

THE RADICAL HUMANIST



Founder
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Rajindar Sachar**

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Fight Against Treason Call of Hindu Rashtra by B.J.P.

Rajindar Sachar

The results of U.P. State Assembly have come as a shock to all parties and also the pollsters. The appointment of Yogi Adityanath as a Chief Minister of U.P. is the worst outcome. I feel that it requires all political parties, the secular and leftists (I am using it loosely) because unfortunately the meanings have become quite barren.

I am mentioning some items which all of us could take, as it has no party monopoly. Of course my suggestions are very tentative and can be finalized at a separate meeting, of all Parties, of the leftist parties, Trade Unions. This is necessary because the B.J.P. Government is determined to dismantle public Sector, the sheet anchor for a Socialist Society.

A. Minimum of 30% Income Tax on the higher incomes including that on Corporate Sector.

B. Inheritance Tax, to reduce gross inequality in the Society; even the Conservative Governor Reserve Bank is suggesting it.

C. Disclose in public the names of big defaulters of Public Sector Banks, the total amount being 8 lakh crores. Why should they be shielded, when they are endangering the public Interest and economy.

D. Napams and anti Corridor battle could be jointly fought out.

E. Prohibition against any election funding by the corporate sector even in the guise of separate electoral trusts formed by corporate sector.

I am also suggesting some other common items of programme for action immediately like;

F. Revival of Women Reservation in State Legislature and Parliament.

Fight against Governments misuse of perverting Lok Sabha Speaker's power to certify certain legislations as Money Bill in order to avoid defeat at Rajya Sabha.

There is a gross misuse of the majority in Lok Sabha by B.J.P. government. B.J.P. Central government has already started working unconstitutionally, as is clear from its misuse of Article 110 of the constitution – re the finance Bill. This is done obviously because it could not modify the income tax law or the companies Act. for making such vital changes against the established Rights of citizens guaranteed by the Constitution as it has no majority in the Rajya Sabha.

The BJP Central government is tearing all established conventions. Thus including amendments on Companies Act, most mischievous. At present under the companies Act there is a ceiling under companies Act, for donation, the especially making it anonymous. Central Government's amendment will result in as an American Commentator has said after Citizens case in U.S.A., "that nation" will have corporate democracy and not people's democracy. I believe one could go to court against the provision incorporated in income tax Act. and Companies Act. on the ground of violation of Article 14., and irrelevancy of these legislations behind the passing of Finance Bill.

I know political funding is a touchy subject for the Congress but then larger public interest requires it to be challenged. The misuse of Aadhar to make each one of the provisions of secrecy of Income Tax Act, banking law a nul-

lity is a further assault of the individual rights of citizens.

Speaking personally we must refuse to file my Income Tax Returns or opening of Bank accounts by getting Aadhaar, which I believe is a serious inroad into the privacy of the individual excepting possibly in the case of those programmes like of subsidies Schemes to avoid possibly wrong person getting the benefit. I know Congress government brought in Aadhaar. But really its misuse by Modi government requires action by Congress. I would suggest that Congress and opposition should bring legislation in Rajya Sabha opposing changes made in Companies Act. and Income Tax by the BJP as incorporated in the Finance Bill. (where it will be passed because it has a majority in the Rajya Sabha. This will create constitutional crisis and bring the matter strongly to the notice of public on these issues.

The extreme danger of B.J.P. choosing Yogi Adityanath and his open declaration that India is Hindu Rashtra has shown the deep viciousness of RSS and B.J.P. For this purpose other parties will have to make serious mutual adjustments – of course subject to ruling parties in other states also playing fair. I would provisionally suggest that the distribution of seats in respective states should be done by non-BJP Parties in such a manner that there is a single candidate opposing the B.J.P. candidate. Of course the opposition ruled states like Mamta in Bengal. Patnaik in Orissa. Congress in Punjab and Bengalore will have to make equi-

table adjustment, but the other parties must also show deep adjustment. Only in this way can the evil of B.J.P. headed by Yogi in U.P., with its obvious call for Hindu Rashtra (a treasonable slogan by B.J.P.) can be successfully met to prevent fascism in our country.

Let all the parties sit together and work out a concrete specific programme and policies to meet this menace. If the parties will not show this adjustment, the public in India will never forgive the opposition parties for failing to show that foresight, self allegation in the attack on Secularism, the basic feature of our Constitution. We should start an open debate and public meetings to point out the danger to our democracy. This will require approaching all political parties to draw up a common programme. In this certain ground rules will have to be worked out. Both political parties which are in power in respective states and non-BJP opposition parties will have to work out a joint strategy for mutual benefits of each other.

In order to meet 2019 Parliamentary election challenge I feel that all non-BJP parties should work on a commonly agreed programme. Loose general talks separately with not work. I feel we need to develop Dr. Lohias election strategy of 1967 where we had Non Congress opposition ruled governments in 9 states. We only have to work for similar B.J.P. opposition ruled States – this alone will create atmosphere which may result in non-BJP parties forming the government at the centre at Delhi.

New Delhi, 08.04.2017. 

“Information is the currency that every citizen requires to participate in the life and governance of society.”

*Justice A. P. Shah, former Chief Justice,
Delhi and Madras High Courts, (2010)*

Why Kashmir remains disturbed

WHETHER stone pelting in Kashmir is at the behest of Pakistan or it is a response to fundamentalists' call, the fact remains that the valley is disturbed. Scores of schools have been burnt and there is a fear in the mind of students that they would be punished if they were to attend classes. The separatists are said to be leading a movement to boycott the studies.

The result is that the students are finding it hard to prepare and appear in exams which the rest of the country is having peacefully. The separatists should realize that a political movement cannot and should not make students helpless and let them suffer. The fallout of the agitation is that the tourists' inflow has reduced. So much so, Syed Ali Shah Geelani has led processions through the streets of Srinagar to assure the tourists that they would be protected in all eventualities.

Still whatever the assurance, the tourists have come to prefer some different hill stations to Kashmir. It is understandable from the tourists' point of view but in the process the Dal Lake shikaras and Nagin Bagh's dongas are not getting business. An ordinary Kashmiri is suffering. Even otherwise, the state's economy has been badly hit.

Chief Minister Mehbooba Mufti does not seem to have any clue to the situation. She has said many a time that Prime Minister Narendra Modi is the only person who can solve the crisis in Kashmir. She is probably underlining the alliance between her People's Democratic Party and the BJP which is ruling at the centre.

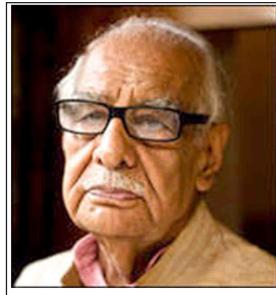
New Delhi should, however, analyze why a person like Shabbir Shah, once pro-India, has turned himself to be pro-azadi. Probably, he

does not find the space which he direly needs to direct his affairs in the valley. The BJP has had no contact with persons like him. The same is the case with Yashin Malik who wanted a solution within Indian Union. But New Delhi has stretched Article 370 in such a way that the power has come to be concentrated at New Delhi.

Kashmir also feels strongly about New Delhi's step-motherly treatment meted out to their Urdu language. And it is generally believed that Urdu is languishing in neglect because it is considered the language of Muslims. If New Delhi were to own and encourage Urdu, it would give the Kashmiris at least one less reason to feel aggrieved. People are generally poor like in the rest of India and they want jobs which they realise would come only through development, including tourism.

Till recently, the Kashmiris were opposed to pick up the gun to defy New Delhi. Home Minister Rajnath Singh has been relentlessly pursuing some method to help Kashmir return to normalcy. But, unfortunately, the Kashmiris have a feeling that what the militants are trying to do gives them identity. Therefore, the criticism that there is no resistance to the militants from within the valley should be understood as part of alienation.

It is unfortunate that New Delhi did not give the package which it had announced after the devastation through floods in Kashmir a couple



Kuldip Nayar

of years ago. There was no criticism by the media or political parties. No leader has pointed out to New Delhi that it had reneged from the promise. All these are interpreted in Kashmir as deliberate signs of cursory attitude. I still believe that the 1953 agreement which gave India the control of defence, foreign affairs and communications can improve the situation in the state.

The Kashmiri youth who are angry over the state's status as well the situation can be won over by the assurance that the entire Indian market would be available to them for business or services. But this alone may not do. New Delhi will have to withdraw all the acts relating to fields other than defence, foreign affairs and communications. The Armed Forces (Special Powers) Act which was promulgated some 26 years ago to meet the extraordinary situation in the state is still in operation. Were the government to withdraw the act, it would placate the Kashmiri on the one hand and make the security forces more responsible on the other.

The National Conference waged a long war to get rid of Maharaja Hari Singh and had an icon like Sheikh Abdullah to provide secular and democratic rule to the state. But the party suffered defeat in the assembly polls due to its proximity to New Delhi. The PDP won because its founder, Mufti Mohammad Sayeed, kept distance from New Delhi, without alienating it.

The Kashmiris have voted for the untried PDP-

BJP alliance because the combination gave them a feeling of identity. Omar Farooq Abdullah had to pay the price of National Conference's image of being pro-Delhi. Kashmir's links with India are too close to challenge it beyond a point. Still the opposition, however small, gives the Kashmiris a vicarious satisfaction of defying New Delhi. Lord Cyril Radcliffe did not attach any importance to Kashmir. He was a judge in London who drew the line between India and Pakistan to establish two separate countries. He told me many years later during an interview that he never imagined that Kashmir would assume as much importance as it did. I recalled this instance when I was in Srinagar a couple of years ago to preside over the first anniversary of an Urdu magazine. Urdu has been unceremoniously ousted from all the states, including Punjab where it was the main language until some years ago. In fact, the language lost its importance in India soon after Pakistan made it the national language.

Normalcy is also a state of mind. The Kashmiris must feel themselves that their identity is not under attack and that New Delhi realizes the importance of what the Kashmiris desire. What New Delhi has to appreciate is that the Kashmiris' desire to distance themselves from India may not be considered any meaningful transfer of power from New Delhi to Srinagar. Yet the impression that the Kashmiris rule themselves has to be sustained whatever the cost. 

The Radical Humanist on Website

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

Mahi Pal Singh

Imperative Need to Defend Universities as Free Spaces, Independent, Critical, Liberal”

HAMID ANSARI

Saturday, March 25, 2017

CHANDIGARH: It has been my privilege to be the Chancellor of this university, famous for its work and alumni, for almost a decade. I confess I have followed the dictum that a Chancellor should be seen infrequently and heard rarely.

This is one of those rare occasions, of convocation, when I get the opportunity to congratulate the Vice Chancellor, faculty, staff and students for the good work that is being done here.

I am very happy that the University has decided to celebrate the singular achievements and services of some individuals by award of honoris causa degrees and the Rattan honours. I congratulate Dr. Murli Manohar Joshi for the D. Litt, Justice Khehar for the Doctorate of Law, Dr. N.S. Kapny and Prof. G.S. Khush for the Doctorates of Science. I also congratulate Shri Anupam Kher for the Kala Rattan, Dr. Dalip Kaur Tiwana for the Sahitya Rattan and Dr. P.D. Gupta for the Vigyan Rattan Awards.

Convocations are calling together of a university community to celebrate academic achievements and excellence; it is customary to use the occasion to cogitate in public in the expectation that the audience would do likewise.

I take this opportunity to share with you some thoughts on the importance of universities in our society and the requirements for the universities to play that role. Specifically I want to talk about:

- The idea of a university and how it distinguishes itself from other institutions where instructions are imparted focused on catering to requirements of daily life;

- The need for them to teach its members to *think*, to go beyond the obvious in learning for examination purposes, and to acquire the capacity and habit to *question*;
- The necessity for them to focus on research, to produce new knowledge that may be beneficial to society and the economy;
- The need for universities to undertake social research, given the diversity and complexity of all societies in a fast changing world; and
- The imperative need for academic freedom so that the thought process and its expression is untrammeled by official or societal constraints.

Allow me to begin with a blasphemous preposition: ‘Do we still need Universities?’

A professor of business psychology in a university somewhere has argued that ‘higher education is at best incoherent and at worst suicidal since students enroll to enhance their career potential but end up as unemployed or unemployable as they were in their pre-college lives.’ He goes on to argue that the only way to fix universities is to align demand (what students want and employers need) with supply (what universities offer).

This trend of thinking, essentially utilitarian in a narrow sense, is not uncommon in our times. And yet, to reduce all human activity to its utilitarian dimensions is to negate the ventures of the human mind and spirit that has

characterized human progress down the ages.

Civilizations in different times have brought forth universities. Plato's Academia and Aristotle's Lyceum in Athens in 4th century BC, Nalanda in India in 5th century AD, Al Azhar in Egypt in 952 and Bologna in Italy in 1088 were in different senses precursors of modern universities.

Cardinal Newman in 1852 described a university as 'a seat of wisdom, a light to the world, a minister of the faith, an Alma Mater of the rising generation. It is this and a great deal more.'

A university training, he added, '*aims at raising the intellectual tone of society, at cultivating the public mind, at purifying the national taste, at supplying true principles to popular enthusiasm and fixed aims to popular aspirations, at giving enlargement and sobriety to the ideas of the age, at facilitating the exercise of political powers and refining the intercourse of private life.*'

In our times, the University has become not only a catalyst of scientific and economic change, but also vehicle of equalization of chances and democratization of society by making possible equal opportunities for people –contributing not only to economic growth, but to social equality or, at least, lesser inequality. This was summed up a few years back by the President of the Copenhagen Business School, Per Holten-Andersen who identified four classical and one modern function of a university:

- To act as *repositories of the knowledge of humanity*;
- To generate new Knowledge by *research*;
- Transfer knowledge to the next generation by *education*;

- Transfer knowledge to Society, by dissemination; and
- Generating development and economic growth.

The last, admittedly, has acquired enhanced importance today but its efficacy is intrinsically linked to, and dependent upon, the institutions that produce new knowledge.¹

There is much clamor and urgency today for university research to be translated into products and services. While there is no argument against applied research; and the need to commercialize such research, we must also accept that many of our present challenges require paradigm-shifts and disruptive convergent innovation. After all, necessity is the mother of invention only in the very short term. Over the long haul, invention is the mother of necessity – changing not only what is possible, but what we regard as essential. We need to recognize that '*risk, waste and failure are all essential parts of the process*'. Good science, like good art, is a creative enterprise.²

Today's preoccupations are often myopic or ephemeral, giving little thought for tomorrow. History is at its most illuminating when written with the full consciousness of what people wrongly expected to happen. Even in the domain of technology, future developments only a few years away have been shrouded from contemporary eyes. Many, possibly most, have arisen unexpectedly from research with other objectives, and assessments of technological potential have invariably missed the mark. One of the roles of the university, thus, is '*to prepare the knowledge that an unpredictable future may need*'.³

A University has to be more than a mere polytechnic. University education and intellectual enrichment must not be construed

solely or even primarily as a path to employment. Even in disciplines with obvious professional connections, the university should first aim to build a profound understanding of the discipline. A university law program, for example, should aim primarily to produce graduates with a deep understanding of law, rather than lawyers, *per se*.⁴

A University has the twin responsibility of providing instruction on matters of intellectual importance and conducting research on those very matters. These two functions should reinforce one another. In recent times, there is a pre-occupation with technological research as against research in pure and social sciences. Often, questions are raised about the importance, and benefits of social research to present requirements.

Situating the relevance of contemporary social enquiry is complex and multifaceted. It is of paramount importance, especially for societies like ours that are in a transition process. It can help address challenges and identify possible solutions in areas essential to a transitional society's political stability and socio-economic development, including existential issues like inter-ethnic relations, protection of minorities, nation-building and good governance.

Social research examining the dynamics and direction of political, economic and social change improves our understanding of such processes, and can help identify pockets of malcontent and resentment, allowing these to be addressed before they become impediments to social harmony.

The other important role of social research is in questioning and deconstructing '*social and cultural mythologies*' that circulate and proliferate in any society, especially during phases of change and uncertainty.

The period of rapid transition in India, particularly, in the last 25 years, offers a particularly fertile climate for such mythologies- which are often harmful for liberal values and the exercise of democracy. Here, the social sciences, '*with their robust basis in rational criteria, their critical view of societal phenomena, and the sophisticated analytical methods they employ*', can be an apt antidote.⁵

An important aim of higher education is to learn to ask questions and to develop the capacity for reasoned arguments. This is what Gurudev Rabindra Nath Tagore alluded to when he sang; Where the mind is without fear....Where knowledge is free.....Where words come out from the depth of truth...'

The right of dissent and agitation are ingrained in the fundamental rights under our Constitution, which sets out a plural framework and refuses any scope to define the country in narrow sectarian, ideological or religious terms. The 'national interest' in this scheme is constitutional rule. This is what Dr. Ambedkar had in mind when he said that,

'It is only constitutional morality that must guide the government, not any whimsical invocation of narrow-minded, parochial figureheads and mythical characters.'⁶

This approximates what Cardinal Newman envisaged as the role of the University, some 100 years before Ambedkar, that '*the idea of a university is to be determined without recourse to any authority and should be based on human wisdom*'. It should be a place for the diffusion and extension of knowledge.

Intellectual dissent has the power to clarify differences and elucidate competing assumptions. It enables each of us to recognize the strengths and weaknesses in our thinking.

Strong intellectual work can only be done in an atmosphere where scholars feel free to take risks, challenge conventions, and change their minds.

A University must foster an environment that prizes intellectual freedom. Except in cases of illegal conduct or violence, a University should never seek to silence or influence faculty members or students to adopt or renounce any particular position. Indeed, universities should take all legal action necessary to defend their academic integrity and freedom.⁷

Academic freedom is the foundation of the University's mission to discover, improve, and disseminate knowledge. This is to be done by examining different ideas in an environment that encourages free and scrupulous debate. The ideas, no matter how uncomfortable or disturbing to the accepted status quo, can and must be challenged, modified and even discarded- on their merit, but may never be muted or suppressed.

The University, in discharge of its duties, has the responsibility of speaking out without the fear of intimidation; and to give offense, even at the cost of inviting protests. Not doing so would be to deviate from the path of rational enquiry and undermine our curiosity about the world by embracing ill-defined orthodoxies, which would impoverish our pursuit of knowledge.

Academic freedom requires a robust tolerance for disagreement and criticism, a willingness to have one's assumptions questioned, and openness to new ideas that may prove offensive. This tolerance always has the potential to conflict with other virtues and causes, so it needs to be defended repeatedly and vigilantly.

We need to revisit these commitments today

because we are again in a climate that questions the value and scope of academic freedom. Recent events in our own country have shown that there is much confusion about what a university should or should not be. The freedom of our universities has been challenged by narrow considerations of what is perceived to be 'public good.'

In a period of rampant distrust of matters intellectual there is an imperative need to defend the universities as free spaces, as independent, critical repositories of knowledge, and as sources of renewal of liberal values that provide avenues of social mobility and equality to people. We need to remind ourselves of the democratic aspirations of pragmatic liberal education while recalling that '*our finest universities help fulfill the dreams of our best selves as a people.*'⁸

In November 2005 an eminent scientist cautioned the world about the dangerous times that lie ahead in the realities of the external world and warned against 'retreat from complexity and difficulty by embracing the darkness of fundamentalist unreason (instead of) free, open, un-prejudiced, unhindered questioning and enquiry that are under serious threat from resurgent fundamentalism, West and East.⁹

This proposition has universal validity.

As one of the premier institutions of the country, the Panjab University has to play its role of a neutral assembler of talent; that of an unmatched idea factory where the passion, creativity and idealism of young minds can be applied to meeting the transitional needs of our society, polity and economy.

As the Chancellor of the University, I urge you to proceed purposefully in this direction.

Jai Hind.

**(Full Speech of Vice President of India
Hamid Ansari at the Convocation of the
Panjab University on March 25, 2017)**

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7Boyer, John W. 'Academic Freedom and the Modern University; The Experience of the University of Chicago', The College of the University of Chicago , 2016, p. 1-5

8Roth, Michael. 'What Is a University For?', The Wall Street Journal, March 4, 2016

9May, Pofessor Robert M. 'Threats to Tomorrow's World' – Address of the President, The Royal Society, London, given at the Anniversary Meeting, November 30, 2005 

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Sweeping of Country by Hindutva – What to bea done?

Ravi Kiran Jain*

Describing the demolition of Babri Masjid in Ayodhya as “Crimes which shake the secular fabrics of the Constitution of India”, the Supreme Court on April 19, 2017 put the senior BJP leaders L.K. Advani, Murli Manohar Joshi and Union Minister Uma Bharti on a joint trial with ‘kar sevaks’ in the 1992 case under various charges, including criminal conspiracy to pull down the disputed structure. The Court also ordered restoration of charges against Rajasthan governor Kalyan Singh (who was Chief Minister at the time of demolition) and 8 others in connection with the case but exempted Kalyan Singh from prosecution on account of Constitutional immunity he enjoys as Governor. After this order of Supreme Court Uma Bharti and Kalyan Singh must have stepped down. On the other hand Uma Bharti raised the political pitch saying she never had any regrets about her role in bringing down the disputed Ayodha structure on Dec 1992. She said she had always been proud of her participation in the Ram Temple movement. “Na maine kabhi khed vyakt kiya hai, na maine kabhi mafi mangi hai” (neither have I expressed any regret, nor have I ever apologized),” she said.

The *Indian Express* dated April 20, 2017 in its Editorial observed “FINALLY, THE WHEELS of justice are turning in the Babri Masjid demolition case. The possibility of due process leading to justice and closure in one of the most seminal cases in India’s political history seems within reach now, 25 years after the 16th century mosque at Ayodhya was demolished by *Sangh Parivar* activists in the wake of the Rath Yatra of the-then BJP Chief L.K. Advani, shaming a nation and setting powerful new political dynamics in motion. The

Supreme Court’s order on Wednesday sets back on track the judicial process and lays down conditions to ensure that the trial is not delayed or compromised further.”

In 1984 Elections in which Rajiv Gandhi had a clean sweep, BJP could secure only 2 seats in Lok Sabha. The *Sangh Parivar* started a campaign for the construction of a magnificent Ram Janam Bhoomi Temple at the site and by 1985 built up a sizeable support in the Hindu Community. In January 1986, locks were removed from the mosque and Ram bhakts were permitted to offer prayers to Ram lala.

It is said that the Prime Minister Rajiv Gandhi ordered the Chief Minister Veer Bahadur Singh to do so who got the District Administration to ensure this. The two major political parties BJP and the Congress started a race on pandering to communal Hindu sentiments. In 1988, Hindutva Organizations led by the RSS organized a mass campaign for building a grand temple exactly where the Mosque stood. They claimed that the Mosque stood at the precise site where Ram was born.

Union Home Minister Buta Singh signed an agreement with the VHP on 17th August 1989, that bricks for constructing the temple would be allowed to be brought from all over UP without hindrance and collected at the plot No. 586 near the mosque. This agreement was in violation of an order of the Allahabad High Court given on 14th August that no construction activity could be taken at that spot.

Later, the VHP announced that ‘kar sewa’ would be performed to lay the foundation stone. This was also a violation of the judgment given two days ago, prohibiting any such activity. This

repeated defiance, of the orders of the court did not weigh with the Prime Minister who inaugurated the campaign of Congress Party the next day from twin city of Faizabad, and announced that the objective of the party was to establish **Ram Rajya**. Soon thereafter the BJP President Advani, at Palampur, after the National Executive Meeting, announced that the inclusion of the construction of the temple in its Election Manifesto “would fetch votes “ for it. **It would thus appear that the two major political parties were in a race on this issue between 1984 and 1989.**

Looking back at the developments around 1989, we are reminded how *Mandalisation* was made an effective issue by the casteist forces in answer to BJP's *Kamandalisation*. Very soon, casteist forces came to acquire political legitimacy by projecting themselves as political forces opposed to communalism, and in order to appear so, they masked themselves as “secularists”, though the truth was that they had discovered “caste politics” as a potent instrument to win success at elections without even doing anything while in power for solving the basic problems of the masses. There emerged a consensus among various political parties to maintain their vote banks by dividing the people on caste and communal lines. Non-performance by a party in power became irrelevant because of its potential to work out a favourable caste arithmetic and win elections. Communalism on the one hand and casteism on the other thus acquired a firm sway over the Indian polity. If anything, it were the three C's—centralisation, corruption and criminalisation—coupled with the caste and communal divide, engineered by opportunistic political forces as the shortest route to quick success, which made all the relevant issues, concerning the public, irrelevant. While corruption and criminalisation sapped the soul out of the ideal of people-oriented democratic governance, centralization of political

authority led to an unaccountable bureaucratization of governance.

In this backdrop the movement to construct a Ram temple at the sight of the Mosque also gathered momentum in 1989 and continued till 1992. The Supreme Court in *M. Ismail Farooqui vs UOI*, (AIR 1995 SC 605) noticed : “A new dimension was added to the campaign for the construction of the temple with the formation of the Government in Uttar Pradesh in June 1991 by the Bhartiya Janta Party (BJP) which declared its commitment to the construction of the temple..... The focus of the temple construction movement from October 1991 was to start construction of the temple by way of ‘kar-sewa’ on the land acquired by the Government in Uttar Pradesh while leaving the disputed structure intact. There was a call for resumption of kar-sewa from 6th Dec 1992 and the announcement made by the organizers was for a symbolic kar-sewa without violation of the court orders including those made in the proceedings pending in this court. Inspite of initial reports from Adhyodhya on 6th Dec 1992 indicating an air of normalcy, around mid-day a crowd addressed by leaders of BJP, VHP, etc., climbed the Ram Janma Bhoomi – Babri Masjid (RJB-BM) structure and started damaging the domes. Within a short time, the entire structure was demolished and razed to the ground. Indeed it was an act of “National Shame” what was demolished was not merely an ancient structure; but the faith of minority in the sense of justice and fair play of majority. It shook their faith in the rule of law and constitutional processes. A five hundred year old structure which was defenceless and whose safety was a sacred trust in the hands of government was demolished.”

In a speech from the Red Fort in Delhi on 15th August 1992 which was broadcast, the Prime Minister P.V. Narasimha Rao had already said that “The Babri Masjid structure will be protected

and the Ram temple built". This assurance would lead people to draw a conclusion that the Ram Temple was not to be built on the site of the Babri Masjid because that structure was to be protected. The destruction of the Babri masjid had deeply wounded the religious feelings of the Muslim community throughout India and the least that could be done to soothe those injured feelings was to assure the community that the Babri Masjid was to be rebuilt. The Prime Minister gave that assurance on Dec 7, 1992, and he referred to it on February 7, 1993 in the BBC 'Phone-in programme'. He said "I thought it was necessary, it was my duty to rebuilt the Mosque."

The judgments delivered by the Lucknow Bench of Allahabad High Court on September 30 on the Babri Masjid cases not only flagrantly violate the law and the evidence but a binding unanimous judgment of the Supreme Court on the Babri Masjid case itself (*M. Ismail Faruqui and Others vs Union of India and Others (1994)6 Scc 360*). It sanctified the conversion of a historic mosque, which stood for 500 years into a temple." Said A.G. Noorani in his article "Muslims Wronged" in Oct 22, 2010 issue of Frontline. Noorani further says in the same article, "On the Babri Masjid, for 60 years from 1950 to 2010, Muslims have been woefully wronged by every single court ruling, including that of the Supreme Court after the demolition of the mosque on Dec 6, 1992".

An eminent jurist and Senior Advocate of Supreme Court T.R. Andhyarujina in his article (*The Hindu*) Oct. 5, 2010 said "The absence of any condemnation of the vandalism of the demolition of the Babri Masjid on Dec 6, 1992 is a conspicuous aspect of the Ayodhya verdict of the Allahabad High Court." T.R. Andhyarujina further says in the same article : "The Ayodhya judgments of the Allahabad High Court make no note of the vandalism of Dec 6, 1992. On the other hand, they take the demolition as a *fait*

accompli, as if the disputed 2.77 acre site was vacant land. After holding that the area beneath the central dome of the erstwhile Masjid must be allotted to Hindus because of their faith that Lord Ram's place of birth was there, and the areas covered by the Ram Chabutara and Sita Rasoi should be allotted to the Nirmohi Akhara, the court has said that the remaining area of the disputed site should be divided, two-thirds to the two Hindu plaintiffs and one third to the Muslim plaintiff by metes and bounds. These judgments, therefore legalize and legitimize the 1992 demolition, as the decree of the court proceeds on the basis that there is no Masjid on the disputed site today. It is an elementary rule of justice in courts that when a party to a litigation takes the law into its own hands and alters the existing state of affairs to its advantage, (as the demolition in 1992 did in favour of the Hindu plaintiffs), the court would first order the restitution of the pre-existing state of affairs."

H.M. Seervai, one of the most distinguished constitutional lawyer in an article "BABRI MASJID" published in *Economic Times* on 9th and 10th April, 1993, said:

"The destruction of the Babri Masjid put an end to all previous controversies raised by Hindu organizations about their alleged rights to erect a temple on the place where Babri Masjid stood. This is because no Court will give any assistance to those who unilaterally by criminal acts destroyed the subject matter of this dispute and violated the constitution and the law."

The Allahabad High Court verdict came on 30th Sept 2010 during UPA-II regime. After Allahabad High Court judgment a grave and serious danger to Indian democracy appeared on the horizon. This verdict gave a legal shape to the political agenda of the *Sangh Parivar* "Mandir wahin Banaenge" and has legitimized the Masjid demolition on 6th Dec 1992 giving them a way

to claim to construct a “Grand Temple” at the sight of the demolished Masjid and gave a boost to the BJP to contest 2014 Elections based on this issue. Although against the Allahabad High Court judgments many appeals were filed in the Supreme Court (which are still pending), and the question as to whether they could construct a temple at the site of the Mosque had yet to be finally decided by the Supreme Court, the *Sangh Parivar* continued with their campaign for 2014 elections that they would construct a Grand Temple. This judgment gave strength to the BJP and the power behind it- the RSS and the *Sangh Parivar* consisting of such organization as the *Akhil Bhartiya Vidyarthi Parishad*, the VHP and the *Bajrang Dal*. They gave to Indian politics a heady mixture of aggressive hindu communalism and an equally aggressive hindu nationalism. In that process they promoted enmity between the Hindus and the Muslims. The movement fostered by these forces contains all the essential characteristics of fascism.

After about three and a half months of 6th Dec 1992 demolition, 13th J.P. Memorial Lecture was delivered by Shri V.M. Tarkunde on 23rd March 1993 on **Communalism and Human Rights**. Shri Tarkunde said in that lecture : “ I am of the view that the communalist nationalism which is being propagated by the BJP and the *Sangh Parivar* represents a far greater danger to Indian Democracy than the personal authoritarian rule which Mrs. Indira Gandhi and the Gandhi-Nehru family were likely to impose on the country. A personal authoritarian rule is a lesser danger because it is largely external to the people. Most of the people do not approve it, although they are usually too afraid to stick out their necks and openly oppose it Communalism, however, particularly when it is the communalism of the majority and can therefore take the form of ardent nationalism as well, can find a positive response in the minds of the people who are still prone to religious blind faith and among whom the

humanist values of democracy, i.e, values of liberty, equality and fraternity are yet to be fully developed. Communalism in such cases is an internal enemy in the human mind and it is far more difficult to eradicate it than an external enemy like an autocratic ruler.” Shri Tarkunde cautioned about the possibility of the BJP coming into power in the next elections (after demolition of the Mosque in Dec 1992). In this context he said in his memorial speech “as the Congress – (I) is now much weaker than before and the opposite parties are unable to unite –to form an anti-communal secular platform, the BJP expects to come to power in the next election. If this happens, the secular democracy in India is liable to be replaced by a potentially fascist theocratic state.” However, it did not so happen in the next election. But in 1999 BJP led coalition NDA formed the govt. with Atal Bihari Vajpayee as Prime Minister, with a strong opposition in Parliament. What Shri Tarkunde was apprehending in 1993 to happen, has happened in 2014 by the victory of Modi with a huge margin in Parliament with a weak and divided opposition.

Now after three years of the victory of Modi in the Centre, Yogi Adityanath, a Hindu icon has been elected as the leader of Uttar Pradesh Legislative Party and installed as Chief Minister. The BJP has secured a majority of 325 members in the Legislative Assembly having the strength of 403. Yogi has the reputation of being a hardcore Hindu leader. His becoming the Chief Minister shows that Hindutva is sweeping the country. It also shows that secularism has not taken roots in our country. The Hindutva elements are gradually sweeping the country.

These developments make the state of human rights in the country as appalling. The concerned citizens have to seriously think as to how they have to meet the situation.

***Ravi Kiran Jain** is the National President, PUCL. 

[All our prime ministers, except one, who was a Sikh, have been Hindus. Real power resides in the prime minister and his council of ministers. More than 85 per cent of ministers have been Hindus. Most civil and defence service officers have been Hindus. From where, then, did Sudarshan and his organisation get this peculiar persecution mentality of the 85 per cent being eclipsed by the 15 per cent?]

The majority complex

The minority may be forced to reconcile to being second-class citizens. But will the majority enjoy a better life if the rule of law is forsaken by those mandated to uphold it?

Julio Ribeiro

It was only 20 years after my meeting with K.S. Sudarshan, the then-sarsanghchalak of the RSS, that I finally realised what he meant by the figure “85”. Prime Minister Narendra Modi’s spectacular victory in the UP Vidhan Sabha elections opened my mind’s eye to the significance of that number.

Let me elucidate. A couple of years after my return from Romania, I was invited by my IPS batchmate, D.S. “Vasant” Soman, to meet Sudarshan, who was visiting Mumbai. Sudarshan, the predecessor of Mohan Bhagwat, was staying at the home of my batchmate’s friend. It was a meeting over dinner and there were a few other invited guests. After acknowledging my presence in the gathering, Sudarshan dwelt on just one point — justice for 85 per cent of the population, which he felt was being treated like second-class citizens. When he repeated this accusation more than half a dozen times, I realised that the sarsanghchalak felt that the Muslim and Christian minorities, that, 20 years ago, added up to about 15 per cent of the populace, were being appeased by the ruling dispensation.

My thoughts, I remember, were on the figure “85”. How did the RSS chief arrive at that number? He obviously counted the Sikhs in that 85 per cent, though the Sikhs themselves would

not be happy to be categorised as such. Secondly, I was not able to figure out at that time how Sudarshan or the RSS had come to the conclusion that the 85 per cent were not being given their due.

All our prime ministers, except one, who was a Sikh, have been Hindus. Real power resides in the prime minister and his council of ministers. More than 85 per cent of ministers have been Hindus. Most civil and defence service officers have been Hindus. From where, then, did Sudarshan and his organisation get this peculiar persecution mentality of the 85 per cent being eclipsed by the 15 per cent?

The only grouse that the majority or, rather, sections of the majority owing allegiance to the philosophy of M.S. Golwalkar, could have against the Christians was that they indulged in converting poor Dalits and tribals, thereby disturbing the established social order. More than that, perhaps, was the fact that Sonia Gandhi, born a Christian and an Italian, had been accepted by millions of Hindus as their leader.

The grousing against the country’s largest minority, the Muslims, were many. But all the charges were now whittled down to just one — of being pampered in pursuit of votebank politics. In actual fact, all concessions made to Muslims

were made to their religious leaders on matters that the latter arbitrarily interpreted as affronts to their personal laws. The community, as such, continued to live in poverty, no attention being paid to the education or health of its members, particularly women, because of which the community continued to remain backward.

On the other hand, only the Dalits and the tribals, from among the “85”, could be counted among the poor and the dispossessed. The RSS is keen to include them in the Hindu fold, despite reservations from the orthodox elements of the chaturvarnya who have been known to use the whip against Dalits skinning dead cattle for a living.

When I joined the IPS in 1953, I did not think of myself as a Christian in a Hindu land. My colleagues, my seniors and my juniors never showed any sign of differentiating between one policeman and another on the basis of religion. One of my first bosses was Vasant Vinayak Nagarkar, a Pune Brahmin, who invited me, then a bachelor, to stay with him, his wife and children, in his official residence. He died years ago but I remember him with great affection.

These were the thoughts that raced through my mind at that time 20 years ago when I met Sudarshan. Now, 20-odd years later, when Modi won a remarkable victory in the UP elections, I became suddenly aware that “85” meant the rule of the majority, by the majority and for the majority.

Well, the “15” need not complain because this does happen in other parts of the world too. In

Pakistan, for example, Hindus and Christians are often accused of “blasphemy” by fringe Islamic elements, just as in UP and other parts of our country, the *gau rakshaks* and anti-Romeo enthusiasts run amok with impunity. The police, eager as always to remain on the right side of might, arrest the victims first, lest they be labeled as anti-national (read anti-BJP).

The prime minister speaks convincingly of “*sabka saath, sabka vikas*”, but Muslims still live in ghettos in Ahmedabad in the most unhygienic and animal-like conditions. The “15” should reconcile themselves to live as children of lesser gods in their own country, but how will the “85” enjoy a “better” quality of life if the rule of law is routinely given a slip by those who need to uphold it?

Taking the law into their own hands will become customary with usage.

But vigilante rule is not something a progressive and civilised nation should encourage or even tolerate. It will soon be used against chunks of the “85”, like Dalits and tribals, and the contagion could spread to other less privileged sections. Human beings are adept at finding whipping boys after one set of such boys are successfully marginalised.

“*Sabka saath, sabka vikas*” will not work for just the “85”, as Sudarshan would have it.

Courtesy indianexpress.com, May 17, 2017

The writer, a retired IPS officer, was Mumbai police commissioner, DGP Gujarat and DGP Punjab 

“Where a society has chosen to accept democracy as its credal faith, it is elementary that the citizens ought to know what their government is doing.” Justice P N Bhagwati, former Chief Justice, Supreme Court of India, (1981)

Ethics is the answer

We need liberation theologists, like Ambedkar and Gandhi, who can help people discard the worst features of their inherited religious culture and replace them with ethical interpretations

Anand Patwardhan

With fiery orange hidden under a newfound tricolour, Narendra Modi's rise to power saw a mushrooming of the RSS and affiliates like the ABVP. Pseudo "nationalism" invaded every campus. The state-induced suicide of Rohith Vemula triggered a broad Dalit-Left unity against the hegemonic designs of the RSS/ABVP. But despite initial success, the unity was short-lived. The fault lay as much with the Left (of all shades) for being unable to overhaul its internal dynamics, as with Dalit groups that fell prey to red-baiting and exclusivist identity politics.

On one side were traditional Marxists, brought up to believe that caste would automatically wither away once the economic base became socialist. On the other were Dalits who understandably did not trust largely upper caste-led formations. Sadly, the idea that individuals are indelibly marked by birth gained currency.

Identity politics is a double-edged weapon. As long as identifiable groups are oppressed, the oppressed unite according to identity. "Black is beautiful" was a necessary movement for Afro-Americans in the US, just as pride in Dalit or Buddhist identity is necessary in India. The trouble begins when this turns into an exclusivist movement. Malcolm X went through a black Muslim phase when he described all white people as "devils". But in his later years, he completely rejected this for a much more inclusive critique of injustice and inequality. That is when the American "deep state" killed him. Similarly, while a broad section of Dalits are inclusive and understand the distinction Ambedkar made between the ideology of Brahminism and individuals who happen to be

born "upper" caste, there is a tiny section that sees birth as all-defining. The fact that Western post-modernists encourage identity politics in preference to class analysis has given separatist politics international acceptance.

The Left and Dalits should have been natural allies. People like Comrade Govind Pansare, Kanhaiya Kumar and Jignesh Mevani have represented this unity and HCU, JNU and many Indian campuses saw its amazing potential. Into this mix, I would add progressive Gandhians — a Narendra Dabholkar, a Medha Patkar, who adhere to non-violence but always fight for the oppressed.

Both Gandhi and Ambedkar recognised that this country was so steeped in religion that atheism or pure rationality would not reach the masses. Each in his own way became a liberation theologian. Unlike Ambedkar, Gandhi did not choose his religion but inherited it. But to this, he applied post-Enlightenment ethical values that were essentially modern. When he began manual scavenging, he destroyed the very basis of the pollution/purity dichotomy at the heart of the caste system. Theoretically, for a long time, he infamously clung to the concept of Varnashrama Dharma, but in actual deed, he destroyed it the day he took up manual scavenging, a job reserved for so-called "untouchables".

As time went on, Gandhi became ever more radical. He clearly learned from Ambedkar as well as from his own intuition. Later in life, he refused to attend any marriage that was not an inter-caste marriage. He fashioned out of his inherited Hinduism something entirely new. Only

the idiom remained, not the original Sanatan Dharma. Whether his reluctance to discard the idiom stemmed from a desire to speak to the Indian masses in a language they could easily follow, or from his own belief system, is debatable. What is unmistakable is that Gandhi's ethical code bears little resemblance to the hierarchical, vengeful structure of traditional Hinduism.

Unlike Gandhi, Ambedkar clearly saw how oppressive the religion of his birth was, being a direct victim. So, he searched for its best alternative. After examining many religions, he finally chose the one closest to Reason. Buddhism is one world religion that does not posit an external, all-knowing God. While retaining Buddhism's strong ethical core, Ambedkar discarded irrational tenets like reincarnation that traditional Buddhists follow. So I see Ambedkar and Gandhi as liberation theologians. In the same way that radical Left priests like Ernesto Cardenal in Latin America re-interpreted Jesus Christ as a revolutionary who fought and died for justice to the poor, Gandhi and Ambedkar gave new ethical meaning to the religions they adapted or adopted.

I am not equating the two. Their differences are obvious. One came from a privileged caste, the other from the most oppressed. One was steeped in traditional religion in his formative years, while the other came from a caste denied the right to education but rose to become the best-read, greatest intellectual of modern India.

Neither am I blind to Gandhi's paradoxes, like his life-long demonisation of sexuality. His insistence on chastity puts him in the same irrational, patriarchal boat as the priests, monks and nuns of many world religions. And yet, by introducing the charkha as a weapon of non-violent resistance, Gandhi brought thousands of women into the mainstream of the Indian freedom movement.

Can Gandhi's Sarva Dharma Samabhava (all religions are equal) take the place of Ambedkar's constitutionally guaranteed democratic rights? I think not. We need the Constitution much more than we need holy books. And yet, as many in our country are still hooked to holy books and unholy pretenders, we need liberation theologists who can help people discard the worst features of their inherited religious culture and replace them with ethical, non-exclusivist interpretations. Waiting for everyone to become rationalists may take centuries. Ethics is the answer. Small wonder that Ambedkar and Gandhi, each in turn arrived at individual definitions of ahimsa.

Egalitarian humanists at heart, their affinities are greater than their differences. Take the act of "satyagraha", a term coined by Gandhi. Ambedkar used this very term and form of struggle to launch his Mahad Satyagraha to claim drinking water rights. There are many other examples of common ideas and action. I was pleasantly shocked to read what Ambedkar had to say in 1932 immediately after concluding the now-infamous Poona Pact (where the idea of separate electorates for Dalits was abandoned in favour of reserved seats for Dalits). The popular theory is that Ambedkar was blackmailed by Gandhi's fast-unto-death into accepting a bitter compromise. But Ambedkar's tone in 1932 after signing the pact was totally different. He had high praise for Gandhi and stated that the "Mahatma" (yes, contrary to popular belief, Ambedkar used the term "Mahatma" at this point) offered a much better deal for Dalits in terms of reserved seats than Ambedkar himself had asked or hoped for. There is no denying that Ambedkar did get disgusted with the Congress in later years. How much of the blame for the failures of the Congress is attributable to Gandhi is questionable. We know that Gandhi's writ did not work in preventing Partition or the bloodshed

that preceded and followed it, and that Gandhi did not attend the flag hoisting on Independence Day. He was busy fighting the communal inferno in the countryside.

Gandhi had a lot of obscurantist ideas to start with, but, as time went by, he kept evolving. In the end, I see him as a great humanist who died for his belief in non-violence and universality. He was also an inventive anti-imperialist (though much earlier, he had supported the British Empire) and an organic naturalist that today's consumerist, globally warmed world desperately needs.

Throughout his life, Ambedkar fought for reason and justice without resorting to violence.

Today, his followers, like the Ambedkar Students Association, are leading the resistance against religious and caste hatred. Against all odds, Radhika and Raja Vemula (Rohith Vemula's mother and brother) are continuing the fight for justice. With the rising spectre of intolerant authoritarianism, is it not time for all humanists, rationalists and fighters for social and economic justice to unite against the usurpers of our democracy and our history?

Courtesy indianexpress.com, April 25, 2017

The writer has been making documentary films on India's political reality for over four decades. 

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Modi, the Supremo of Corruption*

Prabhakar Sinha

Modi had been one of the most determined protector of corruption in the country. He is pursuing a two-pronged approach to protect and promote corruption: the first to dispense with or weaken the watchdog bodies against corruption and the second to make it legal. As the Chief Minister of Gujarat, he fought tooth and nail to prevent the appointment of the Lok Ayukt following the end of the Lok Ayukt's term in 2003. He continued to block the appointment by not recommending any person for the appointment as he was unable to get a pliant person of his choice recommended. When Gujarat remained without a Lok Ayukt for 8 years, the name of Justice R.A. Mehta was recommended by the Chief Justice of Gujarat High Court, who was an ex-officio member of the Selection Committee. The Governor, Kamala Beniwal appointed him. Modi challenged the appointment and the case went up to the Supreme Court. The apex court upheld the appointment. Justice Mehta, a judge of unimpeachable integrity, refused to join the post disgusted with the lowly conduct of the lowly Chief Minister. Seizing the opportunity with swiftness, Modi amended the Lok Ayukt Act (in 2013) and made the Chief Minister (i, e., himself) the Chairperson of the Selection Committee. The other members were the Speaker of the Assembly, a Minister, the leader of the opposition, Vigilance Commissioner and a judge to be nominated by the Chief Justice. Thus, a Committee comprising of thieves (except the judge) was empowered to appoint the Lok Ayukt, whose job was to catch thieves and prevent thieving of public money.

As Prime Minister, he has been dragging his feet on the appointment of the Lok Pal taking shelter behind a technical point. The Act

provides that the Leader of Opposition in Lok Sabha will be one of the members of the Selection Committee. Since no party has 10% of the total strength of Lok Sabha (with a total strength of 542) required to be the Leader of Opposition, there is no Leader of Opposition at present. The government contended in the Supreme Court in a case that it was unable to appoint the Lok Pal as there was no Leader of Opposition. It informed the court that a bill had been introduced to amend the Act to replace the Leader of Opposition by the leader of the largest party. But the court has directed the Union Government to go ahead with the appointment without the Leader of Opposition. The apex court was aware of his conduct as C.M.in moving heaven and hell to prevent the appointment of the Lok Ayukt in Gujarat. The judges must have been aware of repeated promulgation (3 times) of an Ordinance favouring the big business who had financed his election campaign and other fancies and unfulfilled desires (such as expensive clothes including his notorious coat and unaffordable expensive habits) .The Ordinance was to replace the existing Act which was a red rag to the big business. His excuse must have appeared laughable as even a child knows that the expression 'the Leader of Opposition ' could have been replaced by 'the leader of the largest party' by an ordinance to which no one could have objected.

Taking inspiration from a Sanskrit *shlok* 'EK LAJJAM PARITAJYE SARV VIJAYEE BHAWET (just by getting rid of the sense of shame, you can win the world), Modi has shamelessly legalised corruption. It is an open secret that the political parties depend on the funds received from big business/corporations.

The transaction is mostly in black money except a small portion which is legally received. The Companies Act, 2013 had provided that contribution to the political parties from the corporate houses and business houses should not be more than 7.5 per cent of the company's income. The law also made it mandatory for the companies to declare in their account the amount paid and also to disclose the party/parties receiving the contribution. Modi has amended the Companies Act, 2013 and REMOVED THE LIMIT of 7.5% and also dispensed with the PROVISION TO DISCLOSE THE IDENTITY OF THE POLITICAL PARTIES RECEIVING THE MONEY. Now, the corporate and business houses are free to give

unlimited amounts to political parties in complete SECRECY. Though all political parties are the same in this game, but so far we had no P.M. who was so completely devoid of shame. The earlier Prime Ministers could not completely shed their sense of shame and go the whole hog as Narendra Modi has done. Modi could do it because he never had a sense of shame and feels that democracy is a stumbling block in his Mission Fascism. So, one more nail in democracy's coffin is one step forward.

* All political parties in the power politics are on the same page.

Prabhakar Sinha is a former President, PUCL. 

On Witches and Terrorists:

Why torture doesn't work

Michael Shermer

As recounted by author and journalist Daniel P. Mannix, during the European witch craze the Duke of Brunswick in Germany invited two Jesuit scholars to oversee the Inquisition's use of torture to extract information from accused witches. "The Inquisitors are doing their duty. They are arresting only people who have been implicated by the confession of other witches," the Jesuits reported. The duke was skeptical. Suspecting that people will say anything to stop the pain, he invited the Jesuits to join him at the local dungeon to witness a woman being stretched on a rack. "Now, woman, you are a confessed witch," he began. "I suspect these two men of being warlocks. What do you say? Another turn of the rack, executioners." The Jesuits couldn't believe what they heard next. "No, no!" the woman groaned. "You are quite right. I have often seen them at the Sabbat. They can turn themselves into goats, wolves and other animals.... Several witches have had children

by them. One woman even had eight children whom these men fathered. The children had heads like toads and legs like spiders." Turning to the flabbergasted Jesuits, the duke inquired, "Shall I put you to the torture until you confess?"

One of these Jesuits was Friedrich Spee, who responded to this poignant experiment on the psychology of torture by publishing a book in 1631 entitled *Cautio Criminalis*, which played a role in bringing about the end of the witch mania and demonstrating why torture as a tool to obtain useful information doesn't work. This is why, in addition to its inhumane elements, torture is banned in all Western nations, including the U.S., whose Eighth Amendment of the Constitution prohibits "cruel and unusual punishments."

What about waterboarding? That's "enhanced interrogation," not torture, right? When the late journalist Christopher Hitchens

underwent waterboarding for one of his *Vanity Fair* columns, he was forewarned (in a document he had to sign) that he might “receive serious and permanent (physical, emotional and psychological) injuries and even death, including injuries and death due to the respiratory and neurological systems of the body.” Even though Hitchens was a hawk on terrorism, he nonetheless concluded: “If waterboarding does not constitute torture, then there is no such thing as torture.”

Still, what if there’s a “ticking time bomb” set to detonate in a major city, and we have the terrorist who knows where it is—wouldn’t it be moral to torture him to extract that information? Surely the suffering or death of one to save millions is justified, no? Call this the Jack Bauer theory of torture. In the hit television series 24, Kiefer Sutherland’s character is a badass counterterrorism agent whose “ends justify the means” philosophy makes him a modern-day Tomás de Torquemada. In most such scenarios, Bauer (and we the audience) knows that he has in his clutches the terrorist who has accurate information about where and when the next attack is going to occur and that by applying just the right amount of pain, he will extort the correct intelligence just in time to avert disaster. It’s a Hollywood fantasy. In reality, the person in captivity may or may not be a terrorist, may or may not have accurate information about a terrorist attack, and may or may not cough up useful intelligence, particularly if his or her

motivation is to terminate the torture.

In contrast, a 2014 study in the journal *Applied Cognitive Psychology* entitled “The Who, What, and Why of Human Intelligence Gathering” surveyed 152 interrogators and found that “rapport and relationship-building techniques were employed most often and perceived as the most effective regardless of context and intended outcome, particularly in comparison to confrontational techniques.” Another 2014 study in the same journal—“Interviewing High Value Detainees”—sampled 64 practitioners and detainees and found that “detainees were more likely to disclose meaningful information … and earlier in the interview when rapport-building techniques were used.”

Finally, an exhaustive 2014 report by the Senate Select Committee on Intelligence analyzed millions of internal CIA documents related to the torture of terrorism suspects, concluding that “the CIA’s use of its enhanced interrogation techniques was not an effective means of acquiring intelligence or gaining cooperation from detainees.” It adds that “multiple CIA detainees fabricated information, resulting in faulty intelligence.” Terrorists are real. Witches are not. But real or imagined, torture doesn’t work.

Courtesy **Scientific American**, May 2017. Since April 2001, Michael Shermer has written the “Skeptic” column for *Scientific American*. 

“The people of this country have a right to know every public act, everything, that is done in a public way, by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing.

” Justice K K Mathew, former Judge, Supreme Court of India, (1975)

M.N. Roy, his life and association with Periyar with Portrayal of ideals of Dravidian Movement – Nietzsche

Manabendra Nath Roy, popularly known as M.N. Roy was an Indian nationalist revolutionary and an internationally known radical activist and popular theorist. Roy was a founder of the Communist Party in both Mexico and India and was a delegate to the Communist International held in Soviet Russia.

He participated in International Communist Movement along with Lenin, Stalin, Trotsky, Bukharin. Following the rise of Joseph Stalin, Roy left the mainline Communist Movement to pursue the political independence of India. He played an important role in Indian Liberation fighting along with Jawaharlal Nehru, Subhas Chandra Bose. In 1940, Roy was instrumental in the formation of the Radical Democratic Party, an organization in which he played a leading role for much of the decade of the 1940s. Roy later moved away from Marxism to become an exponent of the philosophy of Radical Humanism.

After the formation of Radical Democratic Party, Roy got introduced to the ideology of Periyar E.V. Ramasamy and acquainted with him. In fact, Roy invited Periyar to lead Radical Democratic Party. But Periyar did not accept the invitation due to his decisive commitment of his non participative role with any political party but assured of co-ordinated endeavours.

In 1941, Roy toured the then Madras Presidency and addressed several meetings with Periyar in Madras, Coimbatore and Salem. Both the leaders possessed very high respect mutually. Roy praised the public life of Periyar and the services rendered by him as something unprecedented in the history. Similarly Periyar praised Roy in his own words thus:

”M.N. Roy is an intellectual exponent of



humanist philosophy. He has enormously experienced in international arena by spending major period of his youth in foreign countries. His contribution to Indian independence is unparalleled. He was a faultless fighter for the liberation of India. No other Indian leaders would have suffered and sacrificed as to the level of M.N. Roy for India's Liberation.”

Roy's line was clearly different from that of the mainstream national liberation movement in India. After Independence, he concentrated more on propagating radical humanism. He was the first Vice-President of International Humanist Association formed in Amsterdam in 1952. He had personal acquaintance with Albert Einstein and other scientists. He edited many magazines like Independent India, Marxian Way, Humanist Way, International Press Correspondence, Radical Humanists etc., He wrote books on Humanism, Renaissance, Russian Revolution, Philosophical Consequence of Modern Science.

He was born on 21st March 1887 at Changripota, 24 Parganas, Bengal of British India. In 1916, he married Evelyn Trent, a Stanford University graduate. Ellen Roy, his second wife led the Humanist Movement founded by M.N. Roy, after his demise on 25th January 1954 at Dehra Dun.

June 2017

[In these meetings [of the Anti-Hindu Code Bill Committee], its primary participants, which included several members of the RSS, characterised themselves as “religious warriors” who were fighting a religious battle. On December 11, 1949, the RSS held a massive rally in the Ramlila Maidan in Delhi where its members denounced the bills in the strongest possible terms. The next day, a march was organized to the Constituent Assembly where effigies of Ambedkar, Jawaharlal Nehru and Sheikh Abdullah were burnt.

(Here, it'd be quite in the fitness of things to recall that Ambedkar at, what'd eventually turn out to be, the very fag end of his life, in late 1956, renounced Hinduism to embrace Buddhism in a well publicized massive public event, in order to honour a commitment he made to himself and his followers decades back in 1935: “I was born a Hindu because I had no control over this but I shall not die a Hindu.”)

Learning From Ambedkar

His struggle to reform Hindu society has lessons for the triple talaq debate

Arnav Das Sharma

As the nation gears up for the landmark SC judgment, Ambedkar's unwavering commitment to the principles of liberalism is a lesson well worth remembering.

When the Supreme Court delivers its verdict on the contentious triple talaq issue, it would be, perhaps, one of the landmark promulgations in independent India's judicial history. If the SC were to declare triple talaq unconstitutional, it could well open up the path for the institution of a Uniform Civil Code (UCC) — an ideal that has been an important demand of the BJP for a long time.

But as the arguments and counter-arguments are meted out in court, it is worth looking back on the years that led to the formulation of the landmark Hindu Code bills. It is pertinent to invoke this incident for two reasons: One, much of our present debate on the UCC and the triple talaq controversy is still under the shadow of that landmark event.

Second, the pioneering role that B.R. Ambedkar played in bringing those bills to fruition. It is important to remember the degree of opposition that the bills garnered during that time. For instance, in March 1949, the Anti-Hindu Code Bill Committee was formed, which enjoyed vast support from clerics and other conservative lawyers. As Ramachandra Guha chronicles in India After Gandhi, the committee would campaign against the reform bills from place to place.

In these meetings, its primary participants, which included several members of the RSS, characterised themselves as “religious warriors” who were fighting a religious battle. On December 11, 1949, the RSS held a massive rally in the Ramlila Maidan in Delhi where its members denounced the bills in the strongest possible terms. The next day, a march was organised to the Constituent Assembly where effigies of Ambedkar, Jawaharlal Nehru and Sheikh Abdullah were burnt. [Emphasis added.]

The version of the bill that Ambedkar wanted was never to be had. With the first general election imminent, and fearing a massive Hindu backlash, Nehru had to compromise. Besides, in the Constituent Assembly, many amendments to the original bill were demanded; it took more than a year to get even four clauses passed. Eventually, the bill lapsed. This caused Ambedkar to resign as law minister.

At one point in his resignation letter, Ambedkar, expressing his shock, writes: “The Cabinet unanimously decided that it [the Bill] should be put through in this Parliament... As the discussion was going on, the Prime Minister put forth a new proposal, namely, that the Bill as a whole may not be got through within the time. The Prime Minister suggested that we should select the Marriage and Divorce part.

The Bill in its truncated form went on. After two or three days... the Prime Minister came up with another proposal. This time his proposal was to drop the whole Bill, even the Marriage and Divorce portion. This came to me as a great shock.” The reason for Ambedkar’s shock is two-fold. First, arising from the failure to get the bill passed in its entirety, and second, and more importantly, seeing the core element of the bill — which was about marriage and divorce

— rejected as well.

Throughout his life, apart from fighting caste oppression, if there was one cause Ambedkar espoused, it was that of gender emancipation. As his writings testify, Ambedkar very clearly saw the way caste endeared itself to masculinity in order to perpetuate itself. He realised that the primary way to break caste oppression was to make way for marriage reforms. This endeavour was tied to Ambedkar’s larger radical role in taking the Hindu texts to task, by opening them up for reinterpretation, a method by which Brahminical control over these texts was removed. We see this very clearly in his formulation of the Hindu Code Bill, where Ambedkar went back to the texts to reinforce his arguments.

As the nation gears up for the landmark SC judgment, Ambedkar’s pioneering role in trying to modernise Hindu society, and more than anything else, his unwavering commitment to the principles of liberalism is a lesson well worth remembering.

Courtesy **Indian Express**, May 22, 2017

The writer, 29, is a doctoral fellow at the Delhi School of Economics. His first novel, ‘Darklands’, will be published later this year 

Articles/Reports for The Radical Humanist

Dear Friends,

Please mail your articles/reports for publication in the RH to: mahipalsinghrh@gmail.com, or theradicalhumanist@gmail.com or post them to: E-21/5-6, Sector- 3, Rohini, Delhi-110085.

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

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

- Mahi Pal Singh, Editor, The Radical Humanist

Humanist Activities:

Pope Francis: Capitalism is “Terrorism Against All of Humanity”

Once again, Pope Francis has made global headlines, shocking reporters late Sunday after blaming the “god of money” for the extremist violence that is taking place in Europe and the Middle East. A ruthless global economy, he argues, leads disenfranchised people to violence.

Responding to a question from a journalist about whether or not there is a link between Islam and terrorism, more specifically addressing the fatal attack on a priest by a Muslim extremist in France last week, Pope Francis said, “Terrorism grows when there is no other option, and as long as the world economy has at its center the god of money and not the person.” “This is fundamental terrorism, against all humanity,” he continued.

“I ask myself how many young people that we Europeans have left devoid of ideals, who do not have work. Then they turn to drugs and alcohol or enlist in [the Islamic State, or ISIS],” he said

He believes no religion has a monopoly on violence, and his own experience in inter-religious dialogue has shown him that Muslims seek “peace and encounter.” “It is not right and it is not just to say that Islam is terroristic.”

“If I speak of Islamic violence, I should speak of Catholic violence. Not all Muslims are violent, not all Catholics are violent,” Pope Francis said, dismissing Islamic State as a “small fundamentalist group” not representative of Islam as a whole.

“In almost all religions there is always a small group of fundamentalists,” even in the Catholic

Church, the Pope said. They are not necessarily physically violent, however. “One can kill with the tongue as well as the knife,” he explains.

Last Wednesday, Pope Francis made similar remarks, arguing that the current conflicts in the Middle East are wars over economic and political interests, not religion, or what is generally known as “Islamic Terrorism.”

“There is war for money,” he said on Wednesday. “There is war for natural resources. There is war for the domination of peoples. Some might think I am speaking of religious war. No. All religions want peace; it is other people who want war.”

A Bold Statement

This may seem self-evident to some of you, but for many people, these are radical claims. He shows a remarkable level of honesty and progressive thinking by recognizing the real reason for this decades-long conflict, and makes a great point by stating that all people involved in this war also want peace as well.

“All religions want peace; it is other people who want war.”

While not directly calling out who “the other people” are, Pope Francis effectively removes blame from the people and even the religions themselves, marking an important step forward for the collective consciousness. It is easy for those of us who are living comfortable lives in Westernized countries to pass judgement, to dismiss an entire group of people as “extreme” and “crazy” and even “evil”. By keeping us in that frame of mind,

Alanna Ketler

the people who propagate and profit from these wars can continue doing so unchallenged.

Pope Francis even calls out his own religion, pointing out that Catholicism has its own flaws and its own extremists. We are all equal, and

no one religion is the best. And as the Pope himself suggests, all religions point toward the same goal, which is peace. And that's something I think we can all get behind.

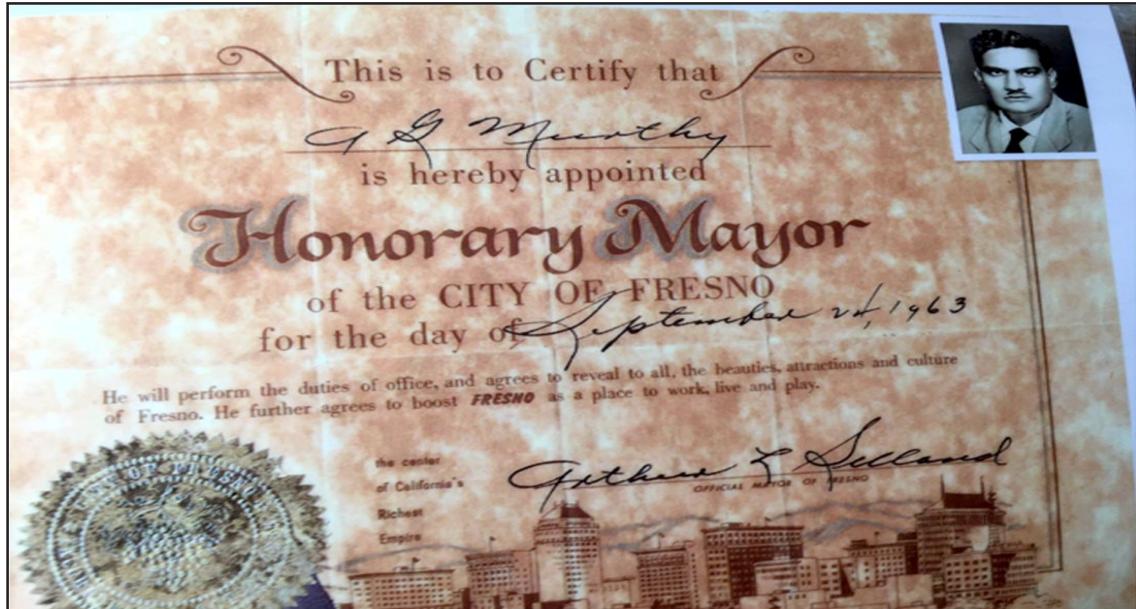
(Courtesy: **Collective Evolution**, December 23, 2016) 

Humanists from India Who Have Visited the US

Narisetti Innaiah

Mr AGK Murthy (Avula Gopalakrishna Murthy), famous humanist from Andhra Pradesh (India), was invited by the government of United States during President Kennedy's regime in 1963. It was unique in the sense that none other

brother of late Ellen Roy in New York. Later he published a book with his tour memories. He attended the editorial meet of Washington Post, addressed world agricultural forum in Washington where Feranq Nagi was in chair.



had got this honor from amongst Humanists in India. Mr AGK Murthy toured the US for two months, attended press meet of President Kennedy in the White House, visited schools, libraries, famous places of native Indians, and met Irving Stone (the novelist) in Los Angeles. Mr Murthy was honored as honorary president of FRESNO municipality for a day. He met the

He studied the native Indian places, which is normally prohibited for visitors.

John Orlinger the director of KPHS studios in Los Angeles interviewed Mr Murthy about Humanism and it was broadcast in USA during 1963 December.

(Please see the certificate of Fresno municipality to AGK given below)

Susil Mukherjee: A Radical Humanist

Anjali Chakraborty

Susil Mukherjee was born in 1921, at Bhat Para, North 24 Parganas. His father was an employee of Jute Mills at Bhat Para. He belonged to a joint and well-to-do family. Later, he settled with his family in Kolkata.

In 1935, when he was only 15 years old, he joined into the Freedom Movement of Motherland. He was known as active political worker during his student life. His habit of intensive study superseded his formal qualification up to intermediate of Arts. Within a few years, in 1939, he was introduced and impressed by the thought of M.N. Roy. He participated in the trade union movement of Roy's Radical Democratic party and worked with Nripen Choudhury (known as Nepa Bhaski), Rajani Mukherjee, ... Professor Gouripada Bhattacharjee (author of important books on the political philosophy of radical humanism) and late Swadesh Ranjan Das (the first authentic biographer of M.N. Roy in Bengali), were his close friends.

He left party-politics in the post Independence period but took active role in socio-cultural reformation movement through the means of editing and creating literary works. In the decade of fifty, he edited a Bengali literary magazine SAMAHAR; in 1960s, he edited another literary magazine, namely SAMBITTY. He did his first paid job as an Executive Secretary in the organization of **Indian Congress for Cultural Freedom**, which was mainly organized by Mr. K.K.Sinha, another disciple of Roy. Professor Amlan Datta was closely associated with this organization. Susil Mukherjee performed his role effectively organizing symposium, seminars, discussion among the intellectuals at that time. Its Head office was in Bombay and its Kolkata office was at Basanta Roy road, Calcutta...In

the seventies, he became the Executive Secretary of an English essay book, namely the **Social Science Review**.

Susil Mukherjee has done a good number of translations i.e. ten English books in Bengali. But unfortunately these books are not available in the market. He wrote a book as his research work, namely, **HISTROCITY OF LORD JAGANNATH**, 1989. This book was reviewed and appreciated in the newspapers and in the reputed "Desh" patrika, west Bengal. Later the Bengali version of this book in was published by a different publisher namely, New Bengal Press Ltd.Kolkata-73 in January, 1994. "Anustup" a Bengali magazine reviewed this book. Mr Mukherjee sent this review written by Radharaman Chakraborty along with his book and a personalized letter to the present author.

Susil Mukherjee wrote some articles on his interest area of study like i) Modern Art, ii) Society and Culture. These were published in many journals and books at that time.

Making way into the Publication business of mainly research papers and English books, he established the **Minerva Associates**. In 1976, he was invited from Chicago, Pennsylvania, and Marjory Universities of USA to lead the representatives of India for discussion about the status of Indian publication. He went to attend the Frankfur Book Fair in German from where he got the idea of Book Fair in the state. Mr. Nurul Hassan, the then Governor of west Bengal was fond of education and he helped Mr. Mukherjee by giving land /place for the Book Fair in West Bengal. Susil Mukherjee became the Founder President of the Book Sellers Guild in west Bengal. The Guild published a yearly

journal in every book fair. Susil Mukherjee was its editor. Since the mid seventies, Book Fair has been continuing its popularity till today.

He was connected actively with some social and cultural Institutions until his death in October 2006, He is survived by his wife and five sons, two daughters who are well established in life. His elder son, Mr. Swapan Mukherjee has been retired as Bureau Chief from the UNI and some academics books on journalism are in his credit.

Before his death, Susil Mukherjee had legally transferred the ownership of his publication House (Minerva Associates) to the people who

worked with him. He used to maintain good and friendly relationship with the business partners and workers. Being a highly motivated man of mission, he never engaged in financial gains from his ventures.

Source of information/ Notes: i. Author's introduction on cover-page of his books,

This write up has become possible because of sincere cooperation of Swapan Mukherjee (his eldest son) and Nripen Chowdhury (who worked with him for 15 years), and some other friends who knew him. 

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Gandhi, the eternal anarchist!

When Gandhiji was being tried under the notorious sedition section of the colonial law in 1922, he said:

“Section 124-A under which I am happily charged is perhaps the prince among the political sections of the IPC designed to suppress the liberty of the citizen. Affection cannot be manufactured or regulated by law. What in law is a deliberate crime appears to me to be the highest duty of a citizen. To preach disaffection towards the existing system of Government has become almost a passion with me.”

Report :-

Humanist perspective of Contemporary world

Gujarat Mumbai Rationalist Association, (State Unit) organized the seminar for two days 25th –26th March 2017 at Ahmadabad in Gujarat Vidyapith

“A LEAF OF THE TREE MOVES WITHOUT THE CONCENT OF GOD”



Bipin Shroff in the centre



Audience of the conference



Bipin Shroff addressing the conference



Prof. Dhawal Mehta addressing the conference

Topics were (A) Charles Darwin theory of Evolution (B) Materialism and the universe is law governed (C) Rationalism & Democratic way of life (D) Concept of Secularism (E) Militant Nationalism of Donald Trump & Emerging such nationalist trends in other countries of the world(particularly in Indian context also) (F) Concept fraternity as given in the preamble of our constitution.

The president of the state unit Bipin Parikh (Shroff) veteran Radical Humanist gladly

narrated that delegates came from all the corners of the state. They came from urban as well as semi urban towns and small villages of the state. There were delegates from trade unions, news papers columnists, editors of prominent Gujarati monthlies, professors of different universities, advocates, and many members of our local rationalist centers of the state.. Total strength of our delegates was about more than 100.

The main purpose of the seminar was to create

intellectual clarity on different humanist subjects among the members of the institution. We consider rationalism as the tool to derive objective truth. No movement worth the name can sustain without its intellectual – philosophical roots. The rational attitude of the human being is developed during his biological struggle of the existence like other living species. Secondly the law governess of the universe has helped the man, to understand the forces of nature for making his life sustainable on this earth.

(1) Charles Darwin's theory of evolution (Prof. Nitin Prajapati)

To-day's world is totally different from the world of last five hundred years. They did not know the laws of motion as well as laws related to the movement of heavenly bodies. Religious authorities were not ready to accept discoveries of Galileo and others related to astronomy and laws of physics. There was a coalition of interest between the state power and the power of the religious authorities. They persecuted the pioneer of the modern science because they challenged the established age –old truth mentioned in Bible.

There were others scientists who were working on the other worldly subjects like geography, biology and natural sciences. They moved round the earth via sea expedition in different parts of the world. They met different people; saw different living species and living plants. They found out various metals like coal, gold, silver from the different part of the world. Again this new information's challenged the truths of existing order of the day.

The French Revolution took place in this era which challenged the existing social order of feudalism, political order of the princely state of kingship and religious order of Christianity. It gave birth to three human values Liberty, Equality and Fraternity. It paved the way for

the democratic way of life against the religious way of life.

All these above combined forces created conditions to think about the evolution of living species including the origin of the man. The sea voyage of C. Darwin and Arthur Wallace derived laws of science outside the laboratory of physics and chemistry. They collected thousands of physical specimens of plants, fossils and living organism etc during their sea voyages. They found out continuous change of evolution of living species independent of God's creation. Darwin published the book on evolution in the year of 1859. Its name was "Origin of species by the principal of natural selection." This book gave the independent existence of living species without any religious authorities. He derived the conclusion that matter is the final and only physical reality. He was the first biologist who found out that the present day complicated and complex living life was generated from the single cell.

The Christianity challenged the Darwin's theory of evolution by all means at its command. It gave an alternative theory of evolution known as the theory of "Intelligent Design".

Second speaker on Evolution - Bipin Parikh (Shroff).

Let us understand the basic tenets of evolution. The evolution of the all living organism including the animals and human being is not a special creation of God. It's a very long and random but gradual process. Darwin's theory of evolution is based on the principal of natural selection. All living organism has common descent. It means all living species have originated from the one cell. He also explained biological relation of the specie with other genetically. He explained that there are genetically linkages among each other species. His theory of evolution paved the way for the

search of DNA. Actually DNA is the heart of evolution.

Darwin's theory of evolution gave moral boost to the secular way of life. Our human life has material existence; no spiritual or Godly purpose. Secondly our life is not predestined. AS people got confidence that there is no religious purpose of human life, they started to find out solution of all worldly problems by human efforts. This theory helped the man to regenerate faith in him. It has put the man in the centre of universe.

It has abolished all wrong beliefs regarding the origin of the man. It has proved beyond doubt that all men are equal by birth. The apparent differences of caste, creed, colour, nations etc are holding no truth.

Thus the man is not the special creation of God for any special divine purpose. He published another book namely "The descent of man" in the year 1871. He explained in details how the man as the biological specie developed intelligent superiority in relation to other animals in this book.

Darwin found out the independent biological origin of the concept of morality. The man lived with other fellow human beings peacefully and cooperatively not to please God but to please himself. The man became moral (to live cooperatively with other fellow human beings) out of his basic urge to exist. This is the secular source of human morality. All social, political and economic institutions are the creation of the man's need of morality. AS the man secular moral needs changes he creates new institutions to satisfy his changed needs. Thus according Darwin's theory evolution what is permanent is the man's biological urge to exist not this or that institution. The institution may be created, changed or destroyed according to the moral -rational needs of the man. He had provided the basic ground for the humanist revolution of thought.

What is social Darwinism? The concept social Darwinism is not the creation of Darwin's theory of evolution. Actually Darwin has specifically explained in his theory of evolution that "It is not the strongest of the species that survives, nor the most intelligent that survives. It is the one that is most adaptable to change." The concept survival of the fittest does not mean that only the physically strongest survives in his biological struggle of existence but who fits himself with the change. The social Darwinism concept allows rule of jungle not moral -rational cooperative way human living. We as the humanist cannot endorse that concept of Social Darwinism.

From the chair Indukumar Jani (Editor Naya Marg fortnightly)

I congratulate the organizer of the seminar for selecting very important subjects of the seminar. Generally we discuss currents topics like communal problems, fascism, Nazism etc. But our nation is passing through a great crisis. Now the committed mob decides what things should be kept in one's house or retail shops etc. There is no rule of law in the nation. This is the crisis of collapsing of the Indian state. It is an ideological as well as real crisis. So there is importance this seminar. Our human values mentioned in the banner of the institution namely Freedom, Rationality and secular morality are beacon of light for us. I am absolutely hopeful that through discussion on the topics of seminar and action on their conclusion will definitely guide us against the falling Indian State.

(2) Materialism (Speaker Manishi Jani, once the key leader of Gujarat Navnirman movement 1974)

Our mankind has long trends of materialism in Eastern and western civilization of the world. We had many materialists cum atheist schools of philosophical thoughts in ancient India.

Lokayan, Buddha and Brahaspati were the main promoters of this philosophy. But these materialist thoughts were failed to strengthen its roots in ancient India. Shankara's Adweth philosophy of Mayavad was able to wipe out the early Indian materialist philosophy. Our nation has not come out of its devastating effects even in 21st century. The present militant Hindu backlash gets its strength and grows by leaps and bound from this Shankar's philosophy. It has not allowed and developed modern scientific methods to find out truth in the various fields of knowledge. It is really a very tragic reality that counter- revolutionary forces are everywhere at helm of affairs in our Indian life.

There had been very specific materialist trends in early western society particularly in Greek Society. Their period of emerging materialist thoughts was same like India about 2500 years ago. Early Greek thinkers like Socrates, Aristotle, Protagoras, Diogenes and many others were also materialist in their thinking and outlook. Local established order was against them and their thoughts were prematurely dried up.

The whole mankind had remained in Dark Age for more than 1000 years. But the base of modern materialism was created in the beginning of the 15th century and onwards. Newton, Copernicus, Galileo, Bruno and many others were able to find out the nature of universe and rules governing movements of heavenly bodies. Erasmus Darwin (Grandfather of Charles Darwin) Lamarck and others early biologists prepared theoretical grounds for Darwin and Karl Marx. Both derived the same conclusion from their scientific analysis that the whole world is made up of matter. The mater is the only physical reality.

The scientific method and approach based on human rational sense perception is the key for finding out truth in any branch of knowledge.

This discovery about the nature of matter finds out that there is only matter. There is nothing like matter and soul or spirit. That age old religion based truth was challenged and was find out that it does not hold any ground. The dichotomy between matter and spirit were destroyed once and for all. And the castle of religious based truth was fall like a house of cards.

The Universe is law governed (Speaker- Prof. Dhawal Mehta).

Our purpose of this seminar is to provide an alternative humanist philosophy of life against religious way of life. This universe is law governed. Its laws are independent of any external authority. No external authority like God can change the laws of nature by his whims or desires. So everything has a cause. Nothing happens in this world without any cause. The cause and effect is interrelated. By knowing the laws of nature the man and other species survived and developed. More he is capable of knowing the nature he becomes more rational. He virtually revolted against God's agents on the earth. Rationalism and scientific approach have helped the man to come out from the religious fetters.

There is a revolutionary romance to live life on the basis of scientific approach and rationalism. The main purpose of the religious order is to perpetuate the existing order. While the rational order is truth finding order which takes the society from one's stage of development to a higher social development on the basis of scientific inventions and discoveries.

From the Chair (Dr Sarup Dhruv, Social activist)

The word materialism is not accepted by our traditional society normally. It considers it as something against the Hindu way of life particularly against spirituality. There are many

social forces which want some compromise and co-ordination between religion and science. They do not accept that the role of scientific method is to reveal truth from the established religious beliefs. It is easy to understand the Hindu society. The society which opposes rationalism, materialism and modernism is definitely the Hindu society. This traditional Hindu legacy comes in the way of developing scientific approach and materialist way of life for the individual in particular and society in general. The present national polity is governed by these reactionary forces. They are at helm of affairs in the country. We have to start an organized movement in favour of materialism and scientific way of life to combat rampant religious and anti-human forces in the country.

(3) Our Democratic values-

Speaker Uttam Parmar (The Chairman, Kim education society)

To my mind the secular state is the precondition for the democratic polity. It is only in the secular democratic state, citizen gets the opportunities to develop them. We must as the citizen of the nation has the rational attitude towards all individual and public problems. Our attitude towards any phenomena should be amenable to reason. If new knowledge provides better alternatives to our age- old problems we must act accordingly. It is in the larger interest of the society.

There is wide difference between rational truth and religious truth. The concept of rational truth is based on evidence while religious truth requires no evidence. It is matter of unverifiable faith for religious people. The religious truth is based on religious books and authority of religious head. It is not negotiable on the basis of knowledge and evidence.

The Indian society is passing through a most dangerous state of its existence since its

inception as the civilization. The most extremely militant religious forces with 21st centuries all types of technology at their disposal have captured the Indian polity and social fabric of the society. They are deadly against all modern forms of life. They want to establish Hindu religious state in the country. Everyday there are reactionary forces who take law in their hands and decides what is good and truth for others particularly against the all venerable and deprived sections of the society. We as the humanist, atheists and rationalists have a very difficult time to carry out our activities peacefully and lawfully in such a lawless society. Our many activists friends have been murdered and rampant threats have been given by organized committed mob that carry out their mission.

(4) Secularism as the Constitutional value-

Speaker Prof- Aswin Karia (Director, Law College Palanpur)

There are three meanings of the concept secularism.

(1) Non-religious (2) complete separation between the modern state and religion (3) this worldly means the affairs of the state related to people's welfare only.

The modern secular state has come into existence to serve the worldly affairs of its citizen. It runs through the rule of law but not at the whims of its ruler. The state has no religion of its own. It cannot promote or discourage any religion. Its action in relation to religion should be neutral and impartial. The state considers its entire people as the citizen only. The state does not see any separate identity of its citizen on the basis of religion, caste, creed and gender etc.

No one as the state representative can take part in any religious activity. They cannot support

directly or indirectly any religious activity. They represent the secular state.

What is the reality of this concept in practice? By and large no representative of the state follows this secular practice. This very important value of our constitution is continuously violated openly by its defenders.

Secondly Prof Karia said that no government can ask its citizen to declare its religion. Many state high courts have upheld this principle in relation to declaring the religion of the individual.

(5) Militant Nationalism of Donald Trump and its global trends.

Speaker Prof Svat Joshi, (Delhi University)

I observe that rightist nationalist forces come to political power in one after another country in the world. I read all their political power march with shivering hands. Is it true that we have forgotten the lessons of the two world wars of the 20th century?

Let us understand how these nationalist forces rule their people in their own country. These militant rulers have no faith in rule of law, constitutional discipline and democratic governance. They consider all of them as obstacles in their rule. These people have no respect for the modern institutions which have been evolved since last many centuries.

These rightists' nationalists' forces are the product of religious militancy. They have been nurtured on people's populist's slogans and propaganda. They give tall promises to people to come to power which are never going to be fulfilled. They convince people that are responsible for their all ills like unemployment and other social problems. They target some minority communities from their own states as people's enemy. Adolf Hitler found Jews as German's people enemy. RSS and BJP found all religious

minorities, and some political forces (communists) and rationalists as people's enemy. Donald Trump found Mexican, some immigrants, and imported goods of some countries as people's enemy. In Europe, particularly in countries like Britain, France and Germany, they saw immigrants and religious terrorists as people's enemy. Immigrants from European common union member countries disturb their economic conditions and sources of employment. They divide people in US and OTHER.

These political forces get power as the hate mongers. They can spread any sort of wrongs to cheat people. They want power by all means. Truth is the first and foremost casualty in their grand design to capture power. They have common interests with consumerism, capitalism and religious rights. They will commercialize culture and education for their pretty interest. It is not possible for intellectuals of the nation to stop the march of such militant nationalist forces. These sections of the people feel themselves powerless and isolated. People like creative artists, the man of science, literature have no place in their social order. These state rulers want their people to behave like identical units of factory productions without any brain to think. They destroy all forms oppositions by all means. It is very difficult to combat such a powerful concentrated political and militarily immoral might in a short time.

Second speaker- Prakash Shah (Wellknown Journalist and editor of fortnightly NIRIKHAK)

Let us remember slogans gave by D Trump at the time of his election campaign. "Buy only American Goods, America First, and No place for Muslims, Mexicans and immigrants in America." I am against Globalization for America as the nation.

I see no difference between thoughts of D

Trump and M.S. Golwalkar and V.D.Savarkar. These two founders of Rashtriya Swayamsevak Sangh (RSS) developed the concept of the nation from the western nations. M.S. Golwalkar wrote in his book "Bunch of Thoughts" very precisely that non- Hindus should have no place in India after independence. He put all non- Hindus like Muslims, Christians and communists in this category. He considered them as the internal threat of security to the nation. He considered these people as the more dangerous as the external aggressor from outside. He challenged the very patriotic values of these groups. He considered the concept of democracy as the myth. He advocated the Indian state (Hindu State) on the basis of Hindu religion. He was deadly against the very concept of individual freedom which is the basic value of any democratic political, social and economic order. His book "We or our nationhood defined "as the Bible of RSS. He explained what the role of Militant Hinduism in Indian Politics is. In this book, Golwalkar endorses the Nazi campaign targeting Jews, We, as the enlightened citizen of the country know very well the emerging trends of Hindu militancy in the name love jihad, beef, cow protection in the name Gau-Rakha etc after the BJP came to power in the centre and other federal states since 2014. These are very bad omen for the basic framework of democracy.

From the chair Prof Rohit Shukla (Editor Dharsti)

It is very easy for the people of Gujarat to understand views of American President Donald trump. We ruled by same militant nationalist forces of BJP and its allied since last more than 25 years in the state of Gujarat. I am sincerely disturbed very much by the remark made by D. Trump on women. As the student of economics I know that present international trends of "My nation first" will lead to two things

namely use of scarce national resources for military war preparation and investment in those industries which will create jobless growth. These nationalist leaders have no commitment for their own marginalize people of their nations.

This nationalist economics will create isolated islands of wealth and income in their own countries. It will not serve very purpose for which these forces have captured political power. In short, concentration of economic power in the hands of few will enhanced concentration of political power in the hands of same coterie. It is a social sign of not sane society but a sign of sick society. This will empower all types of anti-globalization forces in the world.

To my mind the best way to challenge militant religious based nationalism is to spread humanist values and spirit of scientific inquires in the society.

(6) Concept of fraternity as defined in our constitution

Speaker- Prof. Gahnshayam Shah. (Sociologist)

These are human values so they are complementary of each other. They cannot exist in the absence of other. Freedom as the value has no utility in the absence of equality and vice versa. But freedom and equality are personal or individual values where as the fraternity has its social value. The concept fraternity as the social value gives the message that all men are born equal. So it is the duty of the modern state to take care of its citizen who has been marginalized in the process of development because of many historical reasons. This is the moral commitment of the modern state. It cannot escape from this responsibility.

The development modern society is also the result of the wider application of the value of

fraternity. It has its binding value in the society. There is no human value of any society where it has political democracy but no social democracy at large. The wide spread social injustice in the society will create conditions for political injustice. It will lead to chaos and lawlessness in the society.

**Second speaker- Chandu Mheriya
(Editor Dalit Adhikar)**

The concept fraternity does not mean communal harmony among different religious community in the society. Our society has been divided on the basis of Varna and caste hierarchy from ages to gather. The member of one caste considers other caste member as socially higher or lower strata and keeps his social relation accordingly. This age old social inequality keeps all forces of modernity and urbanisms total away from its day to day social intercourse among themselves. We can implement laws related to

the application of freedom and equality. But it is not easy to implement fraternity value legally because it is dependent on more social and group behavior of the people.

From the Chair- DR. N.K Indrayan (EX-law director Saurashtra University)

I have full confidence that forces of modernism and spread of education will bring the rational society in our country. Fraternity as the concept is our constitutional ideal. But our present day power seekers politicians exploit the traditional and parochial identity of the people. They play the game of identity politics for getting political power. It brings political polarization of Indian society which is converted into social and economic polarization. Our people remain as the caste and creed ridden people than become the civilians. We have in India Hindus, Muslims and Christians, Jains, Sikhs etc but no citizen. 

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[Regardless of the legal position, the probability of the SC calling a halt to the government bid, in flagrant violation of earlier SC orders, to force Indians to enroll for the Aadhaar and disclose the number to various authorities, now, appears to be pretty slim, given its stand yesterday.

The implications are, admittedly, quite grave.

One is reminded of the SC role during the Emergency.]

Aadhaar legal tangle: Govt can be taken to task for contempt of court; experts wonder why SC didn't

With the latest directive from the Supreme Court, Aadhaar, an identity project that many suspect has turned into a surveillance mechanics, has become legal tangle, heightening the public's concern over its validity.

A bench headed by Chief Justice J S Kehar and Justices D Y Chandrachud and S K Kaul on Monday reiterated that the government cannot press Aadhaar for social welfare schemes. However, they said the government and its agencies cannot be stopped from seeking Aadhaar cards for non-welfare schemes like opening of bank accounts.

This is not the first time the Supreme Court has made such an observation. The apex court on 15 October, 2015 had lifted its earlier restrictions and permitted voluntary use of Aadhar cards in welfare schemes that also included MGNREGA, all pension schemes and provident fund, besides ambitious flagship programmes like 'Pradhan Mantri Jan Dhan Yojna' of the NDA government, PTI reported.

The Supreme Court in its 2013 had directed that 'no person should suffer for not getting the Aadhaar card', inspite of the fact that some authority had issued a circular making it

mandatory. <<http://www.thehindu.com/news/national/aadhaar-not-mandatory-sc-reiterates/article6999924.ece>>order

While the Supreme Court is clear that enrolling for Aadhaar is not mandatory, through Section 7 of the Aadhaar Act passed by Parliament this March, the government of India has effectively made Aadhaar enrollment mandatory for receiving any subsidy, benefit or service for which expenditure is borne out of the Consolidated Fund of India, the *ET* reported.

<<http://blogs.economictimes.indiatimes.com/et-commentary/is-aadhaar-voluntarily-mandatory-now/>>

The latest directive by the court comes at a time when the government is issuing notification after notification, in a hurry to make the Aadhaar an integral part of the economic and social system of the country. And experts, from the left to the right end of political spectrum, have raised serious concerns about the move.

Undermining SC

"By making Aadhaar compulsory, the government is undermining the SC authority. It

is unfortunate that the SC has not come down heavily on the government,” said Alok Prasanna Kumar, an advocate based in Bengaluru. “It is not possible to change a SC order by legislation.” The reason why the constitution bench heard the Aadhaar case was because it was a constitutional matter considering the scope and extent of privacy guaranteed under the constitution, he remarked.

With its latest observation on Aadhaar, the Supreme Court has gone against the Aadhaar Act, said Jehangir Gai, consumer activist. “The Act is for availing government subsidy only,” he said. For the government to insist that you need to give personal data to avail of subsidy is a intrusion, he said, adding that the government is ‘supposed’ to work in accordance with the legal framework but is instead flouting it.

The NDA government enacted the Aadhar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, in March 2016 in a bid to provide legal sanctity for the system even as the case was being heard in the apex court.

The government has been proved to be wrong again and again on this issue, points out Gopal Krishna of the Citizens Forum for Civil Liberties (CFCL). Earlier in the National Scholarship

case <<http://indianexpress.com/article/india/india-news-india/supreme-court-reminds-govt-aadhaar-cannot-be-mandatory-3046983/>>

and then in the Lokniti Foundation vs Union of India case.

“The central government had told the Supreme court that it was following the SC’s September 2013 order regarding Aadhaar cards making it not mandatory and yet it is going on about doing just that,” he said.

He feels the government’s attempt is to replace the constitutional guarantees with

Aadhaar. “There is no need to replace what is granted under the constitution with what the government now purports to give under its Aadhaar scheme,” he said.

What has many worried is the fact that the Supreme Court has not taken action against the government for committing contempt of court by making Aadhaar mandatory for essential services.

“The court was perfectly clear in its order that Aadhaar cannot be mandatory,” said Chinmayi Arun, Assistant Professor of Law at National Law University Delhi and Faculty Associate of the Berkman Klein Centre at Harvard University. Filing IT returns is mandatory and linking Aadhaar to it makes Aadhaar mandatory, Arun pointed out.

She suggests that the Supreme Court should order the government to desist from linking Aadhaar to all services. “If our democratic institutions fail us completely, people should protest. In the United States, there are protests everywhere, as there should be in a healthy democracy where the executive ignores the constitution completely.”

Safety issues

For anyone to get an Aadhaar number the details that needs to be submitted include (i) biometric (photograph, finger print, iris scan) and (ii) demographic (name, date of birth, address) information. There is a wealth of information that is gathered by the government through a thumb print and a scary-looking photograph (with most people remotely resembling their photographs on the Aadhaar card) along with biometric information, and one’s bank account too linked to it which can be mined by a cyber criminal.

Experts say there are no mechanisms in place to secure the biometrics and other information

with the government.

Shailesh Gandhi, former Information Commissioner with the Central Information Commission spoke of not being 'recognised' by the system at two private banks where he tried to verify his Aadhaar number. "When I asked about the failure of the system to recognise me, I was told that only one of every 15-20 persons are recognised by the system. If biometrics do not recognise the individual who has the card, it is a very serious problem. If you cannot verify an Aadhaar card, then you are back to corruption," he said.

However, Gandhi doesn't agree with the concerns about privacy.

Anita Gurumurthy raises a bigger concern of connectivity issues in the rural areas. "You cannot blame anyone as power outages cannot be made an excuse to not give an individual his/her right share from the PDS system," she said.

Before undertaking the exercise that links every service to Aadhaar and coercing people to take it or find themselves out of any scheme, the government should have taken measures to 'strengthen' the ecosystem, said Pavan Duggal, advocate with the Supreme Court and an authority on cyber security law.

"I am concerned about the cyber security ramifications with data being stored in a centralized source. We do not have a dedicated law on privacy and data protection," said Duggal. The information about citizens at the command of the government is a volcano that can burst when used by unscrupulous elements if they get their hand on to the data.

When the Aadhar was introduced, it was done through an act of the executive, says Pavan Duggal. From 2009 to 2016, no legislation was passed by Parliament that gave legality to the Aadhaar.

It is the lack of data protection laws in the country that worries most citizens about the misuse of their details that were given for a certain purpose — to avail of bank accounts, for IT purposes, et al. How does one ensure that consent is not abused.

"We have no mechanism in the country currently to take issue of conflict to an authority. This poses a deep threat. We consent to pay IT and have our files in the public but that information cannot be used by companies to sell cars to us, for instance," said Gurumurthy.

No data protection law

There is not much clarity with regard to UIDAI and cyber rules. "When Aadhaar is made mandatory, it violates an individual's privacy. Aadhaar deals with biometric information. Under the law, this is sensitive personal data," contends Duggal.

The government should assure citizens that the information gathered will not be used against the individual except, for instance, if the sovereignty of the nation is threatened, suggest Duggal. Until such exceptions are spelt out, there will always be the fear of the information being misused or targeted against individuals, groups or people by the government itself or any unscrupulous element who are able to lay their hands on it.

What the government is doing by making Aadhaar mandatory is denying the rights of citizens, points out Gopal Krishna of CFCL. The Aadhaar is proof of an individual's residency in India and not of Indian citizenship.

"I don't think Arun Jaitley and the government have examined the implementations of the Supreme Court's directive. It is surprising as Jaitley is a lawyer of repute," says he.

Courtesy firstpost.com, Mar 28, 2017. 

PUDR Condemns Award to Major Gogoi

23rd May 2017

PUDR strongly condemns the commendation conferred on Major Leetul Gogoi by none less than the Army Chief for taking Farooq Dar hostage, tying Dar to the front of his jeep allegedly to ward off attacking stone-pelters, and then driving around for several hours to warn people that a similar fate awaited them. The incident where Dar was used as a human shield occurred in Budgam district in Kashmir on 9th April 2017. The award has brought to pass what the Punjab C, Capt. Amarinder Singh had vociferously advocated on 20th May.

The Commendation is an official endorsement of the use of human shields and needs to be condemned for the following reasons:

1. The use of human shields violates the fundamental rights of life and liberty guaranteed by the Indian constitution to every citizen. The state is duty bound to protect these rights. In awarding rather than prosecuting Major Gogoi, the Army has not only abdicated its constitutional and legal responsibility, but also become party to such violations.

2. It is also in contravention of international instruments such as the common article three of Geneva Convention (1949), Protocols 1-3 which prohibit taking civilians hostage and cruel and degrading treatment of any person in all conflict situations. India is a signatory to the Convention.

3. The award further encourages such criminal activity in the name of counter insurgency, and once again underscores the total impunity enjoyed by the security forces.

4. The Army's actions reveal the feudal attitude of the State vis a vis Kashmir and its

people. Even the extraordinary powers guaranteed to the security forces under AFSPA in conflict areas do not allow the security forces to commit such acts.

5. The claims of the Indian state that Kashmir is an inalienable part of India stand exposed as nothing more than a matter of territorial interest and national prestige, as the state does not uphold the civil rights of Kashmiris as Indian citizens.

6. The argument that the Gogoi's actions were a response to the activities of the stone – pelters and commendable both as a proactive and defensive measure is unacceptable as it is based on the false assumption that the State and the people are equal. The State's executive, legislative and judicial powers, its monopoly over violence and its Constitutional responsibility as the guarantor of fundamental freedoms enjoins greater accountability, rather than lesser.

Such absolute impunity to the security forces where all national, international laws cease to matter, and such actions lauded by public officials, represent a threat to the very nature of our democracy, bringing to the fore the increasingly totalitarian face of a state where its agents are above the law. The State must be called to account. Towards this end PUDR demands:

1. Criminal action against Major Gogoi
2. The removal of the Army Chief from his post for unconstitutional acts.
3. Withdrawal of AFSPA.

Cijo Joy, Anushka Singh, Secretaries, PUDR 

M.N. Roy



(1887-1954)

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