the news that reaches you about Kashmir, specially the valley, comes from government officials and is overly sponsored. There is very little truth in such news. If you had some kind of system that could, after talking to the people of the valley, apprise you of the situation and you could learn the truth directly, I am sure you will not be able to ignore this reality.

‘I have been greatly perturbed after visiting the valley personally. We do have the land because we have our army there but the people are not with us. I say it with full responsibility that from an 80 years old man to a six years old child, everyone is angry at the Indian establishment; all of them are so much angry that they do not want even to talk to anyone associated with the government. They are angry to the extent that with stones in their hands they are facing such a huge machinery. They are willing to risk anything, no matter how big and the biggest of which is a [possible] massacre.

**I am writing to you because you have the most important role in saving Kashmir from the [possibility of] biggest massacre [in its history].**

‘A sense and feeling is developing within our armed forces that if anyone who raises his voice against the system in Kashmir is killed, annihilated and mopped off only then the separatist movement in the valley can be crushed.

‘The movement being dubbed as a separatist movement by the government is not a separatist

movement. This is a movement of the people. If everyone, from an 80 year old to a 6 year old, chants “Azadi” [freedom] then we should admit that during the last 60 years we have committed a lot of blunders.

**‘Security forces fire pellet guns but aim the upper part of the body not below.** That’s why there are 10,000 lying injured there.

‘Dear Prime Minister, during my Kashmir visit I went to see the hospitals. In Delhi I was told that 4-5000 security personnel have also been injured. It is our propagation system that has been reporting these injuries that no one believes. If these injuries have taken place, then please take us the journalists to see where thousands of injured jawans are being treated.

**‘We have seen young children who have lost their eyes and they will never be able to see again. It is this reason why I am writing this letter to you with deep emotions and feelings. On a number of occasions all three of us cried at the situation of Kashmir that we saw there.**

‘Kashmiris are saddened and anguished because not a single bullet was fired at as massive [and violent] protest as the one launched by the Jats in Haryana and no one was killed. In the Gujjar protest in Rajasthan no one lost his life and no fire was shot at [by the police]. Most recently there was such a huge demonstration, regarding Cauvery river water, in Karnataka, Bangalore but not a single shot was fired. Why then bullets are fired in Kashmir, why at the upper part of the body and why even a six-year-old child is not spared?’

**According to Santosh Bhartiya, from a policeman to businessman, student, members of the civil society, journalist, members of political parties and government officials all told them that each individual in Kashmir has risen against the**

**Indian Government.** ‘The one in whose hands there are no stones, has a stone in his heart instead. This agitation has become a peoples’ movement exactly like the Quit India Movement of 1942 against the British rule. Or like Jayaprakash Narayan’s agitation in which the role of the people was more important than of the leader.’

This delegation has repeatedly questioned the veracity of the allegation levelled against Pakistan by the Prime Minister, cabinet ministers and members of the ruling BJP. According to Bhartiya, ‘Does Pakistan have the capacity to afford to pay Rs 500 daily to each and every stone pelting child? And is our system so weak that it has not been able to catch even a single person distributing Rs 500 to these children?

He asked Modi to ponder over who is going out on the streets to distribute Rs 500 during the curfew? Is Pakistan as big [and powerful] as to be able to raise all of the 60 lakh people against a country like India with a population of 125 crore?

**He said that these statements and the allegations against Pakistan sound to him, and the Kashmiris themselves, like a joke.**

Commenting on the role of mainstream media he writes, ‘Our colleagues have been so much dazed by their desire to be nominated for Rajya Sabha and to have their names registered in the history of journalism as first class journalists that they are playing with the unity and existence of our country. But, Dear Prime Minister, history is emotionless. It will see [dispassionately] these journalists not as patriots but as disloyal to the country because those that name Pakistan for each everything and see Pakistani hand in everything, are in fact [themselves] Pakistani stooges. They are creating an impression upon the minds of Indians and Kashmiris that Pakistan is a very strong, powerful and far reaching country.

‘Dear Prime Minister, when the reality dawns upon these lot—as a matter of fact I don’t care if they will ever be able to comprehend and understand it—what I am worried about is the dear Prime Minister of India Narendra Modi himself. If history records Narendra Modi as someone who managed to keep Kashmir with India at the cost of allowing a big massacre, that will perhaps be a very sad part of [our] history for future generations. [Instead] history should record Narendra Modi as someone who won the hearts [and minds] of Kashmiris and fulfilled the [unfulfilled] promises being made with them for the last 60 years. Kashmiris do not ask for gold or for silver. What they want is just the fulfilment of promises that we have made with them.’

**According to Mr Bhartiya, this year Kashmiris did not celebrate Eid and did not wear new clothes. There were no festivities in any house. ‘Is it not a slap on the faces of all of those Indians who swear by democracy.** What on earth has happened there that has turned their protest against the political leadership into a rebellion? The Kashmir where elections were held in 2014 and people had participated in it, in that very Kashmir not even a single sole is ready to utter a soft word for the Indian Government. I am apprising you about the situation because you are the Prime Minister of whole of India, so that you may find a solution to the problem.’

The delegation observed that in Kashmir most of the people light only one bulb in their houses. Most of the households believe that there is too much to grieve about in Kashmir. So many people have been killed, more than 10,000 have been injured by pellet guns, more than 500 have lost their eyes and in a situation like this why should they brighten their houses by lighting four bulbs instead?

‘Dear Prime Minister, I have seen people

lighting only one bulb in a house. I have also seen in Kashmir how stones are put on the streets at 8 AM. Those very boys who put these stones remove them at 6 PM. In the morning they throw stones and in the evening sleep inside their houses fearing being picked up by security personnel never to return back. Such a situation was not seen there even during British rule. Whatever we have read in history such fear was not there [during British rule].

'This is the first time when the agitation has spread to villages as well. On every tree, on every mobile tower Pakistani flag has been put up. Many people do not feel embarrassed in admitting that Kashmiris celebrate the victory of Pakistani team over Indian team to tease and taunt at India and its government. They do not celebrate the victory only of Pakistan but rejoice at our defeat the same way by New Zealand, Bangladesh and Sri Lanka. They express their

opposition and disapproval for us by rejecting the happiness of Indian government in any and every way they can.

**'Prime Minister, does India not need to understand this psyche? If Kashmiris are not with us, then what will we do with keeping the land of Kashmir with us?'**

Let's pray that what Santosh Bhartiya and his colleagues have said make way into the hearts of Indian leaders and thus South Asia really becomes a land of peace and tranquility.

**Iftikhar Gilani** is a senior Kashmiri journalist based in Delhi. He can be contacted at: [iftikhar.gilani@gmail.com](mailto:iftikhar.gilani@gmail.com)

Translated by Urdu Media Monitor.Com from *Jadid Khabar, Delhi, 29 September 2016* and *Posted on October 6, 2016 by Urdu Media Monitor*

## Conference of the Citizens for Democracy held at Allahabad



A very successful conference of the Citizens for Democracy took place at Allahabad on 1st and 2nd October on the theme 'Challenges before Indian democracy in the present context.' It was inaugurated by Shri Ashok Vajpeyi.

Photo at the statue of Shaheed Chandrashekhar Azad when some of the participants visited the 'Smarak' in the morning to pay their tributes to the martyr and sang song of freedom and revolt.

Report by Mr. N.D. Pancholi, national General Secretary, CFD.



# **The Kashmir government is on a pernicious trip to squeeze the life out of print media**

**In a sad commentary, the state is starving the media of government ads.**

Journalism in conflict zones is a dangerous vocation. Journalists and media houses are caught in a maelstrom of different and differing narratives and counter-narratives. In this charged environment, some voices succumb and some collude, while others resist and, despite the odds, portray a picture of reality that is unbiased and non-partisan. In the final analysis, this non-partisan and unbiased voice and articulation of issues is the essence of good journalism – especially in today's cluttered mediascape, where some media houses have become obsessed with sensationalism and ratings in the jostle for eyeballs and mouse clicks.

In conflict zones, who gets the narrative out first and the nature of the narrative matters. In this schemata, various stakeholders attempt to either obscure the “reality” or give their narrative precedence over other narratives. The key to good and prudent journalism then is to maintain objectivity, balance and equipoise and serve the public good and interest despite pressures. It is an eminently difficult endeavour, one which entails tensions with various stakeholders, especially the government.

In this part of the world, the media, especially the print media, is largely dependent on advertising revenue generated from government departments. Their economic survival and viability relies on this revenue. However, it is not a favour that the government does to media houses – the government is bound by law and statute to disseminate vital public information to wider audiences through established newspapers.

These government advertisements assume saliency in an environment like Kashmir where

**Sajjad Haider**

the private sector is rudimentary to the point of being defunct. However, herein lies a lever for the government to pressure media houses that fall out of favour with it. And this is what has been done to the *Kashmir Observer*. Attempts are being made to starve and strangulate the *Kashmir Observer* by denying it its ad share and force its readers to look for other newspapers for such vital information.

We at the *Kashmir Observer* can lay claim to attempts at good and prudent journalism over the entire course and history of the institution. We have not fallen victim to blandishments, coaxing, cajoling or threats. Our motto has been the public good and enlightening the public. And it is to these themes that the *Kashmir Observer* has been and will remain wedded. If the aim of the powers that be is to make the *Kashmir Observer* toe the line and succumb to pressures and financial sanctions, then people should rest assured that this will not happen. The very reason for *Kashmir Observer*'s existence is to throw light on issues that matter to the public, to enlighten and to generate debates and dialogue. The *Kashmir Observer* will not shift or betray this line out of coercion.

And if indeed *Kashmir Observer* is starved and strangulated to the extent of being forced to close down, then this is a sad and pernicious commentary on the nature of the government and its (misplaced) priorities.

Media – free and fair in the final analysis – is the essence of democracy and free expression. It is the bedrock of democracy. If the media is coerced to toe the line, then this compromises democracy and the liberal idea that undergirds

democracy or should underpin it. We at the Kashmir Observer will continue to do what is "right" and exercise our freedom of expression. And if starved and strangulated, the denouement will not be a commentary on us but on the government in particular and democracy and

freedom in general.

**Sajjad Haider** is the *Editor-in-Chief of Kashmir Observer. This editorial first appeared in the Kashmir Observer.*

Courtesy **Scroll.in** Sep 12, 2016

## Readers' Comments:

Mahipal ji

I have gone through the September issue of RH. I am sure it will be received well for its content. Now it is available online, it should circulate into wider world. Congratulations for the effort.

**Innaiah Narisetti from USA**

Respected Mahipal Singhji,

'The Truth about the Gita' is a monumental work, a stupendous achievement, awesome and mind-blowing. Along with V. S. Narla's book rationalists have to study books of Prof. Dayakrishna of Rajasthan University, K. Satchidananda Murthy, Prof. P. K. Chatterji (the doyen of scholars of ancient India) and make a deeper study of D. D. Kosambi and Irawati Karve. LOKAYAT published by the Indian philosophical society, Mahabharata and Tirukural are relevant for a critical discourse on the Gita. - With profound regards, -

**Bhagwat Prashad, Rayagada.**

Dear Editor

Nandita Haksar's memoirs of the late Isak Chishi Swu reminded me of a two-day long interview that me and my friend Tapan Bose had with Isak Swu and Thuingaleng Muivah in Bangkok way back in early 1992. I wrote an article based on the interview in Economic and Political Weekly of July 18, 1992. I remember, every evening before dinner, Isak used to say the Grace - and we two although staunch atheists, joined him to show respect to the old veteran warrior. Both Isak and Muivah said that their party, the NSCN wanted to build a bridge between Christianity and Marxism-Leninism, since both shared the common goal of social justice and economic equity. I still remember two comments made by Muivah in the course of our interview. First, when asked about Chinese support to the Naga movement for independence, he said: "In the early years, our Naga boys went to China and came back with arms and ammunition. In the later years they used to return with bags packed with Mao's books" - indicating the ideological orientation that the movement was undergoing. The second occasion was when we asked him how long could he sustain the struggle against the powerful Indian army. With a twinkle in his eyes, Muivah said: "Time will bear out whether Nagaland will disappear, or India becomes ten. We've fought the Indian army for nearly fifty years, we can fight it for another fifty years if needed." -

Regards, **Sumanta Banerjee, Hyderabad, October 5, 2016**

# Why Pratap Bhanu Mehta's resignation from the Nehru Memorial matters

Sukumaran CV

**The government will find it difficult to dismiss his protest as yet another conspiracy of disgruntled left intellectuals.**

It is fitting that public intellectual Pratap Bhanu Mehta's decision to resign from the Executive Council of Nehru Memorial Museum and Library to protest the marginalisation of academic credentials in the selection process of its director came on the eve of Independence Day 2016.

Mehta was protesting former bureaucrat Shakti Sinha's candidature as the NMML director. Sinha, who served in the Prime Minister's Office during Atal Bihari Vajpayee's tenure, was until a few days ago, a director in India Foundation, a think tank aligned to the Rashtriya Swayamsevak Sangh.

Mehta was one of the six-member selection committee, two of which – Prasar Bharti Chief Executive Officer A Surya Prakash and Minister of State for External Affairs MJ Akbar – also happened to have been on the India Foundation board, which includes as many as three other members of the Union council of ministers, including senior BJP leader Ram Madhav.

Selecting Sinha for the post would send a signal that “completely marginalises issues of academic credibility, scholarly credentials, or larger contributions to the world of ideas or thinking does not befit an institution of the stature of NMML,” Mehta noted in his resignation letter.

Established in the memory of India's first prime minister, Jawaharlal Nehru, the NMML is an autonomous institution under the Ministry of Culture, Government of India. Mehta said that developments of the last few weeks led him to conclude that NMML was heading in a direction that made him uncomfortable.

NMML has a wide remit, much beyond its function as a memorial and library. It is central to the world of historical scholarship, and can potentially be a great contributor to the world of ideas more generally. It is important therefore that the head of the institution be someone who commands intellectual respect. I do not believe that the candidate the committee has recommended as its number one choice commands such respect amongst the academic community. I am not in a position to comment on his abilities as an administrator. But nothing in the track record of this candidate leads me to believe that he can provide the kind of exemplary intellectual leadership NMML needs at this point in its history.

Ever since the Narendra Modi government came into power in May 2014, the NMML has been in its crosshairs, with talk of converting it into a “museum of governance”.

The country's premier institution for research on modern Indian history has been headless since the resignation of its previous director Mahesh Rangarajan in September 2015, barely a week after Culture Minister Mahesh Sharma had called his appointment by the United Progressive Alliance government as “unethical and illegal”.

After the departure of Rangarajan, it was feared that the government would attempt to bring a Sangh loyalist as its director. History is an obsession with the RSS, which has unfortunately not yet developed the skill and art to practice this discipline. The selection kept getting delayed as the problem, once articulated by the culture

minister himself, was that the government had a very narrow pool of intellectual resources to choose from.

Meanwhile, the appointments at the Indian Council for Historical Research and Indira Gandhi National Centre for Arts earned ridicule from the academic and intellectual world. Mehta said he was disappointed by the overall pool of applications which, he pointed out, was not worthy of an institution of such importance.

That may have partly been the result of the process: a very tight deadline was given to applicants; the committee was given no time to do any outreach to potential candidates after the advertisement appeared. But I also suspect the reason the application pool was disappointing was this. There is an impression that good academics will find it very difficult to function in the institutional set up we have created, with its multiple political and administrative pressures. We can debate how this impression has been created. But we have to come to terms with the fact that we are doing everything to exacerbate the impression that leading institutions are hostile to academics of genuine accomplishment and promise. We are not even seeking them out, or persuading them to provide intellectual leadership to major institutions. This appointment will, I am afraid, exacerbate that impression.

### **Devaluing institutions**

A quick survey of the heads of our institutions validates Mehta's views. The problem, as Mehta correctly pointed out, was one of professional credentials and credibility, which was the reason why students of the Film and Television Institute of India, Pune protested the appointment of Gajendra Chauhan as its chairman and some other non-professionals as members of its governing body.

The government has so far sought to discredit all protests from the intellectual world by branding

them a conspiracy of disgruntled left intellectuals who, it alleged, were upset because with a right wing nationalist party in power, they were being deprived of the patronage they had been enjoying for the last six decades.

But it would be difficult for the government and the rest of the executive council to ignore Mehta's protest. For he is neither left nor right, and has credentials and the credibility – he had also resigned, again on a matter of principles, from the National Knowledge Commission under the UPA government.

It would not be so easy for the government to dismiss the concerns raised by Mehta. Mehta, an eminent political scientist, who heads the Centre for Policy Research in Delhi, is also a consulting editor with the Indian Express. Known for his independence of mind, and very often disparaged by the left for being a mere "liberal", Mehta by his resignation letter has brought the focus back to where it should be: not political ideology but competence and credibility.

Unfortunately, very few in similar positions of responsibility have the courage or inclination to resist the pressure from ruling governments. Seldom is the option of registering dissent applied.

Members of such committees often express their indignation privately but rarely do they insist on recording their dissent or stepping down from such selection or search panels. Silent approval of a bad decision which ultimately weaken the institution concerned are rationalised away with lamentations that individual protests would not have mattered.

A democracy is sustained through its institutions. By weakening them we ensure the destruction of democracy. Those who are in some way responsible for governance of these institutions have a duty to perform.

President Pranab Mukherjee, in his

Independence Day message, recalled former President Sarvepalli Radhakrishnan's words that our democratic Constitution helps us maintain our individuality in the face of mounting pressures

for standardised thinking and acting.

Mehta did just that.  
Courtesy **Scroll.in**

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## **Conference of the Indian Renaissance Institute and meeting of the Board of Trustees**

Dear friends,

The next Conference of the Indian Renaissance Institute and the meeting of the Board of Trustees shall be held on 28 and 29th January 2017, Saturday and Sunday, at New Delhi. Agenda will be sent soon. This is to remind you so that you get your reservation done in advance. Mr. Many members are not on my mailing list. They are being informed by post.

Regards,

**N.D. Pancholi, Secretary, IRI**

# Playing the Nation Game: The Ambiguities of Nationalism in India

## Preface to the Second Edition: Second Thoughts on the Public Life of a Book

**Benjamin Zachariah**

Hostages to fortune are often left behind in unexpected places; and fortune catches up and holds you to account. When I finished this book in 2011, it seemed self-evident to me, and to anyone with whom I shared spaces or conversations, academically or socially, in public or in private, that the age of plausible national argument was over in India. ‘Can we now talk about something else?’, ‘Why We Shouldn’t Need This Book’, and other lines of self-conscious self-deprecation marked its pages, signalling, I thought, the moment when (as in all situations in which you appear to have won the argument) everyone agrees with you, and you in turn generously agree that they agreed with you all along – all you were doing was to complete, and make consistent, what others had begun long ago.

This assumption that ‘our’ side was winning the argument was based on talking mostly to people who were already on ‘our’ side: critical intellectuals, scholars, and activists who were gradually coming to the conclusion that a reliance on being on the side of a ‘good’, inclusive nationalism was nonetheless to be complicit in some form of nationalist exclusion and potentially statist violence. But even then, such optimism was misplaced. Now, as more and more shrill and aggressive forms of nationalism, or claims to custodianship of the national, dominate the public domain, everything must be judged by its conformity to some pre-defined national values, the epithet ‘anti-national’ is thrown about a lot, and many on ‘our’ side wish to return to the safety of the right side of nationalism, even if they know it to be an empty signifier, or a

normative category without descriptive capacity. The connections and complicity of scholarship and politics can be opened up to scrutiny here. Books are banned or sought to be banned invoking the need not to offend national sentiment, the ‘national’ in each case being inflected slightly differently, regionally or otherwise. Shivaji could not be subject to criticism as a historical figure;<sup>1</sup> Gandhi cannot have been a homosexual (although there is apparently no discomfort at his having been a racist);<sup>2</sup> the right to rape your wife is apparently sacrosanct in a country allegedly not ‘ready’ as a whole for a marital rape law.<sup>3</sup> The list could be extended or supplemented with the invocation of the need not to offend local, identitarian, religious or caste (and all mostly male) sentiment – all of which make special claims to inclusion in a national narrative, in which one or other form of ‘culture’ or indigenous behaviour pattern is invoked. The continuum of conservatism in community-family-culture-nation formations is in the ascendant.

This was clearly already happening in and before 2011, but the momentum of politics seemed to have been away from and not towards that continuum. This has now changed. Intellectuals, some of whom had stopped me at university canteens or conference-venue corridors across the world to tell me that they already had long accepted the arguments I had made in the book (implying that it wasn’t an original argument – an implication which I of course agreed with), now reacted differently: national sentiment should be respected, and not

offended; and text-books were to be amended accordingly to assuage the collective anger of a group demeaned or marginalised in the national narrative – always the national narrative. A publisher’s contract that I refused to sign required me to indemnify the publishers against charges of libel, sedition and anti-national arguments (the three grouped together): the banning of Wendy Doniger’s book on Hinduism and

<sup>1</sup>On the banning by the Maharashtra government of and controversy surrounding the book by James Laine, *Shivaji: Hindu King in Islamic* (Delhi: Oxford University Press, 2003), see Christian Lee Novetzke, ‘The Laine Controversy and the Study of Hinduism’, *International Journal of Hindu Studies* 8, 1-3 (2004), pp. 183-201.

<sup>2</sup>Joseph Lelyveld, *Great Soul: Mahatma Gandhi and his Struggle with India* (New York: Knopf, 2011), made international news: see *Time* magazine’s report at <http://world.time.com/2011/04/01/gandhi-lelyveld-and-the-great-indian-tamasha/> and the *New York Times*’ report at <http://www.nytimes.com/2011/04/01/books/gandhi-biography-by-joseph-lelyveld-roils-india.html#>, both last accessed on 07-07-2016.

<sup>3</sup><http://www.independent.co.uk/news/world/asia/marital-rape-cannot-be-applied-in-the-indian-context-says-indian-minister-a6927406.html> last accessed on 07-07-2016.

the activities of a self-proclaimed national and Hindu cultural warrior, Dinanath Batra, was the reason given to me as to why this was a necessary clause in a publisher’s contract.<sup>4</sup>

Amidst this backlash, I must admit to being a little puzzled about the fate of this little book: it is about to go to a second edition, which means there are a good many people who actually bought it. They didn’t necessarily read it, of course, and I can well imagine dusty bookshelves upon which my text shares dust

with worthier volumes: did they buy it for its cover, a personification of Indian nationalism with a Gandhi-ish body, a saffron loincloth, and the head of Karl Marx? Academic writing is a strange practice, in which you send a book out into the world with no idea whether it will have a readership at all – an intellectual version of the message-in-a-bottle trick. There have been some reviews, mostly positive; and some of them in the mainstream media rather than in academic journals that remain obscure to a wider public. This wasn’t of course meant to be a purely academic book: some activists have praised it; some academics admit to having read it. But for the most part, at least as far as I can judge, it has as yet failed to have an impact: the historiography of India proceeds in nationalist goose-step, non-Indian historians of India are cautious not to offend Indian nationalist sentiment, and many writers exercise rigorous self-censorship lest they fall foul of either law or vigilante group that can invoke the force of national sentiment against them.

In some ways, the reasons for this lie in the fascist turn in Indian politics: a right-wing government run from behind by paramilitary gangs in monkey suits or khaki shorts (even if they pretend to grow up and graduate to trousers) has been able to insist that anyone who doesn’t share their brand of Hindu nationalism is ‘anti-national’. It is tragicomic, though, to watch serious thinkers fall over each other to proclaim themselves the true nationalists and to denounce the Hindutvababis as the traitors to the true ‘nation’. Playing the nation game has never been more ridiculous.

There are alternative clichés, if clichés there must be, to draw upon in describing the Indian state. It was not so long ago that the very essence of being a citizen of India was the right to be critical, and this was a right that distinguished the independent nation-state from

the colonial state before it: the ‘greatest democracy in the world’ framework covered that – or the ‘largest’, at least, if greatness was not to be equated with quality but merely with size and numbers. There is now a very ‘Indian’ attempt to muzzle all forms of organisation and dissent that do not involve the newly-promoted shorts-to-trousers paramilitary brigades and to create low-level harassment and selective violence so that ordinary people without protection are afraid to express themselves.

But it would be wishful thinking to attribute all evils to the current regime, or to rehearse the idea that the past is to be instrumentally mobilised as a guide to the present. The polemics around

<sup>1</sup>On Wendy Doniger, *The Hindus: An Alternative History* (New York: Viking Penguin, 2009), its Indian edition, and on Dinanath Batra, see for instance <http://www.dailyo.in/arts/wendy-doniger-the-hindus-the-alternative-history-penguin-india-banned-speaking-tiger-hinduism-dinanath-batra/story/1/7754.html> last accessed on 07-07-2016.

whose ‘nation’ it is – by which of course is always meant ‘state’, the control of the means of violence and repression – all too often hinge on drawing lineages from past movements to present-day political parties, or insist on a macabre parallelism of massacres and slaughters: the anti-Sikh pogroms of 1984 versus the anti-Muslim pogroms of 2002, most notably. I am not interested here in the calculation of comparative body-counts, or the comparative legitimacy of Congress or Bharatiya Janata Party: it should suffice to say that as long as the touchstone of legitimacy of belonging remains nationalism, it is all too easy for a group to suddenly find itself outside the definition, subject to the combined violence of the forces of the

state and of the ‘civil society’ that the state can mobilise. ‘Sedition’, that famous colonial category that even colonial state officials found so hard to define or enforce, is a continuous shadow lurking at the shoulder of any who dare exercise dissent; and it was not the forces of Hindutva that revived this law. Added to and used in conjunction with this relic of colonial rule is now the epithet ‘anti-national’, which has been used to intimidate and crush dissent across the country in recent months: across campuses in Hyderabad Central University, Jawaharlal Nehru University, the Film and Television Institute of India, the National Institute of Design, Allahabad University, Benares Hindu University, or Jadavpur University; and across state and region into Kashmir, Manipur or elsewhere in the ‘North-East’, named as a residual category synonymous with its tenuous ‘national’ linkages, but where protestations of national loyalty require those states to begin persecution of their minorities too.

It would be folly on the part of the country’s citizens to protest their national loyalties: that would merely be to play the government’s game. That game has now been internationalised, as scholars and activists of Indian origin abroad who will not subscribe to a Hindutva view of Indian nationalism are targeted by internet trolls and physically stalked by violent criminals in the pay of the Sangh Parivar, and Hindu donor organisations leaning on a combination of the poverty of US public universities, American nostalgia for the Indophilia of the 1960s, right-wing Christian groups’ support for ‘faith-based learning’, and postcolonial scholarship’s promotion of an identitarian agenda, seek to fund university posts that will promote a Hindu view of India, or to rewrite textbooks in California as their fraternity has been able to do at ‘home’ in India.

Perhaps we could propose a basic test for the temporary custodians of the Republic of

India, whoever they may be, to indicate their commitment to the idea of the 'nation', or to be precise, the jurisdiction that is the state of India. Is an area under the Armed Forces Special Powers Act, which effectively gives the military occupiers of that area *carte* violence, terror

violence, terror and rape? Or is it under variations of Operation Green Hunt, government-led military operations or government-sponsored and government-armed 'illegal' vigilante groups which target the so-called 'liberated zones' to make them safe for mining corporations and other investors? If so, can this area really be considered part of the Indian state? Would it, if it were, need these emergency measures to hold its population to the Indian state? Should we, instead, refer to AFSPA- or emergency-provisions-led areas as India's 'occupied territories'? Nationalism, even if we agree that it hasn't a substance to it, is

supposed to provide the basis of the state's hegemony; and the explicit use of coercion is indication enough that the implicit consent of the governed is absent.

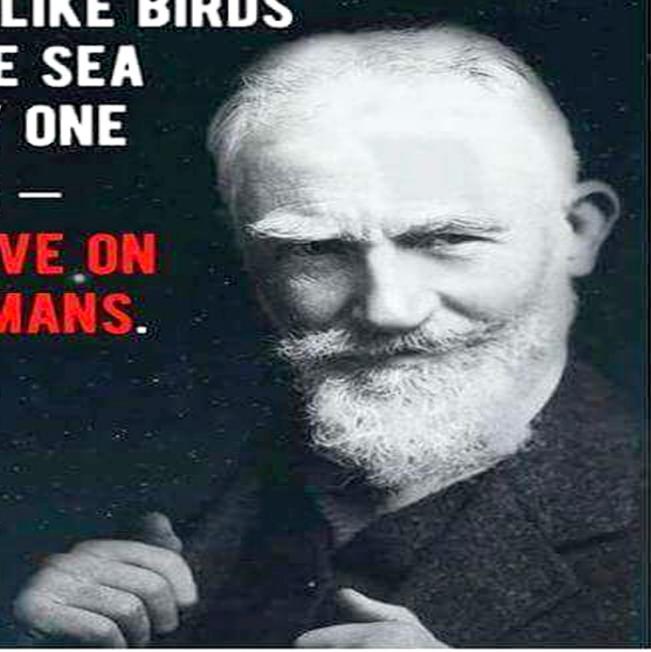
I should like to acknowledge support and intellectual sustenance from a creative group of scholars with whom I have had the good fortune to be associated over the last few years: Oyndrila Sarkar, Kavita Philip, Javed Majeed, Lutz Raphael, Kama Maclean, Gajendra Singh, Anasuya Sengupta, Jeevan Deol, Bilgin Ayata, Ali Raza, Anil Menon, Ward Graderon Smith, Lilly Irani ... Such constellations are inherently unstable, and fade away as you try to hold on to them ... but it has been a very exciting time, comrades.

**Benjamin Zachariah** is from University of Trier, Germany

July 2016

**NOW THAT WE HAVE LEARNED TO  
FLY IN THE AIR LIKE BIRDS  
AND DIVE IN THE SEA  
LIKE FISH, ONLY ONE  
THING REMAINS –  
TO LEARN TO LIVE ON  
EARTH LIKE HUMANS.**

—GEORGE BERNARD SHAW



# My faith is constantly questioned because I don't wear hijab

Hina Moheyuddin

*There are some words that are hard to forget, words like, "Every strand of hair that I see on your head is a sin."*

There seems to be an implicit hierarchy in the American Muslim society and its time that it is acknowledged and addressed. For some women it appears as though wearing the hijab serves as a prerequisite within the Muslim community to be treated as a dignified woman in Islam. As an unveiled woman, not wearing the hijab should not be interpreted as an act of defiance against the tenets of Islam. Rather, it is a product of my environmental and ideological circumstances.

This piece is not targeted toward the strong and beautiful women who have made the choice to wear the hijab. This is simply to bring a humble perspective from a sister who does not. In my experiences, I feel that as an unveiled woman, my faith is constantly under suspicion. Growing up in a town where I was one of three Muslim families in a 35 mile radius, I had little exposure to the "culture" of Islam before college. Upon my observations and experiences, it appears that it has become easier for some to raise their finger and voice towards an non-hijabi woman than it is to raise that same voice or finger toward themselves and question, "Where do I think I fall short?"

*There are some words that are hard to forget, words like, "Do you...pray. It's just that you aren't a hijabi so I wasn't sure."*

The essence of the hijab is to symbolize haya (modesty) and one way to do that is through being mindful of the clothes that drape you. However, haya also blankets various concepts such as humility, self-respect, honor, and

shyness that seem to be overlooked. These are not peripheral aspects of haya, but rather integral elements that need to be given as much attentive concern as clothing. Disciplining of the tongue, actions, and intentions are also components, that may not be aesthetic, but are just as discernable.

I was once told that the legitimacy of my faith will only be verified once I wear a headscarf; that essentially my Islam (submission to God) is not substantiated. There is no gauge for measuring another's piety and attempting to measure the religiosity of other is, in practice, impossible. The resistance made me reconsider my thoughts about wanting to wear the hijab. I began to doubt the impartiality of my conviction and whether my desire to display it rooted in conforming to a stereotype. For that reason, to prove an ideological and cultural point, I ardently promised myself I wouldn't. This competition has the proclivity to curate an allergy to certain aspects of Islam, as it did for me and it's a sad reality that we all must accede to rectify. Establishing a more tolerant, non-judgmental and welcoming climate has the propensity to yield a major wave of positive reception.

I have had one too many conversations with my sisters, hijabi and non-hijabi, discussing the "lack of faith" preconception that stems off not wearing the scarf. Ibadat transcends bowing in submission to God; it dilates further in treating others with dignity, respect, and kindness. Knowing more about Islam doesn't equate to obtaining superiority over another person; it can only signify to have made you better from state you were in the day before.

The orthodox theology is treated as times is as if it is mutually exclusive with spirituality.

However, there is no separation in Islam between ibadat (worship) and manners. It is imperative to discipline both branches of our deen because they exist in congruence. Imam Ghazali's thorough dissection of Islam has illuminated the teachings of the Holy Quran in an extensive fashion. Upon his study, it is found that wherever in the Quran the characteristics of a good believer are written, the moral characteristics shadow immediately behind it.

There remains a discord between the essence of admission and the existence of admission. The employment of men and women who sustain a message of tolerance and acceptance towards all is integral to the growth and progress of the American Muslim society. It is a great misfortune that while calling ourselves Muslims, there are those who feel repelled, rejected, or

uncomfortable in an Islamic setting. I speak from experience because when I first experienced a culturally Muslim setting, I left in tears.

I write to the American Muslim society as a whole, a humble request as woman of the community: stop judging, stop assuming, and please stop from assessing the strength of relationship with God. I write to call upon the ummah to unify instead of divide, to be kind in your approach while sharing your thoughts, and lastly to treat an unveiled woman with an equal regard and esteem of that a veiled woman.

*There are some words that are hard to forget, words like, “Hina, you wear the hijab internally and that is what makes you such a beautiful Muslim.”*

Courtesy [thetempest.co](http://thetempest.co)

## Respecting others' view-point

*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

## The Radical Humanist on Website

February 2015 onwards 'The Radical Humanist' is available at <http://www.lohiatoday.com/> on Periodicals page, thanks to Manohar Ravela who administers the site on Ram Manohar Lohia, the great socialist leader of India. Only the logo/the name of the magazine needs to be clicked for opening it.

Now the books by M.N. Roy are available at this website under the section 'Socialist Movement' and then going to the dedicated page for "collected works". They may be downloaded from there and read.

- Mahi Pal Singh

# Why MPLAD Scheme Judgment Needs to be Reviewed

S.N. Shukla

While replying to debate on The Representation of the People Bill, 1951 Dr. Ambedkar had said-

*“Another thing that we must bear in mind and which I think goes to root of the matter is that our Parliament and our Electoral law should be so constituted that the independence of the Members of parliament as against the Government **must be scrupulously observed**. **There can be no use in a Parliament if we adopt a system, which permits the Government to corrupt the whole of Parliament either by offering political offices or by offering some other advantages. If a Parliament cannot act independently without fear or without favour from the Government, in my judgment, such a Parliament is of no use at all”** (Parliamentary Debates 11 part II, page 8353-54).*

However, the aforesaid sage advice of Dr. Ambedkar has not only been conveniently forgotten but also given a go bye by politicians of later years for their narrow selfish political ends. Schemes like Members of Parliament Local Area Development Scheme (MPLADS for short) and Members of State Legislatures Fund (popularly known as Vidhayak Nidhi in UP) are glaring example of this. The circumstances in which MPLAD Scheme was introduced in 1993 by Shri Narsihma Rao to win over MPs for ensuring continuity of his minority government are well known.

The validity of the MPLAD Scheme, which was clearly against the avowed intentions of the framers of the RP Act, 1951 was challenged in the Supreme Court under Article 32 of the Constitution in two writ petitions (C) No 21 and

404 of 1999 and in 8 writ petitions in High Courts which were transferred to the Apex Court. During the pendency of the said writ petitions, India Rejuvenation Initiative (IRI) (a non political forum working for probity in public life) of which former Chief Justice of India, Mr. Justice (retd.) R.C.Lahoti and former CAG Mr. Shungulu are senior members, had written a letter dated 31.3.2007 to the then Prime Minister saying that IRI was of the view that MPLADS and MLALADS must be immediately abolished *as they undermine the constitutional notion of separation of powers and distort the role of elected representatives*. It was suggested therein that these funds be transferred to urban and rural local bodies whose plans are included in the District Development Plan to be prepared in accordance with the mandate in Article 243ZD of the Constitution. Still the Central government opposed the writ petitions and the same were dismissed by the Constitution Bench vide judgment dated 6.5.2010 in Bhim Singh V. Union of India and others, (2010) 5 SCC 538, as ‘devoid of merit’ holding that the impugned MPLAD Scheme was valid and intra vires the Constitution.

The aforesaid decision in the case of MPLAD Scheme needs to be revisited by a larger Bench in terms of the decisions of the Apex Court reported in AIR 1955 SC 661 (Para 15), AIR 1973 SC 1425, 1993 Supp (4) SCC 595 (paras 18 and 19), and AIR 1999 SC 2929 in view of the following facts and circumstances-

**I.** With great respect to their lordships of the Constitution Bench it is submitted that the said judgment suffers from the following obvious infirmities apparent on the record-

(1) *The judgment did not even notice, leave alone consider*, that various bodies, including the National Commission on working of the Constitution, the Second Administrative Reforms Commission and the CAG had suggested that *the MPLAD Scheme should be discontinued at the earliest*, and that a report on the working of the Scheme had also sought the abolition of the scheme. As per the law laid down by the Apex Court itself in catena of cases like Johri Mal (2004) 4 SCC 730 (para 27) a decision without consideration of all the facts and relevant aspects of the matter is vitiated. Also, as held in AIR 1972 SC 236, the Court can review its earlier decision if some patent aspects of the question remained unnoticed as in the present case.

(2) The conclusions in para 97 of the judgment make no mention of the main issue regarding the validity of the scheme that it was hit by the doctrine of occupied field being incompatible with Article 243 ZD of the Constitution and the laws made by the States to operationalise the said Article. As such, it could not be upheld in view of the law laid down in (2006) 5 SCC 386 (para 14) that where statutory Rules govern the field executive instructions cease to apply. As held in (2015) 10 SCC 400 (paras 29 and 32), a plea based on Article 243ZD (as in the present case) is maintainable.

(3) The judgment overlooked that under Article 114 of the Constitution no money can be withdrawn from the Consolidated Fund of India except under an Appropriation Bill for a grant made under Article 113. Obviously, under the said provisions the MPs cannot give grant to themselves as per the legal definitions of “grant”. According to Black’s Law Dictionary (6<sup>th</sup> Edn. Page 699) “Grant” means: To bestow, to confer upon *someone other than the person or entity which*

*makes the grant*. Oxford Dictionary of Law (5<sup>th</sup> Edn.) defines “grant as the allocation of money, powers etc. by Parliament or the Crown for a specific purpose. Apparently, allocation of money by the MPs to self cannot be called “Grant” as per its definition. Actually, it amounts to largesse to self and his supporters and also criminal breach of trust.

(4) The conclusion in the said judgment that the role of MPs is limited to “recommending” works is far from the truth. Actually, they *decide* the works to be taken up as their consent is necessary for sanction of money from their allocation. It also overlooks the well known harsh ground reality that these days no district level officer can dare go against the “wishes” of the local MP.

(5) While holding that the MPLAD Scheme does not violate the constitutional principle of separation of powers the judgment overlooked that *the function of the legislators is to legislate and NOT to fulfill the basic needs and aspirations of their supporters or provide community infrastructure which is the avowed purpose of the MPLAD scheme* and is to be taken care of by the law enacted under Article 243 ZD. Significantly, it also does not figure in the functions of Members of British Parliament listed by Walter Bagehot in his classic treatise (1900 Edit pp. 130-135) on the British Constitution, on which our Parliamentary system is modelled.

(6) The judgment also overlooks that the scheme has an inherent real possibility, supported by host of empirical evidence of its misuse, of the MPLAD fund being used to further personal/political interest of the Member rather than the crying need of the Constituency. This runs contrary to the Code of Conduct for members of House Commons which stipulates that *any conflict between personal and public interest should always*

*be resolved in favour of the latter*, as stated in Erskine May's Parliamentary Practice (24<sup>th</sup> Edn.).

(7) The conclusion that the Scheme does to amount to unfair advantage and corrupt practices per se does not controvert that even if there is no misutilisation of the funds under the scheme, the scheme provides an unfair advantage to sitting MPs vis-à-vis other contestants for the following reasons-

(i) The MP's better performance on account of proper utilization of funds leading to the people voting for him is evidently due to the scheme. The scheme gives MPs a halo of the benevolent feudal lord who can disburse public funds at will and in the process create pockets of patronage *to the exclusion of 75 to 80 percent of the total voters in his constituency who did not vote for him.*

(ii) The discretionary allocation of Rs. 25 Crores gives an unfair pecuniary advantage to the incumbent MP over a new challenger. This obviously subverts the idea of a free and fair election. This is also confirmed by the increased percentage of sitting MPs winning in elections after the introduction of the scheme.

(iii) Other contestants not having the benefit of this Scheme cannot be equated with the one having the funds provided by the scheme in view of the settled law that treating unequal as equals amounts to violation of Article 14 of the Constitution.

**II.** Subsequent developments,(which have been held to be a ground for review ) after the said judgment have also confirmed the need for a second look at the judgment in the light of the following -

(1) In an article published in Dainik Jagaran dated 14.10.2011 it was pointed that the

*Committees constituted by both Houses of Parliament have no trustworthy mechanism.* A sample survey by NABARD consultancy services brought to light many cases of mis-utilization of money, violation of guidelines and even scams. The opposition of most of the MPs to the suggestion of the then Union Rural Development Minister for social audit for works of scheme speaks for itself and only strengthens the case for review of the judgment.

(2) A telling first hand proof of the rampant corruption in MPLAD Scheme is the personal experience narrated by renowned journalist and former MP Shri Kuldip Nayar in his autobiography entitled "Beyond the Lines" published in 2012. The relevant para from the chapter "My Tryst with Parliament" at page 357 of Shri Nayar's autobiography is reproduced below-

"Within a few days of my nomination to the Rajya Sabha, a member of the House met to inquire what I proposed to do with my Member of Parliament Local Area Development (MPLAD) allocation of a crore of rupees. Before I could reply, he said that I need only sign the papers for withdrawal of the fund allotted to me and he would give me Rs. 50 Lakhs. I was shocked by the offer but asked how this was managed. He said that on paper a bridge or a road would be constructed and then washed away by rains. This would also enable the sanctioning authorities to receive their share from the money drawn".

Mr. Nayar's above account is clinching evidence of the widespread corruption in the Scheme.

(3) The fact of widespread misuse of MPLAD Schemes for personal/political benefit is confirmed by the instances detailed, in the book titled "Public Money Private

Agenda” by A Surya Prakash. A perusal of the above book extract published in the July 29, 2013 issue of Outlook shows that MPLADS is a *free fund* for our MPs as *in a large number of cases money has been spent on the projects that do not exist and repeat expenditure has been made on the ones that do*. The article also lists several examples of serious violation of guidelines of the Scheme by MPs detailed in the report of Nabard Consultancy Service (NABCONS) such as follows-

- (i) Assets allegedly created under the scheme which ‘could not be traced by the surveyors’,
- (ii) Construction of community halls etc within religious places in gross violation of guidelines,
- (iii) Construction of shopping complexes to promote private enterprise,
- (iv) Diversion of computers bought for schools to commercial enterprises,
- (v) Supplies of computer to private educational institutions,
- (vi) Community centres built with MPLADS funds being commercially let out by the beneficiary agencies, and
- (vii) Repeat expenditure on a length of road via MPLADS after the very same contract for the same stretch has been “executed” under MLALADS- similar constituency development scheme for state legislators.

*Significantly, while listing the aforesaid examples the Committee made no observation about them in its report.*

On the basis of above, the writer rightly concludes that “The Chairman and member of the Lok Sabha committee on MPLADS seem

to get all worked up about what they perceive to be downgrading of their role by the government. However, they become tongue – tied when presented with data which shows their colleagues in poor light. This attitude of the committee is truly worrisome now that around Rs. 4,000 Crore will be allocated to this scheme annually from fiscal 2011-12”.

The approach of the Committee in this matter fully justifies the conclusion of the writer that “Parliamentarians fail to realise that the credibility of Parliament remains intact only when privileges and ethics are seen as two sides of the same coin. While they clamour for more privileges, their hackles are raised when people demand that the concept of accountability ought to keep pace with the burgeoning privileges of MPs”

(4) Shri Milind Deora had written a letter dated 3.1.2014 to the Prime Minister to replace or streamline the MPLAD Scheme. Not only this, as per news paper report in the Times of India dated 25.1.2014 Congress Vice President Rahul Gandhi also joined chorus to end MPLAD Scheme saying that 50% MPs were not in favour of it. The editorial in the Hindustan Times dated 24.2.2014 also advocated scrapping of the Scheme as it had spectacularly failed to deliver.

Apparently, the observations and conclusions in the MPLADS judgment are not in consonance with the harsh ground realities as is evident from the empirical evidence and opinions of well known experts directly concerned with the implementation of the Scheme. The same cannot, and should not, be brushed aside lightly simply because the sitting MPs and the political class wants to perpetuate the Scheme for their own benefit. The well known fact is that Schemes like MPLAD and MLALAD are a major source of political corruption and have made politics the most lucrative profession even for the scum of the

society. No wonder assets of 114 present Lok Sabha members and 79 sitting MLAs in UP increased by more than 100% in one term. According to an analysis by ADR assets and criminality have a positive correlation. As a result, 'We the People' are suffering because of the consequent misgovernance which is increasing at alarming rate. In this connection the following observations of the Constitution Bench in the case of Manoj Narula Vs. Union of India JT (9) 2014 SC 591 are very relevant-

*"Criminality and corruption go hand in hand. From the date the Constitution was adopted, i.e. 26<sup>th</sup> January 1950, a red Letter Day in the history of India, the nation stood as a silent witness to corruption at high places. Corruption erodes the fundamental tenets of the rule of law"* (Para 13).

In view of the position stated above, urgent intervention by the Apex Court is necessary in larger public interest before it is too late and the situation gets out of hand. Under the

circumstances, it will be only appropriate that the judgment upholding the MPLAD Scheme is reviewed and the Scheme is scrapped altogether. However, in case it is not considered feasible, then the only practical via media of saving the Scheme within the constitutional and statutory provisions and checking the rampant misuse of funds under the Scheme is to put a *rider that the funds given to MPs under the Scheme will be spent by them only on the approved Schemes of District Plans which remain unimplemented /incomplete for want of adequate budget provisions*. Apart from proper utilization of funds under the Scheme, this will also ensure better participation of the MPs in the formulation of the District Plans and their fuller implementation and thereby fulfill the object and purpose of the Seventy Third and Seventy Fourth Amendments to the Constitution for inserting Parts IX and IXA relating to the Panchayats and Municipalities.

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## Anti-fascism and a free society

*We stand for a thorough reconstruction of the national life. Our political objective is the establishment of democratic freedom which will mean effective political power for the people. We strive not only for national freedom, but also for the social emancipation of the toiling masses. Our task is to spread enlightenment which will dispel obscurantism in the political and the spiritual life of the country. We advocate modernism in every walk of life against revivalism. We want the disinherited to come to their own and enjoy the richness and fullness of life on this earth. We want man to be the master of the world and the maker of his destiny.*

*This is why we radicals favour India's active participation in the war against Fascism. Fascism stands for the destruction of the political, social and cultural ideals of democracy...The war against Fascism can be won only by rousing in the people their urge for freer and fuller life. The supreme task of our movement is to develop that urge, and thus while defeating Fascism, to lay securely the foundations of a free society which is not only free of foreign rule, but also free of native tyranny, exploitation and injustice.*

- M.N. Roy

(The above statement was issued during the Second World War 1939-1945)

# Judicial Activism - Is it a Boon or a Bane?\*

Bimal Kumar Chatterjee

The doctrine of “separation of powers”, a vintage product of scientific political philosophy, is closely connected with the concept of “judicial activism”. “Separation of powers” is embedded in our constitutional set-up as one of its basic features. The concept of judicial activism has its origin in the exercise of the power of judicial review by our judiciary, specifically its adjudicatory power under Articles 32 and 226 of the Constitution. The power of judicial review is integral to our Constitution, which means that it cannot be done away with by any legislative enactment, even a constitutional amendment. Bagehot, the British constitutional expert, had once spoken of “separation of powers” in the context of the unwritten Constitution of Great Britain and to put in place a system of non-interference by the legislature, the government and the judicial officers.

The doctrine of “separation of powers” envisages the concept of division of powers. In India, the fountain-head of power is the Constitution. The sovereign power has been distributed between the three wings — the Legislature, Executive and the Judiciary. The legislature, whether of Centre or of the State, is supposed to be engaged in framing laws. The task of the executive is to govern with the assistance of those laws. And the task of the judiciary is to resolve all disputes by interpreting the laws and plugging the gaps, if any.

The doctrine of “separation of powers” envisages a tripartite system. Powers are delegated by the Constitution to the three organs, and delineating the jurisdiction of each. Such a tripartite system also exists in the heavenly abode of Brahma, Vishnu and Maheswar, who have between themselves divided their eternal omnipotence with a

fundamental clause – none will make any attempt to perform any other’s duties. Nor will anyone transgress into the other’s domain. In the heavenly abode, Brahma is engaged in creation (as the Legislature frames the law on earth); Vishnu runs the administration and maintains law and order (as the Executive does in the mortal world); and Maheswar sets things right should there be any violation of the heavenly code. This is similar to the Judiciary’s role in respect of the acts of omission and commission of the Legislature and the Executive. Each of the three gods operates in His exclusive domain and none has any complaint against any other. A perfect harmony exists in their celestial world.

The judiciary with its power of “judicial review” takes a call on the acts of omission and commission of the Legislature and of the Executive in the context of the constitutional provisions and the well-established principles of the rule of law, based on the concept of “fairness”. The concept of fairness encapsulates all concepts of the rule of law and justice. The power of judicial review is vested in the judiciary alone, indeed to scrutinise the actions of the two other wings of the State and in respect of their legal and constitutional validity or otherwise.

Significantly enough, such power of review is not vested in either the Legislature or the Executive. Neither has the right to scrutinise the Judiciary’s acts of omission and commission, if any. This exclusive authority saddles the judiciary with greater responsibility to be more careful and cautious while exercising its power of judicial review. It has to honour and not breach the avowed principle of “separation of powers”. However, this power of judicial review is not and cannot be a plenary power as it has

certain limitations. The contours of such limitations have been mentioned in the Constitution, notably in the “doctrine of mutual non-interference”, which is again very much embedded in the doctrine of “separation of powers”. It is enshrined in our Constitution that none of the wings, while exercising the power allotted to it, will cross its own boundary as delineated. Nor will it permit another to breach its boundary.

Therefore, a constant and effective mutual vigil is expected to ensure the sanctity of the doctrine. There is no ‘buffer zone’. There is also no ‘no war’ zone. The limit of the boundary of one organ is followed by the spheres of the other two, but they are not intertwined. In a sense, “separation of powers” places a limit to the active jurisdiction of each organ of the State. It serves as a check on tyrannical tendencies in a democracy, that can destroy the basic structure of our constitutional scheme of things. The doctrine is also intended to ensure liberty and justice; the power of judging is separated from the legislative and executive functions. The absence of a system of checks and balances can blur the boundaries of separation.

Nevertheless, the boundaries are not watertight compartments; the Constitution has provided a ‘limited right of interference’. For example:

- (a) the Executive can perform legislative functions by way of promulgating an ordinance (Articles 123 and 213);
- (b) the Judiciary has been delegated with Legislative functions under Article 146(2);
- (c) the Legislature has been conferred with adjudicatory power to deal with all developments inside the legislature. The judiciary cannot enquire into the proceedings of the legislature

(Articles 118, 208 and 212).

However, these constitutional provisions cannot be described as “permitted spheres of interference”. These are intended to sub-serve the objectives of the system, to avoid a possible impasse that can be created by the peculiar circumstances.

The gaps left by the legislature in the matter of legislating or by the executive in the matter of executive governance are expected to be filled by the judiciary. It may get activated either by the people or by its own motion, for example *suo motu*. On being activated, the judiciary exercises its power of judicial review to scrutinise the acts of omission or commission of the legislature and the executive. On the basis of such scrutiny, the judiciary prescribes the remedial measures to remove or cure the maladies diagnosed.

Judicial activism must be defined as a judicial response to a situation warranting immediate remedial measures. It is an affirmative concept that has to be marked by promptitude, diligence and consistency. No exception can be taken to such activism. It is, indeed, always welcome. In the event of excessive activism, it of course becomes a case of judicial over-activism. Any action in excess, even if judicial, deserves to be deprecated. It is a breach the Rule of Law. And any kind of judicial over-activism must also therefore be equally, if not more severely, deprecated.

Judicial activism *per se* ought not to be opposed if it is intended to cure an existing malady that has not been addressed by the Executive or the Legislature and has an impact on a large number of people. However, this is subject to two conditions — (i) the action is within the framework of the Constitution; and (ii) the action of the actor does not cross the contours of its own jurisdiction and trespasses into the jurisdiction of another wing of the State. These conditions are applicable to all the three

organs of governance. And that includes the judiciary. It cannot claim that these conditions are applicable to the legislature and the executive. The judiciary is not amenable to this golden rule of constitutional obedience and non-interference.

In the event of legislative over-activism, the judiciary can cut it to size by exercising its power of judicial review. Similarly, if there is executive over-activism, the judiciary can pronounce its disapproval which is binding on the executive. The judiciary's role as a watchdog and a whistleblower is essential for the enforcement of the Rule of Law.

This brings us to the question of judicial over-activism. Discipline entails self-restraint. Each organ of governance, and most importantly the judiciary, is required to be restrained for the sake of harmony in overall governance.

In the absence of a clear demarcation of powers, there is always a possibility of confusion. The case of *Raja Ram Pal v Speaker of the Lok Sabha* is a classic example. Mr. Somnath Chatterjee, who was then the Speaker, refused to accept the notice issued on admission of a writ petition under Article 32 of the Constitution by the Supreme Court after Parliament had expelled as many as ten members. They had been expelled on the ground of "unethical and unbecoming conduct of accepting money in relation to their functions as MPs".

Mr. Chatterjee was of the view that the Supreme Court had no business to serve notice on the Speaker. Further, expulsion of members was within the exclusive domain of Parliament. He argued that the judiciary cannot inquire into the legality and validity of Parliament's decision on the pretext of judicial review which has its own limitations. The Supreme Court gracefully negated the contention.

In the absence of well-defined contours of

the power of judicial review, abuse and misuse of such power cannot be ruled out. This cannot be deemed as intentional, however. It may happen on account of inadvertence or in the anxiety to fill the breach left by the legislature or the executive or for that matter to set right the legislative or executive acts of omission and commission. Whatever be the reason for such abuse or misuse, it must be avoided to guard against friction between the three organs of the State. Any overstepping can upset the applecart. Proper use and exercise of the power of judicial review is essential for an independent judiciary that commands the respect of the country's people and institutions. In the absence of this prerequisite, the power of judicial review can turn out to be judicial over-activism.

Judicial activism is welcome, but not judicial over-activism. The constitutional courts, armed with powers under Articles 226 and 32, have often embarked on a course of judicial over-activism. The thin line that demarcates power tends to get erased and to the chagrin of the two other wings of the State. The courts occasionally direct the State to enact a law. The courts often try to frame laws not by interpreting the existing laws but by directing the State to formulate and implement policies which are required to be in conformity and in consonance with the views of the particular court or courts. In the net, the courts engage in over-activism by conveniently assuming the power that is not provided by the Constitution.

On occasion, the Supreme Court acts in a manner that conveys the impression that it is above the Constitution. And such judicial aberrations are not few and far between. The fundamental question to determine whether the exercise of power is subject to judicial review is not whether the source of its power is the Constitution, but whether the subject matter under challenge is susceptible to judicial review.<sup>2</sup> On occasions, the High Courts and the Supreme

Court tend to ignore the issue of susceptibility to judicial review of the subject matter on which they pronounce their judgments. Articles 141 and 142 of the Constitution have made a major contribution to strengthen this presumed wisdom vis-a-vis the Supreme Court.

The High Courts have been far less active in this regard in the absence of constitutional provisions in their favour. Judicial over-activism is often a threat to the doctrine of non-interference. No wonder both the legislature and the executive have been stoutly defiant in the face of such over-activism.

This trend can affect the dignity of the constitutional courts in the esteem of the public at large. The constitutional courts need to practise self-discipline and treat the two other organs of governance with respect. This will preserve and uphold the doctrine of non-interference.

A healthy public discourse can help define the

contours of separation of powers. Hopefully, the debates will not blur the thin line of separation. Instead, they ought to enrich our constitutional law, helping the three organs to treat each other with respect. This will lead to better coordination and harmony in the exercise of sovereign power. A high standard of self-discipline coupled with better coordination will lessen the scope for judicial over-activism.

While judicial activism is a boon, judicial over-activism is a bane. And if it leads to disharmony in the conduct of governance, the constitutional scheme of governance can be severely undermined.

\*Based on a lecture delivered at Town Hall, Calcutta on 4th May 2013 on the occasion of Sesquicentennial Celebration of the High Court at Calcutta.

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# Uniform Civil Code: Why and How?

**Ram Puniyani**

What is called as Uniform Civil Code (UCC) is as such dealing with the personal laws (marriage, divorce, maintenance, custody and inheritance). Our criminal and civil laws are same for all the religious communities but our personal laws have been related and linked to religion. So there are separate laws for Hindus, Muslims and Christians. Ironically Jain, Buddhists and Sikhs are included in Hindus. As such the prevalent laws and norms among diverse Hindu communities are not same for all Hindus as there is large number of variations among them. During the Constituent Assembly debates what finally emerged was that the personal laws should continue as such. In the directive principles of state policy article 44 it was stated that state shall try to evolve uniform common laws for all the citizens of India, irrespective of their religion. The aim was to bring these laws in consonance with concept of justice.

At the same time Nehru called upon B.R. Ambedkar, the law minister, to work for Hindu Code Bill whereby the diverse Hindu communities can be brought under the same umbrella. The idea was that since the Hindus are the largest religious community, if reform process can be initiated among them, the same process can be extended to other communities. Ambedkar formulated the Bill with the understanding that the prevalent laws don't give equal justice to women. The draft Bill as it emerged was opposed by large section of Hindu community as it was too radical for the prevalent patriarchal norms. Later the Bill was diluted and implemented. The failure to carry through the bill was a setback to the efforts of Ambedkar; he felt dejected and left the Cabinet.

The debate further came to the fore in the wake of Shah Bano Judgment. Here, Shah Bano's plea for the maintenance after divorce was upheld by

the Court. The conservative section of Muslim society stood up to oppose this judgment. Buckling to the pressure Rajiv Gandhi Government passed a Muslim Women (Protection of rights on Divorce) Bill, which bypassed the judgment. With this the Hindu communal forces took up the issue and called for UCC. The main point which was propagated was that Muslims are allowed to marry four times. The unstated understanding behind this was that due to polygamy the population of Muslims will overtake that of Hindus. In real sense neither is the percentage of polygamy more among Muslims nor does polygamy lead to more children as number of children is restricted by the number of women.

The section of Muslims, Muslim leadership and organizations like Muslim Personal law board made it as the issue of minority identity and strongly stood against any demand for UCC. The practices like polygamy, Burqa, triple talaq became the marker of Muslim community. From within the Muslim community many a women's groups came up which started campaigning for the gender justice and abolition of these practices. As such the focus of reforms came totally on the Muslim community and the need for reforms within Hindus took a back seat in popular imagination. While the Communal forces talked of uniformity in law they neither have any scheme of things nor any document in hand around which they can put this demand. The dominant notion is that UCC will be an exercise of picking up some laws from Hindus, some from Muslims and some from Christians to make the picture complete. The central notion of gender justice is missing in this discourse. At the same time progressive Women's movement had also demanded the UCC, but having realized that most of the personal laws which are prevalent in the name of religion are unjust to the women, they

retracted and started talking about *Gender just* code through the process of reforms in the community. So how will UCC come in? Will gender justice be the basis of uniformity? There is a notion that somebody will prepare the laws and these will be brought in, imposed on all the communities. This is 'top down' approach. Second is the 'bottom up' approach. Here the focus is on reform process being encouraged in the society and the process being taken further given the shape of law. The crucial point here is the process of reform within the community, a process based on gender justice. Among other, the efforts of Bhartiya Muslim Mahila Andolan (BMMA) in this direction are noteworthy. BMMA has collected 50,000 signatures for abolition of triple talaq. The idea here is to campaign and do the advocacy for such changes, get the laws made on these lines which will strengthen the hands of Judiciary in giving justice to Women in particular. It is campaigns like this which raise the consciousness in the society and the possibility of the occurrence of such things in society go down. In other words such campaigns make the ground on which justice delivery becomes better and easier. The campaign for banning triple talaq is an important step in the direction of reforms based on gender justice.

It is true that communal forces which make loud noise on the topic have no interest in gender justice. Their central agenda is to frighten the Muslim community. Here the crocodile tears of

those posing to give justice to Muslim women are more than obvious. Gripped in the patriarchal mind set men dominated Muslim organizations also don't support such campaigns.

As such one should grant the point that an intimidated community gives secondary importance to issues of gender justice. Their primary concern is security and partly equity in social affairs. Men are the one's leading the organizations promoting communal politics. Also self proclaimed Law Boards are gripped by patriarchal mind sets, surely it is the women who are struggling for gender parity and one stands with such equality based 'bottom up' approach of social change. The opposition to UCC comes mainly due to fear of intimidating communal politics and the values of patriarchy which needs to be overcome.

There is also an argument that the campaigns like abolition of triple talaq will open the door for Hindutva forces to bring in Hindu laws as UCC. That's a tricky argument and does draw our attention to the dangers in demand for reforming the laws. Still one hopes that in current scenario to bring back the Hindu laws as UCC are unlikely as most of the Women's groups have realized that the existing Hindu laws are nowhere close to giving justice to Hindu women, so it is unlikely that such an imposition can place in today's context. It is time that reforms in the community and gender justice become the base of our thinking in this direction.

## **M.N. Roy on Superstition**

Superstition is rooted in the ignorance of the primitive man. In course of time, man outgrows the blissful state of ignorance, Nevertheless, he is haunted by superstitions haloed by tradition, and often raised to the dignity of the expression of revealed wisdom. Eventually, scientific knowledge gives him the power to break the spiritual bondage. The history of the development of science coincides with the history of a bitter struggle against superstition. In our country, the struggle is still to begin. Whatever little of modern scientific knowledge is now there, is very largely superficial, and is often utilised with the purpose of reinforcing superstitions. That is an abuse of science.

June 15th, 1950. Dehradun

**M. N. Roy**

**From: Preface of the second revised edition of 1950, 'Fragments of a Prisoner's Diary: INDIA'S MESSAGE'**

# THE GOD FACTOR

**P.A.S. Prasad**

Before venturing into discussion on the issue of God Factor, I remember a story poem taught to us at our Class VI stage. It was named “Six Blind Men of Indostan and an Elephant”.

Each of the Blind men touches one body part of the elephant and concludes that it is the whole elephant, eg., one blind man feels the tail of the elephant and exclaims to the others that an elephant is like a rope hanging down, another blind man feels the foot of the elephant and exclaims “the elephant is like a massive pillar” and so on. None of them, being blind, could perceive the whole elephant. The enigma of humanity with relation to the God Factor is like that of the six blind men and the elephant. We have no idea and do not have even threadbare notion of the God Factor as perceived and understood by humanity - discussed and believed in various colors and hues and dogmas and so on.

There is no empirical and rational proof of the existence of God. Several theories have been enunciated by several individuals with as many prescriptions and many times more followers and believers. Some claim to have seen God and experienced Divine revelations. Such experiences vary from individual to individual. Some claimed to be God's own children, some claimed to be His incarnation – it is endless. Definitions vary. The usual refrain and leitmotif is, God is all pervasive, all merciful and all powerful - all in the superlative degree. However, we are yet to see all the merciful manifestation of God. We generally experience his wrath in various forms of religious fanaticism.

Each has his own experience or vision of Him. Eg., Vivekananda experienced it by a mere touch of the Paramahamsa. The all time musical

genius Beethoven in his compilation of his Quartets in ‘C’ sharp minor and Saint composer from South Thyagaraja in his great song offerings to Lord Sri Rama are supposed to have had their direct experience of God. However, it is my conjecture that when they reached the heights of overwhelming musically rapturous ecstasy and thrill - it is in those moments, unable to express their experience, they might have believed that they experienced God.

At the other end of the spectrum, we learn that Albert Einstein exclaimed that it was proof of God when he heard the very young Yehudi Menuhin's virtuoso performance on the violin. Einstein was also known to be going on the streets during Christmas times playing Christmas carols on the violin. But the same Einstein towards the end of his life poured gasoline over Christianity by terming the Bible as a Children's Fairy Tale Book and that it was all silly – in one of his letters to a friend.

Again Mother Theresa (now Saint Theresa), whose devotion to God through service to the suffering mankind was unparalleled, had made a ‘U’ turn towards the end. In one of her letters to a close friend as we learn, the Mother describes her usual smile as vacuous and informs she did not find God after all her efforts. Coming to lesser mortals, many years ago a Swamiji of Ramakrishna Mission once told me in a casual conversation - neither had he got the pleasure of life, nor the Bliss of God above. He was deprived of both and life was a waste for him.

Out of the nine main systems of Hinduism, namely; Charvaka, Jainism, Buddhism, Sankhya, Nyaya, Vaisesika, Mimansa, Yoga and Vedanta - except Yoga and Vedanta - for the remaining systems God is not pivotal.

There is an interesting passage in Tagore's much acclaimed novel "Farewell My Friend" (English translation from Bengali by K.R. Kripalani)...The Master of the house, a committed orthodox Brahmin steeped in religious rituals, dies. His wife however has an inquiring mind and the family priest deeply impressed by her rational attitude, admires her and lets her into the reality of orthodoxy and rituals, etc. I quote, "***The rigmarole of rite and ritual is not for such as you, my daughter. The foolish not only cheat themselves but are cheated by the whole world as well. Do you imagine that we ourselves believe in all this? Haven't you noticed how we turn and twist the Shastras, without any compunction, to suit our convenience? I only mean that we have little faith in these observances. We play the fool to please the fool. But since you don't want to cheat yourself I shall be the last person to deceive you. You send me for your pleasure and I shall read out to you such portion of the scriptures as I believe to be true".***

This was the position before, and it is so now and it shall be so in future. All the progress and happiness and pleasures we now enjoy are due to the efforts of enquiring and non-conformist minds right from the dawn of civilization.

But at the same time, the God Factor imbibed and believed has certain tremendous advantages which the atheists do not have. An atheist either by birth or conviction has to rally on his own self and should possess supreme self confidence to achieve or face adversities which life brings in its wake. There are great achievers among the atheists in modern times...the founders of the Communist Movement and their followers, their ideological sympathizers, individuals like Voltaire, Bertrand Russell, Jawaharlal Nehru, Stephen Hawkins, M.N. Roy and quite a few others. Because they are not God fearing, it does

not mean that they do not have a sense of right and wrong. There are many great people among them who made significant contributions to the Human Happiness and prosperity.

Apart from the Charvaka Atheist Doctrine of ancient India, in Andhra Pradesh we have the illuminating personage of the 18th (?) century poet, philosopher and reformer, Yogi Vemana, who likened the Vedas to prostitutes and the ritual performing priest to lecher. Vemana's poems in simple Telugu embody great wisdom and practical and rational approach to life. They are so popular that they form quotable quotes in everyday language of the people. He is revered so much that a varsity has recently been established in his name.

In recent times Gora (Goparaju Ramachandra Rao) established an Atheist Ashram in Vijayawada. He actively collaborated with Gandhiji and propagated casteless, superstition-free society. The deeply enquiring philosopher thinkers J. Krishnamurthy and U.G. Krishnamurthy have made unique impact on the world.

Belief in God by itself is harmless, however unscientific it is. But the tragedy of mankind is that belief in God has brought in its train religion, dogma, lethargy, superstition, intolerance and all time evil of militant fanaticism and persecution.

Belief in God has immense therapeutic value on the Human Psyche. People will be ready to face any individual or natural calamity with courage. By their unstinted faith in God, they face otherwise impossible adversities. Even repeated failures or terrible setbacks or severe illness resulting in death do not deter their behavior. They will simply satisfy and console themselves attributing their suffering to God's will. Success or failure will be imputed to God's intervention, eg., 'Marriages are made in heaven!' The believer is happy that his every

action and breath is God ordained. God is the savior.

The benefits are many which are denied to an avowed atheist. The atheist has to rely on his own. The Gitaic adage that the self is one's best friend and the self is one's enemy aptly fits the makeup of an atheist.

Belief in God has made some ordinary people perform extraordinary feats. The belief could bring out extraordinary strength enabling them accomplish difficult tasks which are humanly sometimes impossible to others. In the history of mankind we find man moving mountains by sheer faith in God and in the guidance of God is every step undertaken.

We have the example of Joan of Arc who believed Angels speaking to her won spectacular battles in France. In India we have the great example of Mahatma Gandhi who took on the might of the British with his unflinching faith in God's guidance. He was hardly 24 when he took on the British/whites in Durban single handed. Among the believers we have to remember the great contribution to human happiness by Dr. Albert Schweitzer in French Lambarene. Here in India we have again the example of Mother

Theresa who walked out of her convent alone, and achieved spectacular recognition for her services to the most degraded, dying and helpless people on the pavements of Calcutta.

Actually these individuals never know their inner strength. Their belief in God gave them stupendous strength to change the world around them significantly.

That said we find that there is always an attempt on balancing the believers and non-believers; however, the contribution of the non-believers to human happiness, prosperity and progress is more than those who believed in Him. Belief in God is always prone to breed the concomitant evils of religion and horrendous offshoots we have been witnessing throughout history and more now. The fact remains that a large segment of humanity believes in God in some form or other, without knowing anything about him. Whatever may be the depth and erudition that go into any discourse on God Factor, it brings us again to square one, i.e., Six Blind Men of Indostan and the Elephant!

*The views expressed above are entirely mine*

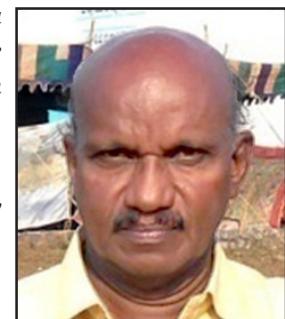
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## Humanist center in Kerala inaugurated

*A new Humanist center has been inaugurated in Kerala recently. The center is in Pattathanam which is the native place of Mr Pattathanam. He published critique on Matha Amritananda Mayi for which he was harassed by Kerala government (previous one). Mr Pattathanam is devoted to the cause of Humanism and has mostly contributed his writings in Malayalam*

*The new humanist center was inaugurated by Mr B. Sambasivarao, editor of Swetchalochana monthly and has now started functioning.*

**The photo of Mr. Pattathanam and information has been sent by Dr. Narisetti Innaiah**



**Mr. Pattathanam**

## **Gujarat Govt. is in the process of formulating a new Act to strangulate freedom of expression and voice of dissent!**

Gujarat Govt. is in the process of tabling before the Gujarat Legislature Assembly in its forthcoming budget session, a new enactment “Gujarat Protection of Internal Security Act (G-PISA). Under the proposed Act, police will be empowered to arrest any person merely on the basis of ‘suspicion’, that he can potentially endanger the internal security. Under the provisions of ‘G-PISA’, arrest made, merely on such ‘suspicion’, shall be considered as a cognizable and non-bailable crime. Proposed Act shall deal with terrorism, insurgency, communalism and caste based violence which imperil internal security. Moreover, both private and public places shall be covered under surveillance of electronic devices and CCTV cameras. Simultaneously, there is a provision that Govt. can make arrest of any person without any kind of complaint and undergoing legal procedure. All such things shall be allowed, without any kind of warrant under the Proposed Act.

Bent upon choking any type of dissenting voice, Gujarat Govt. is expeditiously trying to implement G-PISA Act to throttle the voice of critics and opposition party. Govt. wants to suppress all types of dissenting voice and to snatch away basic minimum human right of expression. Following the protest by opposition parties and civic societies against harsh provisions of GujCTOC, H.E. President, Pranab Mukherjee had not okayed it. Moreover, APJ Abdul Kalam and Pratibha Patil also had returned the GujCTOC for required amendments. In it, it was clearly written that serious provisions in that Bill were violative of fundamental rights of the citizens.

Similar Internal Security Protection Act (Bill), 2016 aimed at dealing with challenges posed by

**Gautam Thaker**

Insurgency, communalism and caste based violence was also tabled in the Legislature Assembly of Maharashtra. Under that, it was provided to arm the police with wide powers but when the draft of this Act was circulated on public domain for debate / discussion, but in the wake of wide spread protest by civil liberty and human rights groups, opposition parties including Govt.’s own ally Shiv Sena, the proposed bill was withdrawn. The said Bill was identical to the “MISA” which was one of the harshest laws of independent India. The new Act was merely its ‘rechristening’ or resurrection. On one hand, it was provided under the MISA to make an arrest without prosecution but on the other hand it tended to convert entire state of Maharashtra into a ‘Glorified’ jail. After all, in the wake of wide spread public protest, the attempt for enacting such a ‘black’ Act in the name of ‘MIPASA’ did not succeed.

Following its failure in Maharashtra, process has been started to enact G-PISA in Gujarat and its misuse can result in suppression of civil liberties and freedom. It is clearly visible that with such an Act, Govt. is trying to hit hard on the civil liberties of people of Gujarat. Existing laws are adequate and effective to ensure internal security of the nation. Moreover, prevalent ‘Prevention of Damage to Public Property’ and criminal laws are enough to maintain law and order situation and there does not appear any need to formulate new law like G-PISA. Taking into account news reports, proposed Act contains severely harsh provisions to initiate actions against castes groups and communal forces. All crimes under the purview of the new Act shall become non-bailable and people can be arrested merely on a ‘suspicion’. By installing surveillance system like CCTV

camera, at private places including residence, officc etc. Govt. shall be able to keep watch or vigil. Further, Govt. shall be allowed to tap telephoinc conversation of any body. This is merely an illustrative talk on the some provisions which have been made available.

To oppose such an intention on Govt.'s part, concerned citizens and civic societies shall have to give united fight in a non-violent way. Government's tendency to suppress political opposition including the civil movements is really serious. Awakened people – concerned citizens should become active to raise protest, like in

Maharashtra, to nip in the bud such a proposition. No act or law which aims at harming fundamental rights of the people can be allowed to subsist. By arousing public awareness, maximum protest of this G-PISA which tends to annihilate human values and democratic principles, should be launched in a peaceful, constitutional way, on the path professed by Gandhian ideology.

**Gautam Thaker** is National President of Indian Radical Humanist Association and General Secretary of PUCL, Gujarat.

October 2016.

## An Appeal to the Readers

Indian Renaissance Institute has been receiving regular requests from readers, research scholars, Rationalists and Radical Humanists for complete sets of books written by M.N. Roy. It was not possible to fulfil their demands as most of Roy's writings are out of print. IRI has now decided to publish them but will need financial assistance from friends and well-wishers as the expenses will be enormous running into lakhs. IRI being a non-profit organization will not be able to meet the entire expenses on its own. Initially, following 15 books have ordered for print: New Humanism; Beyond Communism; Politics, Power and Parties; Historical Role of Islam; India's Message; Men I Met; New Orientation; Materialism; Science & Philosophy; Revolution and Counter-revolution in China; India in Transition; Reason, Romanticism and Revolution; Russian Revolution; Selected Works – Four Volumes; Memoirs (Covers period 1915-1923).

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We make an earnest appeal to you to please donate liberally for the cause of the spirit of renaissance and scientific thinking being promoted in the writings of M.N. Roy.

Thanking you.

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# Intellectual Tolerance

## (Vaicharik Sahishnuta)

**(Keynote address presented at the inaugural session of the 61<sup>st</sup> Conference of the Akhil Bhartiya Darshan Parishad at the Wheeler Senate Hall, Patna University, on 10<sup>th</sup> September, 2016.)**

It gives me great pleasure that a topic of contemporary and practical relevance like “intellectual tolerance” has been chosen as a theme of this Conference. Intellectual tolerance is an essential pre-requisite for the existence of democracy and secularism in a multilingual, multireligious and multicultural society like India. In absence of intellectual tolerance, which includes religious tolerance, our society will be torn into pieces!

The issue of intellectual tolerance has become very relevant at present, because intellectual *intolerance* has increased manifold in our country in the last few years. Some authors-thinkers of our country have been killed, just because their killers did not like their views! I am talking about Dr. Narendra Dabholkar, Govind Pansare and M. M. Kalburgi. This is nothing but height of intellectual intolerance!

Instead of waxing eloquent about ancient times, it is important for us to focus on what is happening at present in our social and political life.

In last few years, some people have even tried to glorify Godse, the killer of Gandhi. On the other hand, some persons from the highest echelons of the ruling establishment have demanded enactment of law banning religious conversions.

Coming closer still, in 2015, ‘Ambedkar-Periyar Study Circle’ organized by students of

**Dr. Ramendra**

Department of Philosophy, Patna University.

I. I. T., Madras, was derognized by the institution. This was done after the Central Human Resource Ministry intervened on the basis of a complaint by an “anonymous” person. The study circle was restored after massive protests throughout the country.

The events in the Hyderabad Central University climaxed in the suicide of Rohit Vemula, a dalit research scholar in January, 2016. Earlier, the university had stopped paying the amount of Rs. 25 thousand per month, which was being paid to Rohit Vemula as fellowship. Rohit Vemula was associated with Ambedkar Students Association. The local B. J. P. Member of Parliament had written a complaint to the then Human Resource Minister in the month of August, 2015, alleging that the Hyderabad University had become a stronghold of “casteist, extremist and anti-national politics”. In the month of September, 2015, the University had suspended five students, including Rohit Vemula. Consequently, in January, 2016, Rohit Vemula committed suicide!

Even when the protests regarding Rohit Vemula’s suicide were continuing throughout the country, the elected President of J. N. U. Student Union, Kanhaiya Kumar, was arrested on the charge of “sedition”. At the time of his production in the court, some persons, related to the ruling party at the Centre, manhandled him. Later, the court released him on bail. When Kanhaiya went to the Hyderabad Central University to express his solidarity with the protesting students of the university, the authorities banned his entry into the university campus at the last moment.

There have been many such incidents violating intellectual and political freedom in other universities as well. There is no need to go into details here. The incidents narrated above are more than sufficient to illustrate the attitude of the present Union government.

In September, 2015, before the last Bihar Assembly elections, Mohammad Aklaq was lynched to death in Dadri, Uttar Pradesh, after being “charged” with eating beef. In July, 2016, about more than a month ago, some dalits were beaten up in Una in Gujarat by the so-called “cow-protectors”, just because they were skinning dead animals.

A strange environment of intellectual and religious intolerance is sought to be created in the country. If the Union Government does not agree with any idea or ideology, the persons subscribing to that ideology are being charged with “treason” in a very light manner. Hate campaigns are being carried on against religious minorities. Writers-thinkers are being killed, and Gandhi’s assassination is sought to be justified.

Someone may disagree with Gandhi’s ideas. Gandhi can be and has been criticized from a humanist point of view as well, particularly, his views on religion and *varna-vyavastha* (See, Ramendra, *Why I am Not a Hindu*). But, what is the meaning of justifying Gandhi’s assassin, Godse? This can only mean that if you don’t agree with someone’s ideas, shoot him! In fact, this is what has been done with Dabholkar, Pansare and Kalburgi.

Therefore, according to me, **the role of Philosophers in the present context ought to be the main issue of discussion before this conference.**

Whether it is Philosophy or any science, knowledge grows by critical thinking. There is no place for intellectual intolerance in scientific method. If scientists are not tolerant towards

different hypotheses, then science will not be able to move even a step forward.

Philosophy, in particular, grows out of critical thinking. This was true in ancient times and is true at present also. Today, in Analytical Philosophy central place is given to clarification of concepts and logical evaluation of beliefs. If we are not tolerant enough even to listen to one-another’s arguments, how are we going to logically evaluate it?

In fact, in Philosophy knowledge grows out of clash of opposite ideas and intellectual struggle. In western philosophy there has been a long intellectual struggle between materialism and idealism. In India, Astika (orthodox) and Nastika (heterodox) struggle has been going on since ancient times, and is still continuing in 21<sup>st</sup> century. In fact, the conflict has sharpened further.

Whether we are Nastika or Astika, we ought to be ready to listen to and to evaluate one another’s arguments. If possible, we should try to remove or minimize our disagreements by using logical and scientific method. Where there is no sufficient evidence to come to a definite conclusion, we ought to suspend our judgments. If it is not possible to remove our disagreements, then we ought to learn to live peacefully and gracefully *with* our disagreements. In no case, we should turn our intellectual disagreement into personal enmity, conspire against one-another and even indulge in violence.

This is the essence of intellectual tolerance.

In absence of such intellectual tolerance the future of philosophy will itself be endangered. Therefore, **Philosophers ought to be in the forefront of the fight against intellectual intolerance.**

Hopefully, this philosophical conference will discuss the subject of intellectual tolerance in an atmosphere of intellectual tolerance.

## **Human Rights Section:**

**PUCL National Council Resolution on Kashmir:** 13<sup>th</sup> October, 2016

# **Release Khurram Parvez! Permit UNHRC to visit Kashmir!!**

People's Union for Civil Liberties condemns the ongoing attack on civilians by Indian security forces in Kashmir which has resulted in the killings of more than 80 young people, causing injuries to nearly 9000 people and the loss of vision of more than 500 people. PUCL condemns the impunity exercised by Indian Security Forces in perpetrating large-scale human rights violations which have caused a deep crisis, including a humanitarian crisis of the Kashmiri people.

It is in this context that the PUCL would like to highlight the recent illegal detention of human rights defender Khurram Parvez, and the denial of permission to the UNHRC to visit the valley of Jammu and Kashmir.

Khurram Parvez is a human rights defender who is a member of Jammu and Kashmir Coalition of Civil Society (JKCCS), an organisation comprising civil liberties groups, traders, families of disappeared persons, and students. Khurram Parvez and his team were scheduled to address the 33<sup>rd</sup> session of the United Nations Human Rights Council at Geneva during the hearings in September, 2016 in order to present the case of Kashmiri people reeling under violence from the Indian state subsequent to the extra-judicial killing of Burhan Wani. On the 14<sup>th</sup> of September 2016, he was prevented from boarding the flight to Geneva by immigration authorities at Delhi airport, on orders from the Intelligence Bureau and detained by security agencies.

Subsequently, Khurram Pervez was taken

back to Srinagar. On September 16, he was illegally detained at Kothi Bagh Police Station in Srinagar by the police, on the allegation that he incited a mob to throw stones at the Tourist Reception Centre, Srinagar on September 15. Significantly, he was not notified of the reason for his detention, nor allowed access to a lawyer.

Mr. Khurram Parvez was subsequently transferred to Kupwara sub-jail, isolating him from his family and legal counsel. Khurram Parvez's legal counsel challenged the detention order passed by Executive Magistrate Mohammad Amin Najar before the Sessions Court. On September 20, the Principal District & Sessions Judge, Srinagar, Rashid Ali Dar set aside the detention orders and directed the J&K Police to release him, but the police flouted this order and took him back to Kothi Bagh Police station, from where he was subsequently taken to Kot Balwal jail in Jammu, 300 kilometres away from Srinagar. His legal counsel were subsequently informed that he was being detained under the Public Safety Act, a legislation which has notoriously been invoked repeatedly for the preventive detention of ordinary civilians in Kashmir. Under the Public Safety Act, Khurram Parvez can be detained for a period between six months and two years. It is important to note that the Public Safety Act is a colonial law under which Bhagat Singh and others were detained during the freedom struggle. While being shunted from one detention centre to another, Mr. Parvez has been repeatedly denied

access to essential medical facilities, and has also been isolated from his family, friends and legal counsel.

#### ***The Denial of Access to United Nations Human Rights Council***

The Indian government has repeatedly blocked all attempts by the UNHRC to intervene and enquire into allegations of human rights abuses by Indian security forces in Kashmir. These abuses not only include the use of pellet guns and other weapons, but also the denial of medical and humanitarian aid to Kashmiris. This has led to a medico-legal crisis, where Kashmiris suffering from pellet-gun injuries do not have access to critical health services and equipment for their treatment, because of the de facto blockade set up by the Indian state in Kashmir. India has disallowed the request by the United Nations High Commissioner of Human Rights, Mr. Zeid Ra'ad al-Hussein, for conducting an enquiry by independent observers in Kashmir, stating that it is an internal matter. It is clear that the Indian state does not want to be held accountable for its human rights abuses in Kashmir, on the specious plea that it is an internal issue, despite the fact that India is a signatory to various conventions on human rights.

Despite being a signatory to 1998 UN Declaration on Human Rights Defenders, there have been no measures taken by the Indian state to facilitate the work of human rights defenders, or to prevent their harassment, and

the Indian State has in fact been complicit in the targeting of human rights defenders.

We note with serious concern that India's policy in Kashmir has been marked by a culture of impunity, preventing scrutiny by national judicial mechanisms as well as independent international bodies into the actions of various security agencies of the state and central governments. This is part of a larger design by the Indian state to crush dissent, stifle democratic debate, and silence demands for accountability, thereby suppressing Kashmiri voices articulating their political aspirations and their experiences of human rights violations.

In this context, People's Union of Civil Liberties in its National Council Meeting held in Delhi on 17<sup>th</sup> and 18<sup>th</sup> September, 2016 *unanimously* passes the following resolutions:

1. **Khurram Parvez should be released immediately from preventive detention under the Public Safety Act. All proceedings against him under the Public Safety Act should be dropped immediately.**

2. **The Indian Government should immediately grant permission to the United Nations Human Rights Council (UNHRC) to visit Kashmir valley and enable it to conduct an independent enquiry into human rights abuses in Kashmir, including the suppression of their democratic rights.**

**Prof. Prabhakar Sinha**, President; **Dr. V. Suresh**, General Secretary, PUCL National

*“I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if it needs be, it is an ideal for which I am prepared to die.”*

– Nelson Mandela

**Book Released on 15<sup>th</sup> October, 2016 at New Delhi:**

## **M.N Roy Reader: Essential Writings**

### **DESCRIPTION**

**Manabendranath Roy** (1887-1954) the founder of the Indian Communist Party in exile, is undoubtedly India's foremost revolutionary theorist. His life was an unending quest for freedom - first from the colonial yoke, then under the influence of Marxism, 'wage slavery', and in his last years, from anything that stunts the immense potential of the individual and prevents him from being a free agent in history. A citizen of the world, he took active part in the emancipatory struggles in India, Mexico, revolutionary Russia and China during their crucial years. His writings, astonishing in their scope and vitality, were written in five major languages of the West - English, French, Spanish, German and Russian. This collection, for the first time, seeks to present the entire range of his essential writings - from the stormy Mexico days to the wider vision of the humanistic phase when he was striving to go beyond communism without sacrificing the revolutionary legacy of Marxism.

**R.M. Pal** (1927-2015) was born in Komilla district of undivided Bengal. He taught English at Rajdhani College in Delhi. He was closely associated with the Radical Humanist Movement and was personally close to M.N. Roy and Evelyn Roy. He was honorary editor of the *Radical Humanist* and the editor of

*PUCL Bulletin*. He has edited *Selections from the Marxian Way and Humanist Way* (1999) and co-edited *Protection of Human Rights: A Critique* (1999) *Human Rights Issues and other Radical Essays* (2010). He has also published several articles on M.N. Roy and on the subject of human rights.

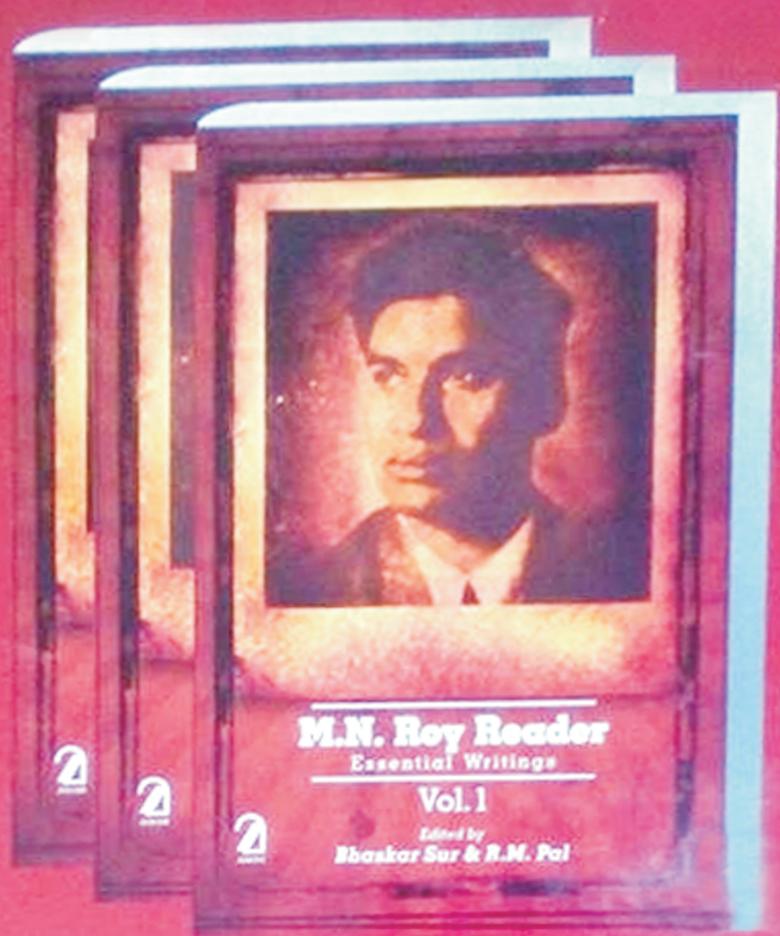
**Bhaskar Sur** has been in the thick of popular science and rights movement since his student days. He has contributed both in English and Bengali to various journals on the social role of science, necessity of a scientific outlook and social change. He is the editor of *Bivartan*, a journal dedicated to critical enquiry and environmental security. His publications include *The Poet as a Crusader and Radical Essays* (2012) and *The Unvisited Land* (2013). He is closely associated with the Indian Radical Humanist Association and PUCL.

**Editors: R M Pal, Bhaskar Sur**

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*Martin Luther King, Jr. noted: "Lamentably, it is a historical fact that privileged groups seldom give up their privileges voluntarily." Let us in an upper caste-dominated society acknowledge the vast undeserved space we occupy. Let us cede what has to be ceded.*



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# **M.N. Roy Reader**

**Essential Writings**

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*Edited by*  
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