

THE RADICAL HUMANIST



ESTABLISHED : APRIL 1937

(Formerly in the name of 'INDEPENDENT INDIA'
since April 1937 to March 1949)

Founder
M.N. ROY

Vol. 81 Number 8

NOVEMBER 2017

Rs. 15 / MONTH

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Vol. 81 Number 8, October 2017

Monthly journal of the Indian Renaissance Institute

Devoted to the development of the Renaissance Movement and to the promotion of human rights, scientific temper, rational thinking and a humanist view of life.

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Editorial :

Who will Win the Next Election and Why?

Mahi Pal Singh

With the passage of time, as the term of the BJP's Narendra Modi led National Democratic Alliance (NDA) government is inching towards the end in 2019, it is increasingly becoming clearer that, if one may call it so, because the BJP had come to power in 2014 not on the strength of a positive vote for the BJP rule, which in fact was a mere 31% of the total number of valid votes in the general election but because the people had voted against the thoroughly corrupt Congress led United Progressive Alliance (UPA) government, the Modi magic is increasingly losing its sheen. The reasons are more than clear. It has completely failed to address the problems facing the farmers, the unemployed youth, the workers and the students. Farmers, the bread-producers, who were promised 50% profit on their farm investment, continue to commit suicide. New jobs have not been created and whatever jobs were available to the workers were snatched away from them by the mindless and unplanned demonetisation of high currency notes, which any case was a complete disaster, because of which lakhs and lakhs of small entrepreneurs closed down their businesses. Then came the Goods and Services Tax, (GST) move which further accentuated the situation.

It seems that this government never had the vision or intention to go for development of the masses and to mitigate the sufferings of the poor even though it talked of 'sabka saath, sabka vikas' during its poll promises. Its leaders, even after three years of being in power, still continue to raise emotive issues like the Ram Mandir, gau raksha and beef-ban etc., which have only resulted in further marginalising the minorities and instilling fear in their minds. Another thing the BJP leaders and the Hindutva outfits have indulged in is killing dissent and the dissenters

who disagree with their ideology and politics. It appears that even they themselves are not confident of winning future elections without resorting to communal and divisive politics because they have failed to live up to their promises of development, controlling and bringing back black money, providing employment to the youths and improving the lot of the farmers.

Now even the Rashtriya Swayamsevak Sangh (RSS) survey has predicted that the BJP will lose the Assembly elections in Gujarat in 2017 and in Madhya Pradesh in 2018. In the coming Assembly elections in Madhya Pradesh the Congress may win 120 or more seats while the BJP will hardly manage 57-60 seats. The survey forecasts at least 10 per cent decrease in the BJP's vote share. The survey has further stated: 'The Vyapam scam and many sex scandals related to BJP leaders have tarnished the party's image. The farmers' movement and death of 6 farmers during the movement, suicide by more than 50 farmers and sending the leader of Narmada Bachao Andolan, Medha Patkar, to jail are some of the issues which will seriously hamper BJP's path to victory in the elections.'

Even Saji Narayanan, National President of the Bharatiya Mazdoor Sangh, an RSS-affiliated labour organisation, in a statement demanded the government should declare a stimulus package towards employment generating activities in labour intensive sectors "to contain slowdown of the economy". Coming down heavily on the government for taking the economy into a "wrong direction", recently he urged Prime Minister Narendra Modi to "retract from the present reform process" and stop laying "excess thrust" on jobless growth that has resulted in mounting unemployment.

Recent elections of Students' Unions in JNU,

Delhi University, Andhra Pradesh University and Allahabad University etc. and by-elections for many assembly seats, municipal corporation bodies and the latest Gurdaspur Lok Sabha by-poll in Punjab where the Congress candidate wrested the seat from the BJP by a huge margin of 1.93 lakh votes also show that the BJP and its students wing 'Akhil Bharatiya Vidyarthi Parishad' (ABVP) are being rejected by students and general public alike. It should have given a warning to the leaders of the ruling party that they are not only off the track but going in the opposite direction of what they had promised and what the country needs. But it seems that they do not care for the nation and its people and have other priorities and 'promises to keep' which they had made to their fund-providers for the election campaign in 2014 and will not heed the warning signals coming from these election results and their own people and learn from them.

It is too early, and perhaps a futile exercise, to predict the outcome of the 2019 parliamentary elections but it seems that if the BJP again comes to power, it will be because of the Congress, the second largest party today, not learning anything from its 2014 and subsequent poll defeats. Mrs. Sonia Gandhi, who is bent upon promoting only and only her beloved son, Rahul Gandhi, as the party leader and future prime ministerial candidate in spite of even many senior party leaders from the Congress itself expressing publicly their disapproval and anger against it, has not lent any wisdom to the party 'high command' as she is referred to by the Congress leaders. After all, all or at least most of our political parties suffer from this 'high command' culture as there is no internal democracy there. They too suffer from the same disease of eternally fixed or dynastic leadership and the party cadres cannot and will not, and perhaps also dare not, consider change in leadership even if their leaders are mired in corruption. Besides, all these parties continue to sail their boats in different directions because nobody is ready to accept the leadership

of a person from another party to lead the combined opposition which in any case is a distant possibility. This absence of unity of purpose may also result in a gain for the BJP. However, wherever there is a viable opposition present, the BJP may be thrown out by the voters but that vote will most likely not be for that opposition party but against the BJP and its misrule in the same way as the 2014 verdict was not a positive vote for the BJP but against the corrupt Congress rule. Positive vote cannot come unless and until the political parties sincerely implement their election manifestos and not look for ways to raise emotive issues to garner votes which in fact is an admission of their failure to implement their poll promises.

In any case, the people of the country cannot have high, or even moderate, hopes from either of the scenarios as the whole political system in the country seems to have become corrupt, catering only to the ambitions of a few individuals, their families and their election fund-provider industrialists and business houses. The voters will continue to be pawns in the hands of this party or that and vote for this party or that, in a ritualistic manner, election after election, and after the election remain at the mercy of those elected by them and suffer perpetually because they have no control over them once they are elected. As things stand today, they can at best change one useless lot for another one as our experience of more than seventy years of parliamentary democracy in the country shows. Only political education of the masses, as M.N. Roy said, can bring about an awakening and consequent assumption of the reins of power in the hands of the electors directly, which he described as 'direct and responsive democracy' through participation in the electoral process through People's Committees. Only then can they hope for betterment of their condition. Till then, political parties, this or that, will be the winners and the citizens or the voters will be the losers. 🌈

Articles and Features:

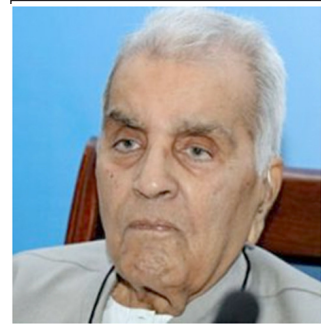
A Cruel Joke on the Poor of India

It is a tragedy of Indian Politics that the massive amount of Rs. 1.10 Lakh Crores being spent Bullet Train project from Ahmadabad to Mumbai is hailed by Modi government as a great achievement - still more tragic and utter lack of people's politics is the reaction of other political parties. Thus Malikarjun Kharge, the Congress leader in parliament has hastened to clarify that the Congress is not against the project but wants to draw the attention of the public to the motive of the inauguration on the eve of Gujarat poll - and it is a political use of national project. To leave no one in doubt that the Congress is even more keen on bullet train concept in the whole of India, he has openly welcomed the project and has emphasized that it was first conceived in 2005 and later in 2013 when Congress was in power and that it was the Congress which had ordered viability survey by Japanese government and that Congress is happy that Japanese government has kept the schedule. Thus congress objection is not against this project, rather it welcomes it (project which I consider as disastrously wasteful and amounts to mocking the poor in India.)

The position of some other opposition parties has surprisingly not been made clear excepting by Socialist Party (India) whose President Dr. Prem Singh has publically opposed it. I have not seen any other opposition Party condemning this bullet train project - rather I find that Akhilesh Yadav of Samejwadi Party has welcomed the idea of a bullet Train but is of the view that it should run between Delhi and Kolkata passing through Uttar Pradesh and Bihar, containing the maximum number of unemployed and poor. Is it not ironic that though extreme poverty line in being highlighted yet there is no condemning the aristocratic Bullet Train concept - rather the grievance is that Modi has favoured Gujarat,

rather than U.P. and Bihar

It was reported in the press that the opposition parties were to meet at Jaipur on 14th of September, 2017 for third edition of 'Sanghi Virasat' (shared culture campaign



**Justice (Retd.)
Rajindar Sachar**

to oppose the NDA government effort to "Create Social Disharmony". Akhilesh Yadav was one of those who were to attend the meet, apart from other leaders of CPM, TMI, Rashtraya Lok Dal. One has not heard of this group opposing the concept of Bullet Train - does that mean that opposition does not find the whole concept of Bullet Train as an assault on the dignity of the poor. Has the opposition the same priority as billionaire's favourites of Modi? I am also disappointed that powerful Railway Unions and others Trade Unions have not opposed this mad venture.

The Bullet Train is also expected to pass through under sea. India has no experience in this technology at all. Is our dependence on a foreign country for decades, (however friendly it may be at this time), a wise decision tested on grounds of security and defence. Should this money be not spent on improving our existing railway quality so as to exclude frequent rail accidents which have taken place in the recent past.

If we go on with Bullet Train, it is already having a very bad impact. It is said that Maharashtra Chief Minister though of BJP was not inclined to allot land unless he extracted promise that there will also be a bullet train from

Mumbai to Nagpur (which is his home town). On paper there is already a programme of bullet train from Delhi – Bombay, notwithstanding the protests by poor farmers whose lands will be acquired thus creating a social crisis in the country.

Farmers of Maharashtra have already gone on protest at this wasteful expense while they are groaning under loans repayment and which have not been waived by the State government.

Even from practical point of view the concept of Bullet Train is deeply flawed, looked at from any angle. The fares in the Bullet Train are such that any government having the welfare of the people would not touch it with a pair of tongs. The fare could be around 2 times the existing A/c first class fare or almost the same as Air fare of over Rs. 3000 - 3500/-. Bullet train will need 100 trips daily to be financially viable - a study by IIM Ahmadabad has come to the conclusion that this project would be in losses from day one.

Japan's government and its rail companies lobbied the US for years to sell its bullet train technology and found little success.

To justify this Modi has given an example by saying that it will save the passenger trouble of going to airport in Car, avoiding traffic and then waiting at the airport. The ironic cruelty of this explanation has been missed by prime Minister – poor in India do not own Cars. In fact figures of car registration in India averaged 108690.89 Cars from 1991 until 2017.

According to World Bank report, India has 224 million living below the international poverty line of around Rs. 120 a day. Modi's bullet train venture is a cruel joke and ridicules on the poor of India because the fare of Ahmadabad – Mumbai (one way fare) will not be less than Rs. 3000, which works out at 25 times the daily earning of the millions in India.

The concept of Bullet Train accepts the vilest of inequality in our country. Thus the position in the India is that richest 1% of Indians own more than 53% of India's wealth) Further shameful inequality is reflected in the fact that 57 billionaires in India control 70% of India's wealth.

The position is India after 70 years of India is that about 48% of Indian urban population and in rural areas 60% of population remains without access to toilets. It needs to be emphasized that building toilets in rural India was one of the major promises made by Prime Minister Modi.

There is another more serious objection to the massive expense on Bullet Train. Only 44% of rural households have access to electricity.

The project is expected to be completed normally in 2025 but not earlier than December, 2023 in any case. Modi, whose term expires by mid 2019, has no legal or moral justification to bind the next government which could be a Non-BJP government.

Dated: 18/09/2017

(Justice Rajindar Sachar has been Chief Justice, High Court of Delhi and President, PUCL, India. rsachar1@vsnl.net; sachar23@bol.net.in) 

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.”

Why Is the RSS Afraid of the Revolutionary Punjabi Poet Pash?

Chaman Lal

After objecting to Rabindranath Tagore, Ghalib and writings on M.F. Hussain, the RSS ideologue Dinanath Batra now wants a poem by Pash, which depicts the general oppressiveness of society, removed from textbooks.

The biggest ideologue of the Rashtriya Swayamsevak Sangh (RSS) on education, Dinanath Batra, recently came out with a proposal to remove Avtar Pash's only poem 'Sabse Khatrnak' from the class XI Hindi textbook *Aaroh*. The poem by the revolutionary Punjabi poet – who was killed by Khalistani terrorists on March 23, 1988 – was first published in 2006.

The National Council of Educational Research and Training (NCERT) revised its textbooks for all subjects under the National Curriculum Framework of 2005. History and Hindi are the two subjects that had invited the ire of RSS. The expert committee in Hindi was led by Professor Namvar Singh as its chairman and professor Purushottam Agarwal as chief advisor. For history, Professor Neeladri Bhattacharya was the chief advisor.

On August 18, 2006, BJP leader Ravi Shankar Prasad (now the law minister) raised the issue of the publication of "objectionable" material in NCERT books in the Rajya Sabha. Interestingly, the whole debate was in Hindi and I had gone through it in 2006, before writing an article titled 'Issues and Facts about NCERT Books'.

But now, one cannot find Devanagari script on the Rajya Sabha website in order to read this page. There is a good record of the Rajya Sabha Official Debates, but little record of Rajya Sabha Verbatim Debates – this particular issue was part of the latter.

I remember a comment by Sushma Swaraj in which she had labeled Pash a 'Naxalite' poet. Even Abani Roy, the leader of Revolutionary Socialist Party, made uncharitable remarks on

Pash in that debate. Since we used to exchange views, I had contacted Roy to express my resentment at his comments, from which he tried to wriggle out by saying that 'He wanted Pash not to be taught in the lower classes, he may be taught in higher classes.'

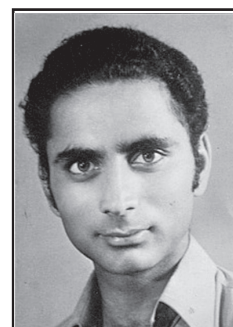
Roy apparently did not know that Pash's poem was included in class XI textbook and not for younger students.

Now, Batra, who retired as a Hindi teacher from a school, has not only objected to Pash's poem, he has also targeted Rabindranath Tagore, Ghalib, Urdu phraseology in general, writings on M.F. Hussain, etc. Whatever BJP MPs had said of Hussain in 2006 in a Rajya Sabha debate has been repeated by Batra now.

Just as the reference to Tagore being omitted from NCERT books created a stir in Bengal and even in the the parliament, Punjabi writers too have vehemently come out against Batra/RSS's recommendations.

Incidentally, Akka Mahadevi and Pash are the only two non-Hindi poets included in the class XI textbook.

Pash's poem – included in an anthology – veers towards the philosophical. While talking about oppression in society, the poet muses on the significance of dreams and he finds 'the death of dreams' as the 'most dangerous' human predicament. Perhaps the RSS and its cohorts are afraid of dreams, as dreams lead to inspiration,



**Punjabi poet
Avtar Pash**

which further lead to transformational ideas of better humanity – which is dreaded by RSS like often by religious fundamentalist bodies. So the dreamer poet, who was assassinated by religious fundamentalists, now must be kept away from young minds in school.

But why has Pash offended the RSS so much? Read his poetry and the answer immediately becomes clear.

Pash is one of the major Punjabi poets whose works are a part of the syllabus of several universities. Pash's works have been translated into major Indian languages like Bengali, Gujarati, Marathi, Telugu, Malayalam, Kannada, Hindi etc. The University Grants Commission, in its model course designed during earlier NDA rule, had recommended teaching Pash.

His poetry has been compared to that of Pablo Neruda and Lorca, and he was murdered for confronting Khalistani terrorists directly through his poetry.

The Pash Library in Karnal, which was established in the memory of policemen of Haryana slain by Khalistanis, has now been closed by RSS chief Manohar Lal Khattar. Pash, in one of his poems, has referred to 'the critics with red turbans.' Had he listened to the interpretation of his poetry in Rajya Sabha and by Batra, what term would he have coined for such literary critics? Perhaps 'literary critics with red turbans and *bhagwa* (saffron) minds.'

Born on September 9, 1950, Pash's first collection of poetry 'Loh Katha' (Iron Tale) came out in 1970 and earned him instant recognition. His 1974 collection 'Uddade Bazan Magar' (After the Flying Hawks) and 1978 collection 'Sade Samian Vich' (In Our Times) immediately made him one of the major Punjabi poets of his generation.

Translations of his poetry got him recognition throughout India. After 1978, till his assassination a decade later on March 23 – a day of his own hero Bhagat Singh's martyrdom – he published a few poems in journals, but not in any collection. In this period, he brought out journals, set up a school

and challenged the Khalistani interpretation of Gurbani.

He then moved to the US due to threats from Khalistani terrorists, but continued writing against both state and Khalistani terrorism in poetry and prose. On a visit to India in 1988, the day he was supposed to return to US with his village friend Hansaj, both were assassinated in his village Talwandi Salem near Jalandhar. His complete poetry was published in different volumes after his assassination and recently his complete prose collection 'Talwandi Salem nun Jandi Sadak' (The road going to Talwandi Salem) has been published.

Out of Pash's nearly 200 poems, T. C. Ghai has translated 102 poems in English as well. Two films have also been made on Pash. Rajiv Kumar, the internationally renowned director of *Chamm* and *Nabar*, made *Apna Pash* and another director made *Chauras Chand*.

Pash's very first poem is titled 'Bharat.' It announces his own sense of nationalism, which is based on working people's India. And the rejection of Indian nationhood comes in a poem titled 'A Petition for Disinheritance', based on the misbehaviour against Sikhs traveling on the Ambala-Delhi highway during the time of the 1982 Asian games.

If Pash attacks the Indian state for its oppression, he does not spare Bhindranwale followers for their cruel acts as well. Were he alive today, he would have definitely written about the murders of intellectuals and dissenters.



Courtesy *thewire.in*, 13/09/2017

Chaman Lal retired from JNU as Professor in Hindi Translation. He has translated poetry of Pash in Hindi and edited documents of Bhagat Singh in several languages.

In Gauri Lankesh's Killing, the Murder Is the Message

P. Sainath

The forces behind her assassins have a list – and want us to know they will pursue it.

A protestor holds up Gauri Lankesh's photograph. Credit: PTI

"If they say they are unable to write, let them first stop writing. We will then see." So spoke Mahesh Sharma, Union minister of state for culture, in October 2015, mocking the 'award wapsi' movement that month. The targets of his ridicule included some of India's finest writers and artists who had returned state and national awards in protest against the murders of M.M. Kalburgi, Govind Pansare and Narendra Dabholkar, as well as in protest against a constructed culture of intolerance, threat and intimidation.

Most of them took no heed of Sharma's admonition and didn't stop writing. Many wrote more, in defiance. But there are clearly other, decisive ways of getting writers to stop. Gauri Lankesh was stopped two nights ago. Gunned down just outside her house by unidentified assassins in a manner creepily similar to the earlier killings.

The outspoken editor of Gauri Lankesh Patrike was a defiant journalist, rationalist and writer. She's gone.

Many have commented, rightly, on the 'modus operandi' being so similar to that seen in the earlier murders. But here's the point: the murder is the message. The use of the same modus operandi is part of that message: 'Yes, it's us. We did it again. And will, yet again. Let this be a warning to all of you.'

So "we will then see" and hear – what?

In the midst of a genuine outpouring of grief and outrage, it is voices on anti-social media that are almost crowing. That she had it coming. That her deeds had come back to haunt her.

That it was not politics that led to her murder, but the other way around. And quite a bit of this from people who are, in their own eyes at least, journalists. Whoever her killers were, they have ideological friends in the media. How many of us thought we'd see a time when you exult, even gloat over the murder of a colleague by armed assassins? And surely there will also be those who call it a 'sad incident' and recall that famous line from our prime minister on the violence in the Gujarat riots of 2002: "Even if a puppy comes under the wheel (of a car) will it be painful or not? Of course it is."

What we're seeing, however distressing, is at the same time instructive. The message also says: 'We're casting a wider net.' Who the individuals responsible for Lankesh's murder are, we do not know. But who's responsible for the culture of violence and terror that induces such killings, for the branding of dissenters as 'anti-national' and 'traitors,' and for inciting violence against such critics – that we do know.

If we look at Lankesh's death as the murder of a rationalist, that clearly fits with the pattern: Dabholkar, Pansare, Kalburgi. And while her death is terribly shocking – it is not, for some, entirely surprising. But her main identity was that of a journalist.

If we look at it as the murder of a journalist, then it deviates a bit from the pattern of the slaying of working journalists in this country. It also indicates, though, that the assassins are broadening their sweep.

As I said in the Pansare memorial lecture in December 2015, the focus of the fundamentalists is on killing rationalists. They attack the secular spectrum as a whole, but save their worst for rationalist activists. Those, after all, are the people who attack superstition and

strike at the core of fundamentalist mythologies. That enrages the crazies.

What about the pattern of murders of journalists? There have been over 40 of those since 1992, of which 27 (till 2015) can be clearly linked to their writing and work. Lankesh would be the 28th.

The murder of Lankesh saw a small but significant deviation from the type of killings of journalists that prevails in India. Yet, it still falls within that frame. I wrote an introduction to the Committee for Protection of Journalists Report (2016) on murders of mediapersons in India. As I said then:

In the three case studies the report focuses on – and in the CPJ's list of 27 journalists murdered in India since 1992, it is hard to find a single English-language reporter from a big city. That is, one who was working for an English outlet of a large corporate media house. And covering something challenging the interests of the mighty. The list (of the murdered) is replete with rural, or small-town journalists of relatively humble, non-anglicised backgrounds. The majority wrote in Indian languages, with Indian-language publications (sometimes well-known ones). Often, functioning as stringers or freelancers, or as full-timers low down their outlet's pecking order. Mostly, they worked in print – though there are exceptions. Like, for example, those slain while working for state broadcaster Doordarshan TV in Kashmir. Or like Akshay Singh, who worked on the popular channel Aaj Tak. He was part of its investigation team (which is headquartered in Delhi). But those are exceptions.

Lankesh, however, was a big-city journalist (though the anti-thesis of the obedient corporate hack). She did fit the larger murder pattern in one way though – she was mainly a print journalist, writing mostly in an Indian language, Kannada, not English.

Of course, journalists working for high-profile corporate media outfits remain relatively safer.

Or at least they have till now. They have some insurance by virtue of class, caste, social power and the clout of their employers. That there are very few names of elite and high-profile journalists in the lists of the murdered doesn't just tell us that we are privileged and have a kind of socio-political insurance. It also tells us that we're less likely to be doing anything that challenges the powerful.

Lankesh's assassins have just signalled a big hike in the premium on that insurance. They can kill anyway, whether the journalist does or does not enjoy a powerful corporate platform to speak from. Even if his or her platform curbs, censors or dilutes the expression of their views or even of facts. There is a lot we have yet to learn from and about Lankesh's murder, including the identity of the actual killers, but this much is surely clear. Our protected species status has been denotified and withdrawn.

Think it can't get worse than this? It will. Even if we end up surprised by the identity of those who killed her, the hate-list drawn up by the crazies is not exhausted. And what will a craven, crony media leadership do as things worsen? Those whose owners are amongst the biggest beneficiaries of each round of the government's privatisation of public resources? They will at best write editorials (if that) calling for extremist 'fringe elements' to be 'reined in'. Unwilling to ever admit this is no loony fringe, but the insane core, of right-wing fundamentalist politics. Wilfully blind to the fact that the prevailing moral depravity can only survive with silence, connivance, even incitement, at the top. Rewarding those 'journalists' among their employees who forge documents and doctor videos to frame and defame their 'enemies'. Mocking and vilifying those writers who return their state awards. All the while knowing that rarely, if ever, has the lowest moral fibre been so firmly ensconced in the highest offices of this land. Such a culture of leadership draws out the worst in society, while actively stifling

its best.

And the killings will continue. For the killers know that they are now the protected sub-species. A few amongst their lower orders might be sacrificed for the cause, but the crusade goes on. Clearly, these people have a list. And they're going to act on it. They will act with impunity, because impunity has been conferred on them. They know that if anyone is caught, it will be the least important of their associates. And even the cases filed against those, as in the murder of Pansare, will be weakened and undermined, perhaps until they collapse.

Rewind to October 2015. Sharma, custodian of our culture, drew no rebuke from the prime minister for his attack on the award wapsi writers. His government rewarded him: with former President Abdul Kalam's post-retirement residence in Lutyens' Delhi, one of the best in the capital. (It was the appeal of the late president's family that this residence be converted

into a museum of science).

Only a week ago, Sharma bagged an additional ministerial slot – at the Ministry for Environment, Forests and Climate Change. There's no denying he has contributed to serious climate change in the country's cultural, social and political sectors.

So what do we do in the present? Take Sharma's advice and 'first stop writing'? Accept the message from the Lankesh's murderers? Or learn from her fearlessness and that of the writers, poets, artists and students of this country who have stood up and fought to keep our freedoms alive? Lankesh stood up for all of us. Let's stand up for her. And stand up to the terror that took her life.

Silence is not an option.

Courtesy **thewire.in**, 07/09/2017

P. Sainath is the founder-editor of the People's Archive of Rural India. He has been a rural reporter for decades and is the author of *Everybody Loves a Good Drought*. 🌈

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Remembering Gauri Lankesh:

This Pain Should Become Anger!

Varavara Rao

Shocking news! How much shock it would be for friends of Gauri Lankesh in Bengaluru – a friend enquired whether I knew the news tweeted by Rajdeep Sardesai. Immediately I tried to contact Babayya, another friend from Bengaluru, but couldn't get him on phone, perhaps sharing his agony with other friends. He returned the call after two hours. But what happened is not quite unexpected. Since the destruction of Babri Masjid, she has been fighting against the saffron brigade. She is a brave woman in the heroic tradition of Lohia's followers fighting against dominant ideology since the days of Nehru.

What is fascism if not this? This is worse than the murders of Dabholkar, Pansare and Kalburgi. For she fought as much against Hinduisation as globalization with equal determination. The followers of Lohia fought against mining at Kudremukh and Bangalore-Mysore Expressway along with AIPRF. They also participated in the activities of Joint Action Forum of Indian People (JAFIP) and Mumbai Resistance 2004. It is heart-rending to remember the privilege of enjoying the support of democrats like her in Bengaluru in connection with our struggle against state repression and fake encounters in Andhra Pradesh.

We felt enraged hearing of the murders of people like Akhlaq and Kalburgi by the Sangh Parivar. We might not have heard about Akhlaq and Junaid before they were murdered. Even Najib of JNU who disappeared after kidnap by the Sangh Parivar might be living somewhere amidst us. We might have felt respect for Dabholkar, Pansare and Kalburgi because of their activities in various fields and the news of their assassination might trigger rage in us. But without any acquaintance, if we respect

somebody just because of their participation in movements, our response tends to be objective. If we get acquainted as part of the movements and that develops into friendship, the response would turn to be subjective also. There will be a tender bond. We feel proud in claiming that we personally know this activist. We recall the experiences only to convert this pain into anger. This is not a time to shed tears. It is a time to march against the fascist forces.

Ole Soyinka called his jail diary 'Man Died'. The condition of an active individual is described as death when he is rendered unable to speak. Gauri Lankesh did not care for the threats to her life. To the well-wishers who cautioned her, she replied "Our silence is the strength of the reactionaries." She was the lone figure in the crowd. She lived alone in her house in a posh locality of Rajarajeswari Nagar in Bangalore. Enemy very well knows when she goes to office and returns. She was an easy target. As in the case of Kalburgi, she was also fired at from point blank range. The bullets that pierced her head and chest felled her on the ground, where she bloomed like a flower, in blood. The Congress government of Siddaramaiah knows that death warrants are issued against all secular, democratic and active intellectuals like Gauri. She became Gauri Lankesh as she was fighting for those who are in trouble, unmindful of her own situation. Even Siddaramaiah was a follower of Lohia once. Now what is the use of grieving the loss of a valuable friend?

I met her last time when I happened to visit Bengaluru in 2005 after the 'encounter' killing of Saket Rajan, the State Secretary of CPI (Maoist). He was senior to Gauri in Bangalore University. She wrote a long essay on him at that time. I went there along with Gaddar to


receive the body of Saket. By the time we went there the body had been secretly cremated and we were given his ashes only. Those two days all of us including her moved together. She had also come to Hyderabad to participate in such movements.

I started from Mumbai on 1 December, 1992, to reach Sringeri the next day to participate in a cultural workshop. I took with me the documentary 'Hey Ram' produced by Anand Patwardhan to show at the workshop there. Ekamata Yatra undertaken by Advani in 1984 culminated in the destruction of Babri Masjid on that December 2. If that were an attempt to destroy a faith, the violence planned and executed by Modi from Gujarat to Muzaffarnagar and Karnataka is its extension. In the cultural workshop of Sringeri it was revealed that the next target of the Sangh Parivar is a Dargah at Baba Budangiri. After destroying Babri Masjid in the north to secure Hindu votes, this Dargah was selected in the South. Baba Budangiri is a place named after the Sufi saint who reached the hills in Chikmagalur district about 500 years ago. The movement to protect Baba Budangiri might not have prevented the BJP led by Yadyurappa coming to power. But for the present, minorities, Dalits, Socialists and revolutionary forces in Karnataka could prevent the Sangh Parivar from occupying the Dargah in the name of Dattatreya Peetham. They fought many struggles against caste and Hindu fanaticism. Death warrants were issued against many of them. We do not like to advertise the list lest the names be known to the reactionary forces. Because of the legacy of Lankesh, the paper run by Gauri has become

the center for those agitations. That is why it has become the target of enemies.

Immediately after hearing of the assassination of Gauri, the name of Snehalata Reddy came to my mind. She was the companion of Telugu poet Pattabhi (of Fidel Raagaala Dozen fame) and played the lead roles in 'Samskara' based on U R Anantamurty's novel as well as in 'Chandamaruta' based on the Naxalite movement. There is a strong group of intellectuals in Bengaluru dedicated to Lohia's ideology. It was very active led by George Fernandez. It is from that group that activists like Pattabhi, Lankesh and Anantamurty originated. But now we are facing an undeclared Emergency. It would target you if you prefer to speak out like Gauri instead of keeping mum like a living corpse. It is a clandestine mystery of darkness that could come to annihilate you as per plan. It cannot tolerate light, transparency or democracy. That is fascism. As Kaloji said, it is the force that will silence any voice that does not conform. But how many voices could they silence if all the dissidents join together?

During the Spanish Civil war, students, intellectuals and writers who fought with arms against Fascism were eliminated mercilessly. They did not even leave democrats who were hiding without fighting. Imperialism itself is enemy, war and death. Similarly fear, silence and sense of insecurity are also death. This Fascism of Brahminical Hindutva is just the beginning of that imperial Fascism. Shall we search for any safe place left where at least we can talk freely about Gauri Lankesh!

(Translated from Telugu original published in **Andhra Jyothi** daily, September 9, 2017) 

"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)

Manipur Christian group's denial of burial rights to woman reflects growing intolerance in India

Ritah Haorei, who died in August, was not buried for over a month as a debate raged between religious and tribal groups.

Nandita Haksar



Women march in Imphal demanding that Ritah Haorei be buried. | HT

It may seem far removed from the reality we live in but the debate in the past month over the burial of a Catholic woman in a Baptist society in Manipur is just another reflection of growing religious intolerance in our country.

Ritah Haorei's body lay in a Catholic church in Hundung village in Ukhrul district from August 7 to September 18 after neighbouring Leingangching village denied her husband Yangmi Haorei permission to bury her. Yangmi Haorei, a resident of Leingangching, had been excommunicated because of his faith. The village had in 1973 passed a resolution banning all religious denominations except Baptist Christians.

Both villages are predominantly inhabited by the Tangkhul Naga tribe. Many Naga villages in Manipur and in Nagaland have passed similar resolutions.

When Ritah Haorei was finally laid to rest in Leingangching, it was on "humanitarian grounds" and not as her constitutionally-guaranteed right to practise the religion of her choice.

Looking through the records of the case and the parties involved, it is ironic that the judge of a

secular High Court quoted passages from the *Bible*, an insurgent group with the motto "Nagaland for Christ" gave orders based on the principles of secular laws and cited humanitarian law to deny people their human rights, while tribal bodies used customary laws to justify religious intolerance.

The parties to the dispute are: (a) the Leingangching village authority, (b) Yangmi Haorei and four other Catholic families, (c) the parish priest of the Catholic church, (d) the Catholic joint action committee, (e) the Baptist church, (f) the Tangkhul Naga Long, the tribe's apex body, (g) the Government of the People's Republic of Nagalim, a government-in-exile established by the National Socialist Council of Nagalim (Isak-Muivah), an insurgent group fighting for a sovereign Naga state, and (h) the Indian state, which includes the district administration, courts and state government.

The first question that must be addressed: can a village in India pass a resolution stating it will be "a Baptist village" and not allow people to practise other religions? Can the village authority throw out villagers, damage their property and not allow them to till their land if they convert to another religion?

Catholic versus Baptist

Though Leingangching passed its Baptists-only resolution in 1973, no one bothered about it for several decades, perhaps because there were no Catholics in the village.

But in 2009, the parish priest of the Sacred Heart church in Hundung wrote to the Leingangching headman and village authority informing them that five families had converted to Catholicism and they should not be disturbed.

In his reply on November 24, 2009, the headman said no other religious denominations could be allowed within the village. He said the five families had broken the village law and must apologise, failing which they would have to find somewhere else to live and work.

In March 2010, the families were evicted, their properties destroyed and their “citizenship of this village” cancelled. They, in turn, filed a first information report against the villagers.

Their treatment angered the Catholic community, which sought the intervention of the National Socialist Council of Nagalim (Isak-Muivah).

In November 2010, the Government of the People’s Republic of Nagalim run by the insurgent group gave its order. It fined Yangmi Haorei a pig worth Rs 20,000 “for violation of their village avowed sectarian constitution/agreement” but held that he and the other families could not be prevented from converting to any religion. It also said all five families “being bonafide citizens of the village shall enjoy all rights as entitled to other fellow citizens of the village” and that they should not be harassed. It directed Yangmi Haorei to withdraw the FIR and the villagers to pay compensation to the five families.

The families withdrew the FIR and the Catholic community paid the Rs 20,000 fine. But the Leingangching village authority rejected the order.



The Catholic community marches with the coffin of Ritah Haorei in Manipur’s Ukhrul district. Photo credit: via Facebook

Fightback over funerals

On September 15, 2014, Joseph Lungshi’s wife Ningmila died. Lungshi was among the villagers who had converted to Catholicism. He was not allowed to bury his wife in the village.

On December 10, 2016, Ninghorla, also among the five families, died and was denied a burial. The Sacred Heart church in Hundung gave her a spot in its cemetery.

When Yangmi Haorei too was not allowed to bury his wife, the Catholic community decided to fight back. And so Ritah Haorei’s body lay in a glass coffin in the Sacred Heart church for over a month. Three days into the protest, the Catholics marched to Leingangching to bury her but failed to get past the Baptist villagers.

The procession was led by Paotam Zimik, a well loved leader of the Catholic community. He died on September 1 and I attended his funeral. Zimik was married to my husband’s sister. When the funeral procession made its way to Ukhrul, the two-hour journey took five hours because people wanted to pay their respects. Many said the stress of Ritah Haorei’s case had taken a toll on him.

The president of the Tangkhul Naga Long was conspicuous by his absence at the funeral. He had sent Zimik a notice for a Rs 5,000 fine for leading a protest march on August 16. Zimik had received permission from the deputy commissioner for the procession. The same day, the Catholic joint action committee had submitted a memorandum to Chief Minister N Biren Singh seeking his intervention in the case.

On August 28, Yangmi Haorei filed a writ petition in the Manipur High Court seeking security for his wife’s burial and resettlement of the five families in Leingangching. He cited a Gauhati High Court order in a case where Catholic families had been thrown out of Phokhungri village in Nagaland. In that case, the court had on May 26, 2014, quashed a village resolution that allowed only Baptists to live in Phokhungri.

In the Leingangching case, though, a day before the Manipur High Court was to give its order, Ritah Haorei was buried. The judge observed, “This court would like to express happiness at the admirable accommodating spirit shown by both sides in resolving a very contentious issue relating to the burial of late Smt Ritah Haorei. This court would like to put on record the genuine humanitarian gesture shown by the private respondents.”

Quoting from the *Bible*, the judge said: “... Surely there is at least one wise person in your fellowship who can settle a dispute between fellow Christians.”

That “wise person” was the National Socialist Council of Nagalim (Isak-Muivah), but it specifically stated that Ritah Haorei’s burial was on humanitarian grounds and not as a right. In its September 2 order, it also directed Yangmi Haorei to withdraw all cases.

Growing hatred, from Manipur to Goa


Many Baptists have expressed anger, distress over the incident. But these liberal voices remain

isolated, ineffective. The fundamentalists have both the organisation and the arms.

I watched the events in Manipur unfold from the other end of the country, Goa, where a similar controversy is raging. Here, Catholics and Hindus in a village have objected to a Muslim graveyard. It is a controversy that, like the one in Ukhrul, began before the Bharatiya Janata Party came to power in 2014. The Muslim villagers’ plans for a new cemetery have faced resistance for several decades, forcing them to dig up old graves to bury their dead.

The opposition is now more vociferous, with religious extremists from the majority community fanning the flames of disharmony. Liberal voices can hardly be heard. Slowly, we are witnessing the hyper-normalisation of intolerance and as we watch, we are unable to imagine a political alternative.

Nandita Haksar is a human rights lawyer, teacher, activist and writer.

*Courtesy **Scroll.in**, October 4th 2017* 

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CONTROVERSY ON TRIPLE TALAQ – TALAQE TALASA

K. Pratap Reddy

For a long time now, a controversy is being raised by various sections of the society about TALAQ in Islamic Law and its constitutional validity by some people without understanding the true concept of either marriage or TALAQ in the Islamic Law.

No person can deny that marriage in Islamic Law is only a “CIVIL CONTRACT and not a “Religious Sacrament”. The reputed treatise on Islamic Law, acknowledged by all schools by Mulla in chapter XIV, 9th edition, at page no.223 has said in Sec. 250 thereof; I am quoting hereunder.

“*Sec.250 – Definition of Marriage :-* Marriage (nikha) is defined to be a contract which has for its object the procreation and the legalizing of children.”

Mulla further quotes, Hedaya, 25; Baillie, 4.

“*Contract:-* Marriage according to the Mohomedan law is not a sacrament but a civil contract. All the rights and obligations it creates arise immediately and, are not dependent on any condition precedent such as the payment of dower by husband to a wife.”

Mulla further quotes the judgment of the Pakistan Supreme Court in “*Khurshid Bibi vs Mohd Amin P.L.D.167, S.C.97.*”

Another reputed Islamic scholar and member of the Privy Council, Syed Ameer Ali, in his treatise “Mohammedan Law”, 5th edition, Vol – II, at Page No.272, stated: “Regarded as a social institution, marriage, under the Mohomedan Law, is essentially a civil contract. The law does insist upon any particular form in which the contractual performance should be effected or that the union should be evidenced by any writing, nor is the presence of witnesses essential for its legality. For, though among the Sunnis the presence of witness is considered necessary to the validity of a marriage; their absence only

renders it invalid which is cured by consummation. In fact, a marriage-contract, as civil institution, rests on the same footing as any other contract. The parties retain their personal rights against each other as well as against strangers; and, according to the majority of the schools, have power to dissolve the marriage-tie, should circumstances render this desirable”.

“Marriage, like other contracts,” to use the words of Mr.Baillie, “is constituted by *ijab wa Kabul* or “declaration and acceptance”, but it confers no right on either party over the property of the other.” Note:- For other details please see Page No. 272 to 327, if necessary.

Another reputed scholar on Islamic Law, namely, Asaf A.A. Fyzee, in his treatise “*Outlines of Muhammadan Law*”, V edition, Chapter II, at page no.69, wrote as under.

“*Nature and concept:-* Considered juristically, marriage (nikha) in Islam is a contract and not sacrament. This statement is sometimes so stressed, however, that the real nature of marriage is obscured and it is overlooked that it has other important aspects as well. Before coming to the law proper, we shall consider the three aspects of marriage in Islamic law which are necessary to understand the institution of marriage as whole – legal, social and religious.

Legal aspect

Juristically, it is a contract and not a sacrament. Qua Contract, it has three characteristics:

- (i) There can be no marriage without consent.
- (ii) As in a contract, provision is made for its breach, to wit, the various kinds of dissolution by act of parties or by operation of law;
- (iii) The terms of a marriage contract are within legal limits capable of being altered to suit individual cases.

Social aspect

In its social aspect, three important factors must be remembered:

- (i) Islamic law gives to the woman a definitely high social status after marriage;
- (ii) Restrictions are placed upon the unlimited polygamy of pre-Islamic times and a controlled polygamy is allowed;
- (iii) The Prophet, both by example and precept, encouraged the status of marriage. He positively enjoined marriage to all those who could afford it; and the well-known saying attributed to the Prophet 'There is no monkery in Islam' expresses his attitude towards celibacy briefly but adequately."

Having quoted the relevant text books on Mohamedan law, now let us have a glimpse into the practice and social custom relating to marriage in Islamic society. It is an accepted belief and faith that the Quran, the holy book of all Muslims all over the world has originated from Prophet Mohammed sometime at the end of the 6th century or at the beginning of the 7th century. It is interesting to know by all and more particularly, by all Islamic scholars, that the marriage of Prophet Mohammed himself was performed as a civil contract between himself and Khalidaji under whom he was working and was fifteen years younger to Khalidaji. Appreciating the character and the conduct apart from his personal attraction, Khalidaji had herself made an offer (ijab) to marry Mohammad, which was accepted by him. So, the marriage of Prophet Mohammad was itself a civil contract and the most interesting part to be noted is that the offer (ijab) came from the lady.

Another instance of origin of the marriage is that the marriage of Prophet Mohammad's father, Hazrath Abdulla, who was a very handsome person having reputation of very good character. While, Abdulla was still not married, an invitation was sent to his father, Hazarath Abdul Muthalif, from another tribal village. On

the way, the father and grandfather of Prophet Momammad had to stay in another tribal village, where the lady was attracted to handsome features of Hazrath Abdulla and the good character of both father and son, and then made an offer to Hazrath Muthalif (grandfather of Prophet Mohammad), that she would marry Hazrath Abdulla if he agrees. In response, the father of Abdulla, Hazrath Muthalif had replied in the following words.

"Beti (my dear child), we are going to the neighboring tribal village wherefrom earlier an offer had come offering to marry my son Abdulla. We cannot neglect that offer. After going there, if the necessary formalities of offer and acceptance are not completed, we will come back and then we will give consideration to your offer."

Having gone to the first tribal village, it is so happened that the offer made by the bride and her family was accepted by the son and the father and led to the completion of Marriage of Hazrath Abdulla with AMINA, mother of Prophet Mohammad. On return, both father the son went to the village where they first stopped and asked the lady if her offer (ijab) to marry Hazrath Abdulla, father of Prophet Mohammad is still open. The lady answered: on seeing you son, Abdulla, I had a divine vision that the woman who first maries your son, Abdulla, would give brith to a son who would bring GREAT LIGHT into the world and the GREAT LIGHT had gone into the womb of AMINA and, therefore, she is withdrawing her offer (ijab) to marry Abdulla.

She stated that having seen the personality and character of Hazrath Abdulla, she had received a prophetic message that if she had married Abdulla, she would have given birth to a Prophet who would bring a New Light to the whole world and that light had gone into the womb of another woman, Amina (Prophet Mohammad's mother), and she withdrew her offer. The purpose of this

long narration is to enlighten us of the very fact (which is referred here in the introduction part) is that the concept and nature of marriage under Islamic law is only a civil contract depending upon the offer of one and acceptance of another. It is also called, *ijab and kabul*.

Now, the question to be considered by all of us is that if marriage under the Mohammedan law and the Islamic society takes place by mutual consent culminating into a civil contract, then how can there be any unilateral act of breaking of the contract by only one party to such a contract..

I appeal to our Muslim brethren and more particularly, the Islamic scholars and much more particularly, to the self proclaimed authorities on Islamic law naming themselves as “Muslim Personal Law Boards” that how can the husband alone can break the marriage.

To my mind, this practice of unilateral Talaq, is absolutely unislamic apart from being immoral and illegal.

I appeal to my Muslim brethren to view this point from the very aspect of message (PIGHAM) of Prophet Mohammad which ultimately culminated into the HOLY BOOK QURAN.

According to my limited knowledge on Islamic law, the great Prophet Mohammad had given equal rights to men and women. While giving right to the husband to divorce his wife by a long process to which I will come later, Prophet Mohammad had also given a right to the wife to demand *khula* to release her from the contract of marriage.

Now coming to the controversial topic of Talaq, I wish to bring to the notice of our Muslim brethren and more particularly, the self styled experts on Islamic law calling themselves as Muslim Personal Law Board that the process or right of Talaq given to the husband is not a simple one but it has to be made over long period of 90 days, after the process of

consultation with the members of both families and the process of arbitration and much more particularly, after showing valid reasons justifying the Talaq, that is separation of marriage. In this prolonged process the husband must think over and adhere to the advice and consultation of elders of the society, only then after showing justified and valid reasons and repeating his decision of giving Talaq to the marriage in the third and final process over a period of 90 days.

I also wish to bring to the notice of Muslim brethren and more particularly, those self proclaimed authorities on Muslim law that Prophet Mohammad was a great revolutionary and was the FIRST Prophet who gave equal rights to men and women removing the gender inequality centuries before the movement for gender equality. Prophet Mohammad is the ONE and the ONLY Prophet who gave a right to marry to a widow or a divorced woman. He is also the first Prophet who gave the right of inheritance to women in the properties left by the father, husband and other relatives. With all humility I submit that the assertion of the self proclaimed Islamic authorities that unilateral Talaq or unilateral divorce is valid in law is totally unislamic apart from its invalidity under our Constitution.

At the cost of repetition, I humbly implore and request these self proclaimed exclusive experts on Islamic Law to kindly realize the factor that the great prophet Mohammad had conferred equal rights to women and annulled the gender inequality in All matters of Socio-Economic aspects of human life. I request our Muslim brethren to realize that while marriage in Islamic law is only a Civil Contract and not a Religious Sacrament, as narrate above, it also gave Equal Rights to both parties to the marriage to separate from or break such contract, though with a slight difference of process of such separation.

The process or choice of the husband for separation from the marriage contract is called

TALAQ, the wife HAS also BEEN given a right for separation which is called KHULA. While there is, no doubt, a difference in process of operation of these rights i.e., TALAQ and KHULA, but the fact remains that the right of separation exists for both.

Another interesting aspect of the objection of the Muslim Personal Law Board is that the State Legislatures (even the Parliament) have no powers to amend or interfere with the Muslim Personal Law. These people forget the fact that while a Foreign/Imperial Legislature had passed several Acts touching important aspects of Muslim Personal Law, our own SOVEREIGN Legislature (Parliament), has NO power to make any law relating to Muslim Law. In the year 1880, the Imperial Legislature passed the KAZIS Act (Act 2 of 1880) removing the adjudicating powers of the Kazis and also dispensing with the necessity of presence of any kazi at any marriage between Muslims. In the year 1923, the Mussalman Wakf Act (Act 42 of 1923) was passed regulating the functioning of ALL Muslim Waqfs which is the most important RELIGIOUS aspect of MUSLIMS. In the year 1937, the Muslim Personal Law (Shariat) Application Act, 1937 (Act No. 26 of 1937) was passed mandating that All matters relating to Muslim Personal Law including marriage, Talaq, Khula, Inheritance must be referred to Civil Courts only. In the year 1939, The Dissolution of Muslim Marriage Act, 1939 (Act No. 8 of 1939) giving rights to All Muslim women to seek dissolution of her marriage ON ANY ONE OF THE GROUDNS mentioned therein. While NO OBJECTION was taken by any Muslim, either individually or even organizationally, it is a matter of great concern that objections are being taken now questioning the power and jurisdiction of our independent Sovereign Democratic Parliament elected by UNIVERSAL SURRENDRAGE by “WE THE PEOPLE OF INDIA”, which expression includes ALL people belonging to

ALL Religions, Faiths, Races and Civilisations, be they Hindus, Muslims, Christians, Parsies, Sikhs, Buddhists or any other class.

I wish to bring to the notice of the members of the Muslim Personal Law Board that the present controversy NAY the MOVEMENT To remove the practice of gender-injustice, existing in the Muslim society arising out of the UNISLAMIC PRACTICE OF UNILATERAL TALAQ by Muslim men has been raised by the MUSLIM WOMEN who are victims and have been suffering there under. The Muslim Personal Law Board, instead of addressing their grievances and restoring their rights conferred by the Great Prophet Mohammad, are agitating against such legitimate measures without realizing the fact that what they are doing is not only against the Fundamental Rights of our Muslim Sisters, but also against GRAND MESSAGE of the Great Prophet Mohammad giving equal rights to women in All respects including marriage and divorce.

Sometimes, the self proclaimed Islamic experts styling themselves as Muslim Personal Law Board are claiming that Article 25 of the Constitution gives the Muslims the freedom of conscience and the freedom to profession, practice and propagation of religion thereby, but the right of husbands of unilateral Talaq is saved by this provision Article 25 of the Constitution. It is a matter of great regret that these people either consciously or otherwise omitting to read the beginning word of Article 25 which says “Subject to public order, morality and health and to the other provisions of this Part.” This provision refers to other provisions of Constitution including Article 14 and it is also subject to morality, which is most important aspect of Islamic Law giving equal rights to both men and women. These people appear to close their minds to the fact that this provision in Article 25 of the Constitution is not confined to Muslims only but it applies to ALL persons including Hindus, Muslims,

Christians, Parsis, etc. It is in that view, deserves to inequality existing in Hindu law relating to Marriage, Inheritance, Adoption and Maintenance have been removed and codified into various enactments. Which is more important to be noted by my revered friends of Muslim Personal Law Board is that the provision Article 25 of Constitution is nothing but only a repetition of the rights conferred to men and women by the great Prophet Mohammad centuries before the advent of our constitution.

In the recent Judgment of the Constitution

Bench of the Supreme Court on triple Talaq, the majority Bench of three Judges had declared that the unilateral Talaq by husband is unconstitutional. Although, majority judgment is binding on all and had become the law of the land, I respectfully disagree with the judgment of the two judges who gave minority judgment. The expression “law” in Art.13 of our Constitution defines “LAW” as including “custom” or “usage” having the force of law. It is, therefore, undoubtedly applicable to all customary laws, usages including Muslim personal law. 🌈

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Hindutva's Forward March - 1

Achin Vanaik

In India, Modi's Hindu nationalist BJP is consolidating its power through vigilante violence, censorship, and state repression.

This March, the Bharatiya Janata Party (BJP) won regional elections in four out of five states, including Uttar Pradesh (UP). This huge prize represents a qualitative advance for the party and the Hindu nationalist Sangh Parivar it represents, giving greater legitimacy to their long-term goal of establishing a Hindu state in all but name.

Less than six months later, on the evening of September 5, the Bangalore-based journalist and civil rights activist Gauri Lankesh was shot to death outside her home. She had been a fierce critic of Hindutva organizations and their leaders, including Prime Minister Narendra Modi. This deadly assault dramatizes India's dangerous trajectory.

This article will trace what has happened since March, measuring Hindutva's forward march. Though the forces have not advanced as fast or as far as the Sangh and BJP wished, their leaders should have more reason to feel satisfied with their progress. I'm basing this assessment on three parameters: developments on the electoral-political front since March, inroads in the "long march through the institutions," (where I look at the Election Commission of India, the Supreme Court, the public education sector) and Hindutva's hegemonizing thrust in civil society, which increasingly focuses on generating fear among dissenters.

Electoral Dominance

The March elections represented an important victory for the BJP, and its prospects have only improved since then.

In July, it converted Nitish Kumar, the chief minister of Bihar. Though his party, the Janata Dal (United) (JD[U]) served as the junior partner in government with the Rashtriya Janata Dal (RJD) after the 2015 state assembly elections, Kumar was nevertheless retained as chief minister from

the previous term of office. That coalition represented a serious blow to Modi, but, in July of this year, Kumar suddenly dropped the RJD to forge a new alliance with the BJP. He said he wanted to distance himself from the corruption charges against RJD deputy chief minister, Tejashwi Yadav, the son of the RJD leader, Lalu Yadav.

In reality, Kumar switched sides because he wants to be on the winning side of the 2019 general elections. He believes that the BJP and allies will triumph and that he and his party will therefore get a better deal in both Bihar and the capital. After all, the JD(U) had a seventeen-year alliance with the BJP that only ended in 2013. So much for Kumar's recent claims that the Sangh's anti-secular and communal character repulsed him.

As a result, the BJP now sits in government in Bihar, and the opposition parties' efforts to establish a Grand Alliance or Mahagathbandhan for the next general elections lies in tatters. They believed uniting regional parties in the key northern states of Bihar and Uttar Pradesh would attract other non-BJP parties elsewhere and help prevent another BJP victory, but their opponent now controls both states.

In a sign of possible things to come, the BJP performed much better — though still well behind the Trinamool Congress (TMC) — in the West Bengal municipal elections. In the 2014 Lok Sabha race, both the BJP and the Left Front got two seats each, tallying 17 percent and 22 percent respectively. This year in these local elections, the BJP overcame the Left to finish second.

Also, Modi's party is close to bringing the All India Anna Dravida Munnetra Kazhagam (AIADMK) that governs the state of Tamil Nadu, into its National Democratic Alliance (NDA), which formally rules at the center. Currently holding this back is a factional fight for leadership within the AIADMK. But even if this goes

unresolved and the AIADMK splits, the larger group will join the NDA.

The BJP and NDA dominate the two houses of parliament, the Lok Sabha and the Rajya Sabha, and control more than half of India's state governments. As a result, this summer, the Sangh relied on loyal MPs and Members of the Legislative Assemblies (MLAs) to elect the right president and vice president from among the competing candidates.

And, indeed, Ram Nath Kovind, a UP Dalit who once belonged to the Rashtriya Swayamsevak Sangh (RSS), a principal Sangh organization, became president. Venkaiah Naidu, another former RSS member, relinquished his cabinet post to become vice president. For the first time in the history of independent India, ex-RSS men and Hindutva devotees hold the top three constitutional posts.

The BJP believes Kovind's appointment will reinforce its Dalit base in UP, influence Dalit preferences elsewhere, and also help mitigate the negative press around upper-caste Hindus who assault Dalits involved in the cattle trade. The vice-presidential appointment it is hoped will win over southern voters.

In November and December, assembly elections will take place in Gujarat, where BJP already controls the government, and Congress-held Himachal Pradesh. BJP is expected to return in Gujarat and could well take Himachal Pradesh.

Polling surveys for the 2019 general elections already favour Modi's return. Indeed, the BJP expects to win well over three hundred seats on its own, and the NDA would then exceed its current count of 312. Of course, the Sangh hopes that the NDA will secure a two-thirds majority in both houses of parliament, allowing the next BJP-led government to make major constitutional amendments.

But the election is still a long way off, and, if the history of Indian politics has taught us anything, it's that we must always make room for surprises.

Anti-corruption Corruption

Leading up to the 2014 Lok Sabha elections, the BJP had stockpiled the most donations of all parties. Corporate funding has become an indirect form of bribery that every party accepts, and transparency around who makes these large donations would be a small democratic advance — though public funding would be even better.

Corporate funding has become an indirect form of bribery that every party accepts.

Modi projected himself as an anticorruption crusader, an appeal that cuts across caste and class lines. In Finance Minister Arun Jaitley's February 2017 budget speech, he announced that the maximum limit for political donations in cash would be reduced from twenty thousand rupees to two thousand. Individuals or groups wishing to give more would have to write a check or make a digital transfer, both of which would be bank monitored. But here's the rub: the government is also planning on introducing electoral bonds, which donors can purchase from designated public-sector banks for the purpose of political funding. The bond-holders will remain anonymous, and no one will know who has given how much to which party. The Electoral Commission of India (ECI) will have no names or addresses to put up on its website.

Former ECI Chief Commissioner Nasim Zaidi immediately criticized these bonds upon his retirement this July, pointing out that they represented an official sanction for the lack of transparency.

His successor for the ECI, handpicked from high levels of government, is the bureaucrat A. K. Jyoti, who served as chief secretary of Gujarat when Modi was that state's chief minister. Will anyone be surprised if the ECI acquiesces to this proposal?

An Occasionally Independent Court

Over the last fifty years the Supreme Court (SC) has all too often suborned itself to government dictates and pressures. It reached its pinnacle of obedience during the 1975–77 emergency rule, then tried to recover its independent reputation in the 1980s. However, since the 1990s, it has regularly conformed to the perspectives of whatever regime

happened to rule at the center. This is especially true in cases concerning communal crimes and corruption.

Official investigative agencies, like the state-level Criminal Investigation Departments (CIDs) as well as the federal Central Bureau of Investigation (CBI) and the National Investigative Agency (NIA) set up specifically to deal with terror-related cases. These agencies, meant to help the Judiciary through their impartiality of functioning, have trodden the same conformist path, and the Modi government has pressured them to encourage this behaviour.

In 2016, the NIA dropped terror-related charges against the Sangh's fiery female preacher Sadhvi Pragya Thakur. In 2006, she and a militant Hindu group conspired to set off a bomb in the Muslim-majority town of Malegaon, killing eight and injuring eighty. Thakur will still face the courts, but despite the evidence against her which had put her in jail for eight years, the Bombay High Court let her out on bail.

In August of this year, the Lieutenant Colonel Prasad Shrikant Purohit, a co-conspirator in the Malegaon case, was also given bail and let out after nine years in jail. His release came after the SC overturned the Bombay High Court's earlier rejection of his bail plea.

Under the Modi regime, major figures accused in terror cases have had reprieves of one sort or another even as their cases have dragged on for years. This judicial behaviour reminds us that "justice delayed is justice denied."

The Modi government does pursue corruption charges against leading politicians in the Congress, RJD, and West Bengal's TMC, but investigation into major cases involving BJP politicians lies dormant.

For example, the Vyapam scandal revealed that BJP politicians and bureaucrats in Madhya Pradesh took bribes and then manipulated the examination-based selection process for government jobs and educational institutes. The scam came to light in 2013, and, in July 2015, the SC transferred the

investigation to the CBI. More than thirty people associated with the scam have died in suspicious circumstances, raising serious concerns about a government-led cover up. This June, a journalist investigating the scandal was found dead, again under mysterious circumstances.

Further, this January 2017, the SC dismissed the plea for an investigation into the Sahara-Birla case, despite documents indicating that the Sahara and Birla corporate groups paid off Modi while he was chief minister of Gujarat and other politicians.

Finally, in 2010, the Allahabad High Court gave a shameful majority decision by dividing the land once occupied by the Babri Masjid, or Mosque of Babur, into three parts. One-third goes to the rightful owners, the Sunni Central Wakf Board, and two-thirds to Hindu claimants.

The SC promised to fast track the hearing of this case, but in the meantime, the Shia Wakf Board has now filed its claim for the land (even though this was completely rejected long ago in 1946) and declared that a mosque can be rebuilt at a separate site, effectively becoming a Muslim puppet for the Sangh. If this was not bad enough, the new chief justice, Khehar Singh, who started in January and left in August, actually offered in April to mediate the dispute and help secure an amicable settlement.

Both the Allahabad ruling and this offer demonstrate the Sangh's growing power. Anything other than the severest punishment for those who violently destroyed the mosque and the full restoration of land to its original and rightful owners, the Sunni Central Wakf Board would represent a miscarriage of justice. But it is difficult in the current political climate to be optimistic about what the future legal outcome will be.

To be continued in the next issue....

Achin Vanaik is a writer and social activist, a former professor at the University of Delhi and Delhi-based Fellow of the Transnational Institute, Amsterdam. He is the author of *The Painful Transition: Bourgeois Democracy in India* and *The Rise of Hindu Authoritarianism*.

Prasangik Nondh:

“Mann Ki Baat” states that “Violence Will Not Be Tolerated”; but when and how soon?

Gautam Thaker

The case of the of rape committed on two nuns levelled against Gurmeet Ram Rahim, the President of Dera Sacha Sauda in the country, has now been proved and the Special C.B.I. Court has pronounced imprisonment of 10 years each in two separate crimes. As each of this imprisonment has to be undergone severally, it will imply that prison term shall be of twenty years. Moreover, the Judge Jagdeep Singh has, in the Sunariya Jail of Rohtak pronounced orders to pay compensation of Rs. 14 lakhs each to both the rape victims, under Section 376 and 506 of the I.P.C. The extortionist of religion, Ram Rahim, has during the last week, caused deaths of more than 40 innocent people, besides damage and destruction to the Government and Private properties worth over billions of rupees. The said Ram Rahim had affiliation with the politicians and was possessing wealth of hundreds of crores of rupees.

In the past also, some three charges of assaults and murders had been levelled against Ram Rahim. One will feel surprised that he owned and possessed 700 acres of land, three Nos. of hospitals, one international level Eye Bank, Gas Station, Market Complex and 250 Nos. of Ashrams set up abroad. All this empire or estates valuing billions of rupees shall now be handled by his son, Jasmeet.

At the base of either Hindu religion or any other religion, there is obviously an element of respect and dignity of woman. We have also been talking of Indian civilization. But within our own selves are lying the devils like Dushasan and Duryodhana which has been clearly demonstrated in India during last ten years. Whether be it Asaram, Rampal, Radhe Ma or Ram Rahim, but it is not understandable how

the men or women like these could be the heads of the religion? Religion has been teaching non-violence but their disciples follow the path treaded by their heads and such misconduct has become widely and vividly visible in the incidents of Ram Rahim. Really, the religion is meant for social reforms, human welfare, preservation and enrichment of culture and civilization. But none of these noble deeds could be perceptible in this entire episode. He had himself done the damage and disservice to the religion. The slogan of “Non-violence is the Highest or the Best Religion” was found to have been sadly ruined and razed.

Kudos and salutes to courts and judiciary system of India. While the disciples of Ram Rahim went of rampage and the Government did not take steps to maintain law and order situation, the High Court made stringent strictures against the Haryana Government but the Haryana Government acted shamelessly and remorselessly by ignoring such criticisms. High Court had even told to compensate for the losses and damage by seizing the properties owned by Ram Rahim. Court had also observed that the responsibility to extinguish the flames ignited in Haryana does not lie merely with the State Government alone. By taking suo motu cognizance of the violent incidents, the Court has provided to the Society the best example and has also proved that no one is above or beyond the law. By proving that all this is subject to and under the law and judiciary, the court has demonstrated the supremacy of the judicial system. It did not spare any of the politicians. It went to the extent of saying that if the disciples do not disperse then take recourse to Lathi Charge and even then they do not pay any heed,

then resort to shooting or firing on them. At the same time, kudos also to the mass media community. Both print and the T.V. media, by relaying and projecting factual picture to the people of the country, has played the role of fourth estate.


This was indeed a political surrender on the part of the Government with the temptation of securing intact their vote bank, as has been clearly observed by the Court. Noting about the law and order situation, the Court stated that why the Chief Minister did not take actions against the anti-social elements who indulged in violence who were wielding sticks, petrol etc. with them. The Court also stated that you are allowing the city of Panchkula to be inflamed and set to the fire, for political gain. Even after such a stricture slammed on its face, the seat of power or the throne of Khattar is safe and secure !

Now the question arises as to the pronouncement clearly uttered by the Respected Prime Minister in his “Mann Ki Baat”; that violence in the name of faith will not at all be tolerated and the guilty will not be spared. No one has a right to take law into his hand in the name of Faith. The Government will never tolerate or put up with such kind of violence. But then why the Prime Minister does not prevent or control the violence which has been widespread in the States ruled by the

regime in power at the centre. If Khattar Government had taken timely steps to check the rampage then damage and destruction could certainly have been averted. But the ruling party consists of 19 M.L.As. who have won the elections on the strength of support of Ram Rahim and hence there was no question of taking any action at all. This very Government had failed to systematically and legally resolve the Jaat agitation of 2016 and at that time also violence had erupted. Whereas on the other side, an M. P. belonging to the ruling party was reported to be saying that why the court is listening or taking cognizance of complaint of only two victims instead of listening to the voice of crores of disciples or followers? The party has not taken any steps against that M.P. and this is a true fact file of to-day. It is widely known that the ruling party in Haryana had secured seats in nine districts, with the support of Ram Rahim.

It is felt that no Government should tolerate the tendency of giving free hand to resort to rampant goondaism in the name or guise of religion or faith. If the Government fails on this front then it would be very difficult to predict as to what will be the future or the fate the democracy.

Gautam Thaker is National President, Indian Radical Humanist Association.

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- Mahi Pal Singh, Editor, The Radical Humanist

Raghuram Rajan breaks his silence ; says he cautioned govt against demonetisation

Rajan in his book 'I Do What I Do' said he warned the government about how short-term costs of note ban could cripple the economy.



Former RBI governor Raghuram Rajan

Mumbai: Finally breaking his silence after his controversial resignation in 2016, former RBI chief Raghuram Rajan in his book 'I Do What I Do' said he had cautioned the government that short-term costs of the note ban would outweigh its long-term benefits.

Rajan's statement comes days after the central bank released data on demonetisation, according to which nearly 99 per cent on the scrapped notes came back into the banking system. The Modi government has been facing immense criticism from the Opposition ever since.


In his book, Rajan said, that he had warned the government about this decision as early as February 2016, months before the November 8, 2016 announcement that shocked the country and overnight turned 86 per cent of the currency in use worthless.

"At no point in my term was the RBI asked

to make a decision on demonetisation," he said. He also alleged that RBI had even published a note calculating the costs and benefits.

According to a report in the Reuters, Rajan had clearly said that demonetisation had a disruptive impact on the economy. "I think all said and done, it would be fair to say the intent was good. But certainly at this point, one still cannot in any way say it has been an economic success. But again, as I said, only time will tell," he said.

This disclosure comes at a crucial point when the GDP figures released last Thursday revealed that the Indian economy is still reeling under the after-effects of demonetisation. While Narendra Modi's note ban move was aimed at curbing black money and rise of terrorism using counterfeit notes, it ended up hurting the GDP by reducing it to a mere 5.7 per cent.

Courtesy **DECCAN CHRONICL**,
Sep 4, 2017 

Mr Clean cum the anti-corruption Samrat!

Raisaahab

“He’s not the Messiah, he’s a very naughty boy!” - Monty Python, Life of Brian

RTI became an important tool in the hand of activists towards unravelling corruption cases. Mr. Modi’s PMO has been stonewalling several RTIs relating to his degree. A CIC who ordered Delhi University to release this information was immediately removed. **The institutions of CVC, CIC, CAG and ED have been diluted under his rule.** This is a repeat of the pattern seen during the 13 years of his rule in Gujarat where Lokayukta wasn’t appointed, and CAG reports were ignored, and demands of even investigations into several suspicious cases of officials giving favours to cronies were never investigated.

Power corrupts. Absolute, unchallenged power, as Mr Modi has, even more so.

Even Rajiv Gandhi had agreed to a JPC probe on Bofors. Despite far more incriminating Prima Facie evidence against Modi, he will never do so. His opposition has been weak, and his control over media narrative and his party has been very strong.

Mr Modi’s image has been built upon a foundation of fake news, media management and suppression of institutions that typically expose corruption in a democracy. The way his government has favoured Adani over the over-invoicing probe, Ambani over 4G Scam, and both of them on Rafale Deal, without as much of a whimper of protest, should be a sufficient indicator of his style.

Corruption continues unabated, in fact it is being done more brazenly now, while people are constantly being distracted over non-issues such as Beef, GauRakhaks, Digging dirt on rivals etc by his pet media – largely controlled by the same oligarchs.

It must be stressed here that corruption in politicians can come in many forms – a typical corrupt politician may brazenly embezzle funds or seek bribes to enrich his own family members.

Now, let us look at Vladimir Putin of Russia, who has presided over the world’s most corrupt Oligarchy (sometimes described as Kleptocracy). Putin’s known personal fortune is modest 2 flats in Moscow. His daughter Katerina holds a simple academic job as a researcher of History in St. Petersburg University. However, dig below the surface and you will realize that this is just a facade. Putin’s associates are worth hundreds of billions of dollars, and these funds are available at Putin’s disposal for his political needs.

Mr Modi has copied the Putin Model. He too doesn’t appear to indulge in the first sort of corruption. **The bribes and favours he has taken are to help the Sangh Parivar, or his own self-promotion, not cash for his immediate family, who maintain a facade of modest lifestyles, even walk to bank to withdraw ₹ 4000 when a political need arises. His crony friends lavishly fund the expensive campaigns when elections are held.**

Eventually, both forms of corruption are equally harmful for a country. The nation’s security is compromised if inexperienced JV partners are chosen to favour cronies in exchange for benefits in “kind”, irrespective of any cash bribe having been paid or not. The tax-payers hard earned money is wasted when we buy an aircraft at an inflated price, irrespective of actual bribe being taken by the decision makers.

Supporting a person complicit of abetting heinous crimes such as mass murder, just because he has an “honest” image, is as foolish as marrying a serial rapist because he files his tax returns on time. What if you then discover that this news about him filing his tax returns was a result of fake propaganda and media management, and was not the truth? 🌈

Courtesy <https://saafbaat.com/author/raisaahab>

Hurricanes Harvey and Irma expose the futility of prayer

Dan Barker

(Editorial note: While people are suffering with havoc played by cyclone IRMA in USA, the rulers started cheating the people by appealing to pray, instead of helping from various angles. The humanist journal exposed the fraudulent attitude of leaders who are blind believers. Thomas Szasz emphatically said that prayer is like long distance telephone call where there is none on the other side. - Innaiah Narisetti, from USA)

“Pray for America’s protection from danger.”—Texas Governor Greg Abbot

“The hands that help are better far than lips that pray.”—Robert G. Ingersoll

This year’s hurricane season proves beyond all doubt that nothing fails like prayer.



*Hurricane from space satellite.
Public Domain Images – PIXNIO*

On Sunday, when the full force of Hurricane Irma was battering its way across the peninsula, Florida Governor Rick Scott desperately cried out, “Pray, pray for everybody in Florida.”

Did he forget? We’ve been there, done that. History shows us that nothing fails like prayer.

Religious Americans have been fervently praying for protection and singing “God Bless America” for a long time. Has it made any difference? Did it stop 9/11 or other terrorist attacks? Every year since the 1950s, the President has issued a proclamation on the National Day of Prayer, formally requesting blessings from heaven. (FFRF challenged that unconstitutional law.) The National Day of Prayer Taskforce theme for 2017 was: “For Your Great Name’s Sake! Hear Us ... Forgive Us ... Heal Us!” But we didn’t get healed this year. We got thrashed. Two of the most destructive hurricanes in U.S. history have “blessed” our nation since that time, not to

mention the shootings, wildfires and other disasters.

Although the natural outpouring of help for hurricane victims has been encouraging, the calamitous needs are enormous. The Freedom From Religion Foundation’s charitable arm, Nonbelief Relief, sent \$10,000 to the Greater Houston Community Foundation’s “Hurricane Harvey Relief Fund.” This week we will be deciding how to help victims of Hurricane Irma. The most practical assistance is to meet real needs in the real world, and therefore is material, not spiritual.

Natural emergencies require natural solutions

Hurricanes are natural disasters, but many misguided government officials believe, incredibly, against all evidence, that their causes and solutions are supernatural. On August 31, after Harvey’s widespread devastation was fully revealed, Texas Governor Greg Abbott issued a Proclamation For a Day of Prayer. Although he acknowledged “the outpouring of support and resources from around the country and around the world that have been sent to Texas,” he called on citizens “to seek God’s wisdom ... and ask for His merciful intervention and healing in this time of crisis. . . . for the rebuilding of communities and the restoration of the entire region struck by this disaster.” The Freedom From Religion Foundation protested

that unconstitutional Day of Prayer Proclamation. We have repeatedly advised public officials to “get off your knees and get to work.”

Bizarrely, it was reported that Texas Secretary of State Rolando Pablos, an Abbott appointment, had *declined* an offer for help from Quebec for blankets, beds and hydro crews.

Quebec International Relations Minister Christine St-Pierre told media, “Maybe you find it very surprising but what he had asked is that he wants prayers from people from Quebec.” After Pablos’ incomprehensible response was publicized by media, Pablos admitted to asking for prayers, but said belatedly that his office wasn’t responsible for accepting such aid. The Texas Department of Public Safety agreed to accept 5,000 emergency hygiene kits.

Certainly, Abbott and Pablos must understand that rebuilding is accomplished by people, not gods.

Prayer is ineffective

Governor Abbot should know by now that prayers do not work, because *his very own prayers* have been completely ineffective. Months before hurricane season, he had issued a similar proclamation for the May 4 National Day of Prayer, asking God “for America’s protection from danger . . . recognizing the power of prayer.” Sixteen weeks later, those prayers were answered with destruction from heaven. Why does he think today’s prayers will be any different?

Florida Governor Rick Scott mirrored Abbott with his own May 4 proclamation encouraging citizens to “pray for blessings in our state and nation.” Eighteen weeks later, his supplication for “blessings” was answered with devastation. On the day hurricane Irma hit the state, Governor Scott, still believing in supernatural help, said, “Pray for us!”

What use is a day of prayer? Why should public officials be issuing any prayer proclamations at all?

Days of prayer are useless

President Trump’s congressionally mandated May 4 National Day of Prayer proclamation implored: “to ask for His continued protection . . . We pray for . . . God’s love and mercy.” I’m sure the hurricane victims are not feeling much divine protection, love, or mercy right now. Whatever help they get is coming from us down on the ground.



During that May 4 National Day of Prayer ceremony in the Rose Garden, after a singer performed “Great Is Thy Faithfulness” and Vice President Mike Pence said “The united cry of the nation will be heard on high and answered with blessing,” Dr. Jack Graham, past president of the Southern Baptist Convention and current pastor at Prestonwood Baptist Church (Dallas, Texas), prayed: “We thank you for your amazing grace . . . for your provision and protection in our lives and upon our nation.” That protection was clearly not granted. But the rest of his prayer exposed a huge contradiction: “Now unto him who is able to do exceedingly and abundantly above all that we could ask or think or hope, to him be glory in the church for all ages . . . in the dear name of Jesus, Amen.” Apparently, such supernatural power does not encompass stopping a killer hurricane, even though millions of believers fervently asked and hoped it would.

At that same ceremony, Rabbi Marvin Hier

may have been prophetic when his prayer hinted that that blessing would not actually happen: “There is much to fear because the heavens belong to God, but the earth belongs to man.” The winds from heaven have indeed been “much to fear” this summer.

On September 3, President Trump declared yet another useless Day of Prayer, this time for the victims of Hurricane Harvey. But why are they victims? If God had answered Trump’s earlier prayers, there would be no victims! Acknowledging “friend helping friend, neighbour helping neighbour,” the president, like the governors of Texas and Florida, went on to violate his public office by mixing religion with state. “God is our refuge and strength,” he said (quoting Psalm 46:1), “a very present help in trouble.”

Citizens, not government, can pray

Citizens are free to pray, but the government must not mandate prayer. As President Thomas Jefferson noted in an 1808 letter to Rev. Samuel Miller, it is beyond the scope of the executive branch to prescribe or recommend prayer: “Civil powers alone have been given to the president of the United States and no authority to direct the religious exercises of his constituents.” When Trump proclaimed, “I urge Americans of all faiths and religious traditions and backgrounds to offer prayers today for all those harmed by Hurricane Harvey,” he did precisely what the founding father and author of the Declaration of Independence precluded.


Is God malevolent, or just deaf?

On Labor Day, less than a week before Irma slammed into Florida, a group called BridgeBuilders International (“Mobilizing tens of thousands of people in strategic prayer”) implored: “Just as Jesus spoke to the raging storm in Mark 4, we speak to Hurricane Irma and say, ‘Peace be still.’ In Jesus’ name, we speak to the storm to turn away from populated areas and go back into the sea.” Even though that same Jesus promised that “All things whatsoever you shall ask in prayer believing,

you shall receive” (Matthew 21:22), the storm took its own counsel and refused to go back into the sea. Six days later, on the “Lord’s Day,” it hammered into the Sunshine State. It follows that 1) The bible is wrong, or 2) Those “tens of thousands” of strategic prayer warriors did not really believe (so why should anyone else?) or 3) There is no God. Or at least there is no god who answers prayer. There is no evidence for a god, but if such a creature does exist, it appears to be a malevolent god who replies to desperate pleas for help with even more devastation. (See my book *GOD: The Most Unpleasant Character in All Fiction* for biblical documentation of that likelihood.)

On the day Irma hit Florida, The New York Times ran a story about victims turning to prayer during cleanup after Hurricane Harvey: “Hobbled and Humbled, Texans Assemble to Pray, then Rebuild.” Angie and Jeff Klimple, standing in the front yard of their devastated home in Wharton County among people who had come to help, prayed: “Father, we come to you and thank you for all these people you sent us.” Instead of blaming God “for the storm you sent us,” or admitting the futility of prayer, Angie said, “Lord, I want to thank you that we’re not in worse shape than we are, because we know that others have suffered even more.” Does she think her loving God punished others more severely than her? I think even those devout believers must be sensing that something is very wrong here: “Father, somehow, some way, you can turn it out for good,” she continued. “I don’t understand it. I can’t wrap my mind around it. I cried out for you, Lord, why did you let that happen? Why?”

The only answer to that question is to get off our knees, roll up our sleeves, and—human to human—help those who are suffering.

Dan Barker is Co-President, **Freedom From Religion Foundation**, which works for protecting the constitutional principle of the separation of State and Church. 

Functional Medicine: Pseudoscientific Silliness

Harriet Hall, M.D.

Language keeps changing. We used to call questionable remedies “folk medicine,” “fringe medicine,” or “quackery.” In the 1970s, the term “alternative medicine” was coined, an umbrella term for all treatments that were not supported by good enough evidence to have earned them a place in mainstream medicine. Then came “complementary and alternative medicine” (CAM), and later, “integrative medicine.” Now there’s a new kid on the block, “functional medicine” (FM) which is really just the latest flavor of integrative medicine. These are all marketing terms, Trojan horses designed to sneak non-science-based medicine into conventional medical practice. The oft-quoted quip is appropriate here: *Do you know what you call alternative medicine with evidence? Medicine.*

How is Functional Medicine Different from Conventional Medicine?

Functional medicine was invented by a single individual: Jeffrey Bland. He’s not a medical doctor. He’s a Ph.D. who sells dietary supplements. His supplement companies have been fined repeatedly by the FTC and FDA and have been ordered to stop making medical claims for their products. A number of health care providers have “jumped on the Bland wagon” and claim to be practicing functional medicine.

It’s hard to pin down a definition of FM; each FM provider describes it differently. Dr. Mark Hyman says conventional medicine is dysfunctional, and FM is the opposite. He thinks conventional medicine is as obsolete as phrenology and bloodletting; he also rejects the germ theory of disease. He says diseases don’t exist; they are merely “the downstream symptoms of a mechanism.” The official organization, the Institute for Functional Medicine, says this:

Functional Medicine addresses the underlying causes of disease, using a systems-

oriented approach and engaging both patient and practitioner in a therapeutic partnership. It is an evolution in the practice of medicine that better addresses the healthcare needs of the 21st century. By shifting the traditional disease-centered focus of medical practice to a more patient-centered approach, Functional Medicine addresses the whole person, not just an isolated set of symptoms. Functional Medicine practitioners spend time with their patients, listening to their histories and looking at the interactions among genetic, environmental, and lifestyle factors that can influence long-term health and complex, chronic disease. In this way, Functional Medicine supports the unique expression of health and vitality for each individual.

That sounds good, until you realize that it also describes good conventional medicine. Conventional medicine always addresses the underlying causes of disease: when you have appendicitis, you don’t just get morphine for the pain, you get an appendectomy to remove the cause of the pain. Conventional medicine deals with real underlying causes; FM makes up hypothetical, speculative, or imaginary causes.

Conventional medicine uses a systems-oriented approach when appropriate, but it is not helpful for setting a broken bone. Conventional doctors always engage their patients in a therapeutic partnership; the days of paternalistic medicine are long gone. Conventional doctors have always addressed the whole person. As early as ancient Greece, Hippocrates said it was more important to know which person had the disease than to know which disease the person had. Conventional doctors have to spend time with their patients, since the history is 70% of the diagnostic process. They look at genetic, environmental, and lifestyle factors; the standard medical history has sections for family history and social history, reminding

doctors to look at everything that might have an impact on diagnosis or treatment, such as occupation and finances. They routinely ask about things such as tobacco, alcohol, and exercise.

More Medicine

The statement by the Institute for Functional Medicine is far from the only one offered. Alex Rinehart explains that FM is not focused on diagnosis; it sees health as a continuum and it addresses these 7 core imbalances: hormonal and neurotransmitter, oxidation reduction, detoxification, immune and inflammatory, digestive, structural, and mind-body/body-mind imbalances. Elsewhere, a chart shows an iceberg in the ocean: above the water are diseases like diabetes and cancer; below the surface are a long list of “imbalances” along with toxic chemical exposures and “toxic emotions.”

Then there’s the Functional Medicine Tree. The leaves are symptoms, conventional diagnoses, organ systems, and medical specialties. The soil is sleep, exercise, nutrition, stress levels, relationships, and genetics. The roots are antecedents, triggers, mediators, mental, emotional, and spiritual influences, genetic predispositions, experiences, attitudes, and beliefs. The tree trunk consists of the fundamental organizing systems of assimilation, defense and repair, energy, biotransformation and elimination, communication, transport, and structural integrity. In a further illustration, those six trunk factors are grouped around a core of mental, emotional, and spiritual factors. Jeffrey Bland says the five principles of FM are:

1. Correct the precipitating factor and control oxidative stress.
2. Get rid of sources of chronic inflammation.
3. Manage the folate cycle.
4. Regulate hormones.
5. Manage insulin and control blood sugar.

FM also espouses principles like the myth that diet and lifestyle will prevent and treat most disease, the concept of ultra-wellness (that we

should aim for better than normal), and they treat non-diseases like yeast, adrenal fatigue, “toxicity” requiring detoxification, and leaky gut.

A Case Report in Functional Medicine

Functional medicine practitioners disagree with each other. Nowhere do they actually explain how they could go about applying all these high-sounding principles to an actual patient. But fortunately they have published case reports that give us some insight into the process, and that also give us some insight into their concept of what constitutes evidence. One published case is a doozy. The patient was an 80-year-old woman who had conventional treatment for breast cancer. The surgery probably cured her. Her prognosis was excellent, but they offered her extra insurance in the form of postoperative radiation, which she refused. Two years after surgery she had no signs of recurrence, which is exactly what we would expect.

“Condimentary Medicine,” a term coined by Dr. Richard Rawlins, describes treatments that add spice and flavor but that have no actual effect on the outcome of the treatment. That applies in spades to Functional Medicine (FM). —*Real Secrets of Alternative Medicine*

So conventional treatment was successful, but FM practitioners got into the act and tried to take the credit for her good outcome. They gave her potentially toxic doses of vitamin C by intravenous injections—a whopping 97 doses! They admit that the use of vitamin C in cancer remains controversial, and that there are only preliminary trials showing it to be “safe and *potentially* effective in improving quality of life and fatigue.” Seems like thin gruel to justify 97 invasive treatments.

They prescribed a laundry list of dietary supplements: melatonin, digestive enzymes, probiotics, a medical food shake, vitamin D, EPA/DHA, wheat germ extract, oral vitamin C (in addition to the intravenous vitamin C!), and a

“standardized herbal inflammation relief supplement.” They put her on a restricted diet: dairy free, gluten free, low glycemic index. They had her exercise by riding a bicycle 10 minutes a day and joining a Qigong class. They put her on a sleep program that consisted only of instructions and a log to record sleep; and they recommended group support, individual counselling, and a part time caregiver/ companion.

And then there were the lab tests! They did 154 of them, mostly nonstandard tests from a lab that is notorious for offering bogus tests—many I had never heard of. Putrefactive single chain fatty acids, urine representativeness index, pancreatic elastase, lignoceric acid, and 150 more. In most cases, the results were within the laboratory reference range; but if they weren’t, how would you know what to do about it, or even if anything needed to be done? They don’t explain how, or even *if*, they used these test results to guide the patient’s treatment.

The FM practitioners concluded: “This case study highlights the potential benefits of integrative therapy in the co-management of patients with invasive ductal carcinoma of the breast.” It does no such thing! It shows how they abused this 80-year-old woman for no demonstrable benefit. They left her on her prescription medications and didn’t even attempt to identify the underlying cause of her high blood pressure, gastritis, and thyroid disease, or of her cancer. Did they consider genetics and the environment? Did they correct the 7 core imbalances? Did they address Bland’s 5 foundational principles? Did they use the best evidence-based practices? No, I don’t think they did any of the things they claim to be doing.

Why Functional Medicine is Bogus


The late Wally Sampson characterized FM as “claims cloaked in the language of science, but with the distinguishing characteristics of sectarianism—pluralities of approaches to illness, absence of evidence or efficacy, a unifying concept of illness as a body out of sync with Nature (with the capital N), undecipherable

babble and descriptive word salad.” Medical doctor and sciencebasedmedicine.org blogger [David Gorski](#) says they take “making it up as you go along” to a whole new level, and that’s not a good thing in medicine.

Dr. Richard Rawlins, in his excellent book *Real Secrets of Alternative Medicine*, coined the term “condimentary medicine” to describe treatments that add spice and flavor but that have no actual effect on the outcome of the treatment. That applies in spades to FM. Patients of FM practitioners appreciate all the attention and the personalized treatment, and they say they feel better. Is there a problem with that? I think there is. As cancer researcher David Grimes said, “By clinging to delusion, belief in alternative medicine denigrates the very wonder of science and medicine and the massive strides we as a species have made over the last century or so in understanding the world around us, and how our bodies work.”

Vague claims, testimonials, and case reports do not constitute credible scientific evidence. FM claims that their individualized patient-centered treatment plans are not amenable to clinical trials, but that’s nonsense. It would be a simple matter to randomize patients to two groups, treat one with conventional medicine and the other with FM, and compare the outcomes. To my knowledge, that has never been done. I think I know why.

This article appeared in Skeptic magazine 22.1 (2017).

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Sharm Inko Magar Nahin Aati – Yet They do not Feel Ashamed:

1. Anna Hazare slams PM Narendra Modi, to go on ‘satyagraha’

By IANS

NEW DELHI: Anti-corruption crusader Anna Hazare on Monday accused Narendra Modi of failing to keep his promise of creating a corruption-free India, and said the Prime Minister “did nothing” to enforce the Lokpal Bill.

He said he would launch another agitation on the occasion of Mahatma Gandhi’s 148th birth anniversary from Rajghat, where Hazare paid tribute to the Father of the Nation.

In a letter to Modi, Hazare wrote that even after three years in power, the Prime Minister had not enforced the Lokpal and Lokayuktas Bill, but had instead “hastily” passed amendments to weaken the anti-corruption law.

He said while earlier it was mandatory for those covered under the Lokpal to disclose their assets as well as the assets of their family members, the amendment passed in July last year exempted the family members from doing so.

He also accused the Prime Minister of postponing enforcement of the anti-corruption law by making “one or the other excuse”.

“It appears you have no intention to bring Lokpal and Lokayukta Act... And that you don’t want to build a corruption-free India,” Hazare wrote.

“Looking at the present situation, it appears that no efforts are being made to end corruption and establish effective democracy in the country.

Instead, efforts are being made to weaken democracy and strengthen the party.

“Distressed by this, I will pray for the country on the occasion of Mahatma Gandhi’s birth anniversary and will launch a ‘satyagraha’ from his footsteps,” he added.

The social activist said that Modi and the Bharatiya Janata Party (BJP) promised many things to the common man including an end to farmer suicides, fair price for agricultural produce, safety of women and solution to all problems of all sections of the society.

Modi also promised getting back the black money stashed abroad within 30 days of coming to power, Hazare wrote.

“But neither the Lokpal and Lokayuktas were appointed, nor the citizen charter enforced. Neither the black money came back from abroad, nor the black money from within the country got exposed through demonetisation.

“Farmer suicides did not stop but have been increasing. They do not get fair price for their produce. There has been no action on the Swaminathan report.

“Women haven’t got the security, respect and justice that they deserve. And when it comes to corruption, it has been increasing by the day,” Hazare added.

Courtesy **The New Indian Express**, 02nd October 2017. 

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

2. I need to speak up now

Yashwant Sinha

The economy is on a downward spiral, is poised for a hard landing. Many in the BJP know it but do not say it out of fear

I shall be failing in my national duty if I did not speak up even now against the mess the finance minister has made of the economy. I am also convinced that what I am going to say reflects the sentiments of a large number of people in the BJP and elsewhere who are not speaking up out of fear.

Arun Jaitley is considered to be the best and the brightest in this government. It was a foregone conclusion before the 2014 elections that he would be the finance minister in the new government. His losing his Lok Sabha election from Amritsar was not allowed to come in the way of this appointment. One may recall that in similar circumstances Atal Bihari Vajpayee had refused to appoint Jaswant Singhand Pramod Mahajan, two of his closest colleagues in the party, to his cabinet in 1998. His indispensability was established further when the prime minister rewarded him not only by giving him the finance ministry including the department of disinvestment, but also the ministries of defence and corporate affairs. Four ministries in one go out of which he still retains three. I have handled the ministry of finance and know how much hard work there is in that ministry alone. Finance ministry, in the best of times, calls for the undivided attention of its boss if the job has to be properly done. In challenging times it becomes more than a 24/7 job. Naturally, even a superman like Jaitley could not do justice to the task.

Jaitley was, to begin with, a lucky finance minister, luckier than any in the post-liberalisation era. Depressed global crude oil

prices placed at his disposal lakhs of crores of rupees. This unprecedented bonanza was waiting to be used imaginatively. The legacy problems like stalled projects and bank NPAs were no doubt there and should have been managed better like the crude oil bonanza. But the oil bonanza has been wasted and the legacy problems have not only been allowed to persist, they have become worse.

So, what is the picture of the Indian economy today? Private investment has shrunk as never before in two decades, industrial production has all but collapsed, agriculture is in distress, construction industry, a big employer of the work force, is in the doldrums, the rest of the service sector is also in the slow lane, exports have dwindled, sector after sector of the economy is in distress, demonetisation has proved to be an unmitigated economic disaster, a badly conceived and poorly implemented GST has played havoc with businesses and sunk many of them and countless millions have lost their jobs with hardly any new opportunities coming the way of the new entrants to the labour market. For quarter after quarter, the growth rate of the economy has been declining until it reached the low of 5.7 per cent in the first quarter of the current fiscal, the lowest in three years. The spokespersons of the government say that demonetisation is not responsible for this deceleration. They are right. The deceleration had started much earlier. Demonetisation only added fuel to fire.

And please note that the methodology for calculation of the GDP was changed by the present government in 2015 as a result of which the growth rate recorded earlier increased statistically by over 200 basis points

on an annual basis. So, according to the old method of calculation, the growth rate of 5.7 per cent is actually 3.7 per cent or less.

Even the SBI, the largest public sector bank of the country, has stated with unusual frankness that the slowdown is not transient or “technical”, it is here to stay and the slowdown in demand has only aggravated the situation. It has openly contradicted what the BJP president said just a few days ago that the slowdown in the last quarter was on account of “technical” reasons and will be corrected soon. According to the SBI chairman, the telecom sector is the latest entrant to the long list of stressed sectors.

The reasons for this decline are not far to seek nor have they appeared suddenly. They have been allowed to accumulate over time to cause the present crisis. It was not difficult to anticipate them and take counter measures to deal with them. But that called for devoting time to the task, serious application of mind, understanding of the issues and then working out a game plan to tackle them. It was perhaps too much to expect from a person who was carrying the heavy burden of so many extra responsibilities. The results are there for all of us to see.

The prime minister is worried. A meeting convened by the prime minister with the finance minister and his officials appears to have been postponed indefinitely. The finance minister has promised a package to revive growth. We are all waiting with bated breath for this package. It has not come so far. The only new thing is the reconstituted Economic Advisory Council of the prime minister. Like the five Pandavas they are expected to win the new Mahabharat war for us.

The performance of the monsoon this year has not been flattering. This will further intensify rural distress. The farmers have received “massive” loan waivers from some state governments varying from one paise to

a few rupees in some cases. Forty leading companies of the country are already facing bankruptcy proceedings. Many more are likely to follow suit. The SME sector is suffering from an unprecedented existential crisis. The input tax credit demand under the GST is a whopping Rs 65,000 crore against a collection of Rs 95,000 crore. The government has asked the income tax department to chase those who have made large claims. Cash flow problems have already arisen for many companies specially in the SME sector. But this is the style of functioning of the finance ministry now. We protested against raid raj when we were in opposition. Today it has become the order of the day. Post demonetisation, the income tax department has been charged with the responsibility of investigating lakhs of cases involving the fate of millions of people. The Enforcement Directorate and the CBI also have their plates full. Instilling fear in the minds of the people is the name of the new game.

Economies are destroyed more easily than they are built. It took almost four years of painstaking and hard work in the late nineties and early 2000 to revive a sagging economy we had inherited in 1998. Nobody has a magic wand to revive the economy overnight. Steps taken now will take their own time to produce results. So, a revival by the time of the next Lok Sabha election appears highly unlikely. A hard landing appears inevitable. Bluff and bluster is fine for the hustings, it evaporates in the face of reality.

The prime minister claims that he has seen poverty from close quarters. His finance minister is working over-time to make sure that all Indians also see it from equally close quarters.

Courtesy indianexpress.com, September 27, 2017

The writer, a member of the BJP, is a former Union finance minister. 

3. Arun Shourie Compares Demonetisation to Suicide, Calls It ‘Largest Money-Laundering Scheme’

“Policies that ought to be implemented, and ought to be implemented well, like GST, are being completely fumbled,” Shourie also said in an interview to NDTV.

New Delhi: Former BJP leader Arun Shourie on Tuesday told NDTV that demonetisation was responsible for India’s economic slowdown and that it was the “biggest money-laundering scheme ever”, helping people covert black money into white.

Calling the move an “idiotic jolt”, the former Union minister said, “It (demonetisation) was the largest money-laundering scheme ever, conceived and implemented entirely by the government”.

Shourie also called the Narendra Modi government as “government of two-and-a-half persons” – “Narendra Modi, Amit Shah and one in-house lawyer”.

“This is a government by *ilhaam* (revelation). The prime minister has the *ilhaam* one night that demonetisation should be done and he does it. In any case it was a bold step. I have to remind you suicide too is a bold step,” he said.

The former minister also pulled up the government for its handling of the GST. “Policies that ought to be implemented, and ought to be implemented well, like GST, are being completely fumbled,” Shourie said. “The rules have been amended seven times within three months. And you can’t even count the number of notifications,” he continued.

Shourie added that the BJP was treating the announcement of the GST like an “event management” exercise. “Look at this! To put a tax reform at par with the independence of India

– ‘a tryst with destiny’, ‘second destiny’, a midnight session of parliament – for a tax reform!”

Shourie’s most recent criticism of the government comes days after BJP leader Yashwant Sinha wrote an article criticising the Modi government for making a mess of India’s economy. “The prime minister claims that he has seen poverty from close quarters. His finance minister is working over-time to make sure that all Indians also see it from equally close quarters,” Sinha wrote. Shourie said that he agreed with Sinha that others within the BJP were also worried about where the economy is going and the government policies.

This is not the first time Shourie has been critical of the Modi regime. In an interview with *The Wire* in January this year, he said, “It (what India is witnessing today) is a decentralised emergency. What we are going towards is a pyramidal decentralised mafia state, where local goons will belabour anyone whom they think is doing something wrong.”

He also said that it was Modi and Amit Shah who were the true “anti-nationals”: They are the anti nationals, they are the ones against our culture. Modi and Shah have ensured the *Indirakaran* (‘Indirafication’) of the BJP. Because if you look at Modi versus the cabinet, there is nobody, Modi and the party, there is no party – only Modi and Shah.”

Courtesy **The Wire**, on 04/10/2017 

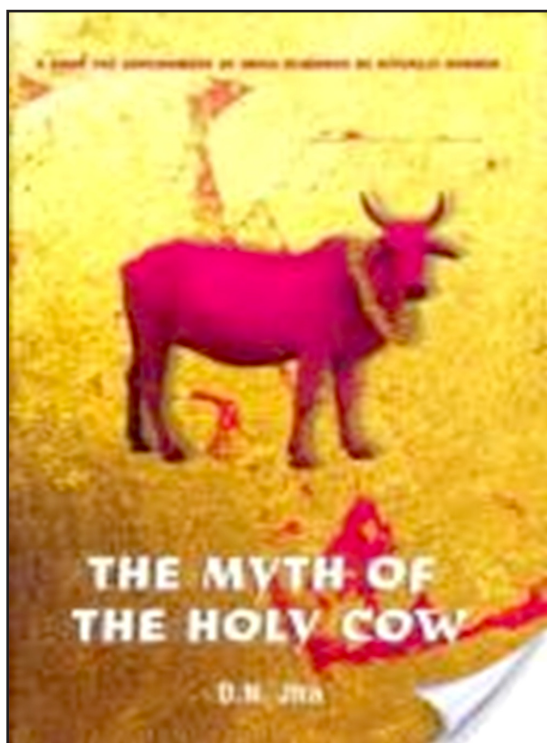
“Where a society has chosen to accept democracy as its credal faith, it is elementary that the citizens ought to know what their government is doing.” Justice P N Bhagwati, former Chief Justice, Supreme Court of India, (1981)

Book Review Section:

The Myth of the Holy Cow by D.N. Jha (2002) [183P]

ISBN: 1-85984-676-9

www.versobooks.com



Dwijendra Narayan Jha is a retired Professor of History from the University of Delhi. Also was Chair of the Indian Historical Society 2004-2005. He has several well-known books to his credit. A genuine scholar who has a passion for researching the truth based on historical evidence and not myth based pseudo religious history.

Chapter 1 – ‘Animals are verily food’ but Yajnavalkya Favors Beef:

Cattle hide was used in a variety of ways. The bowstring (jya) was made of a thong of cowhide – a practice that may have continued in later times. The different parts of the chariot were tied together with leather straps, also needed for binding arrow to the shaft.....Leather tongs were used for not only

Review by- **Kavneet Singh**

making snares but also for a musical instrument called godha....[Pages 37 & 38]

The utilitarian value of the entire hide of the cow is so unique that it was used in the medieval times and continues to this day. It is a mockery of common sense, when nearly a billion Hindus wear leather sandals/shoes, carry leather wallets, sling leather handbags, travel in automobiles made of leather seats, tie leather belts around their waists and yet claim the cow as holy. Dead cows alone would barely satisfy the pent-up demand of a billion Hindu consumers. Furthermore the life sustaining liquid of the cow is a direct biological process within the cow to produce milk. So if the cow is so holy, no milk products should be used at all, as there is no difference between drinking its milk or eating its flesh!

The killing of cattle and eating of meat were fairly common among the Vedic Indians. But the Vedic texts were not always unanimous in recommending the killing of animals for sacrifice and other purposes.....the undermining of the world of Brahmanic sacrifice did not lead to the disappearance of beef or any other meat from the Indian diet. [Pages 41-42]

In most ritual sacrifices especially those most profitable to the presiding Brahmin, the killing of cows was not uncommon. Prof. Jha is right in his assessment that pastoral nomadic communities of the foreign Aryans finally started to settle into a more agricultural economic lifestyle which led to less need for meat and more vegetarian diet thereby slowly making the cow a dairy producer rather than a meat producer also. All readers need to be reminded that the top three castes who follow Brahminism

and consider the cow holy are barely 15% of the entire so-called Hindu population as the rest have been coopted and the illiterate, brainwashed into putting the cow on a pedestal.

Chapter 2 – The Rejection of Animal Sacrifice: An Assertion of the Sacredness of the Cow?

The prohibition of the killing of birds and fish, she-goats, sheep, and swine (pig) is indicative of the fact that their flesh was generally eaten; so was the case with the flesh of the bull (sandaka) and other cattle – and Asoka's silence about the cow certainly indicates that it had not achieved the sanctity that it came to acquire in later times..... [Page 66]

During the time of the Buddhist King a lot of the commonly eaten animals were banned but not the cow, which clearly indicates that the cow was eaten by many, otherwise there would be a ban on it too.

Sri Lankan Buddhists continue to eat meat, including beef and fish.....[Page 71]

Buddhists are considered part of Dharmic Hinduism yet they continue to relish and eat beef.

Moharajaparajaya, in which a character argues that just as one drinks cow's milk one

may eat cow meat without incurring sin.....Pandita Dhanapala, who figures prominently in one of his stories, even questions the sacredness of the cow..... [Page 76]

The Jains who have today been completely subsumed by the Hindus seem to clearly question and disagree, with the issue of the sanctity of the cow.

Both made major departures from Vedic beliefs and practices, but, curiously, neither held the cow sacred.....[Page 78]

With all the time to debate and consider these mundane issues it is strange that both the Buddhists and the Jains did not consider the cow sacred or important enough to be made 'holy'.

Chapter 3 – The Later Dharmasastric Tradition and Beyond:

Kautilya's general dictum of non-injury (ahimsa) being the duty of all classes and Asoka's pious wishes to disallow flesh in the royal kitchen did not stand in the way of cow slaughter..[Page 90]

There is no question that cow killing continued except it was a mixed bag of goods due to the myriad of groups all across the 'greater pre-Indian' sub-continent. 🌈

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The Plough of Mother India by Mary Scaria and Shalu Nigam



Dipavali Sen

The Founding Mothers 15 Women Architects of the Indian Constitution, by Mary Scaria and Shalu Nigam, published by Media House, Delhi, 2016, hardbound, pp 384, Rs 595

Even before we get to the title page or contents, this book

casts 'Pearls of Wisdom' before us from women who helped founding the Indian Constitution, women with names once-familiar now (well, almost) forgotten. In the Foreword, M.P. Raju reminds us how important it is to "remedy gender injustice in India".

In the Introduction, the authors, activist-advocates Sr. Maria Scaria and Dr Shalu Nigam give a historical outline of the women's role in Constitution building. They "wonder" why, with such powerful founding mothers, India is still "struggling or reluctant to reserve at least 33 % seats for women in Parliament to begin with" (p 37). They also feel the need to underscore their role, usually neglected. "Though large material is available on the historical event of making of the Constitution of India, yet, not much reflects on the contribution made by the women members. In this book we attempt to highlight those women or the mothers who contributed to shape the Indian Constitution in a patriarchal society" (p 34).

The main text of the book is in three parts. Part I (pp 43-172) "enumerates" the contributions of fifteen great women, interspersed with small black-and-white photographs. Part II (pp 173-355) provides selected speeches of women who were

members of the Constituent Assembly. Part III (pp 357-378) is a collection of interesting facts and is followed by an Index (pp 379-384). As such, clearly the substantial parts of the book are I and II.

Do the young readers of today know the names of women like Ammu Swaminathan or Begum Aizaz Rasul? Leela Roy or 'Numa'? I doubt it. But I have no doubt that once they begin to read about them, they will be fascinated by their personalities, efforts and achievements.

Ammu Swaminathan, to take up the first case studied here, was born in 1894 in Palakkad, Kerala, and got married early to a senior barrister who encouraged her in supporting Gandhi ji. She was a member of the Constituent Assembly at Independence and in 1952 became an elected member of the Rajya Sabha from Madras State. In 1960-65, she was the President of the Bharat Scouts and Guides. In 1975, the International Women's Year, she was selected the 'Mother of the Year'. That was three years before her death in 1978.

In Part II we get the full text of her 1949 speech on the Motion by B.R. Ambedkar to pass the Draft Constitution. She called it "a great achievement" that, when at last the Indians were framing their own Constitution, they were giving women rights that were equal to every other citizen of India.

Begum Aizaz Rasul Qudsia, born in 1908 into a princely family of U.P., and married later into a princely family of Avadh, was a member of the Muslim League. In 1937, she was the first Muslim to become the Deputy President of a State Legislative Assembly. After independence she joined the Indian National Congress and was elected to the Rajya Sabha in 1952. In 1969, she became the Minister for Social Welfare and Minorities. What is more, she was the President

of the Indian Hockey Federation and that of the Asian Women's Hockey Federation. Author of *Three Weeks in Japan* and *From Purdah to Parliament*, a Padmashri of 2000, she passed away in 2001. Her speeches reveal a sharp mind and a brave heart (pp 184-216).

Born in a downtrodden Dalit family of Kerala in 1912, Dakshayani Velayudhan was the first Dalit woman graduate in India and the only Dalit woman representative in the Constituent Assembly. Her wedding was conducted in Sevagram in the presence of Gandhi ji and Kastur Ba, the ceremony being conducted by a priest with leprosy. Even though a supporter of Ambedkar, on 8 November 1948 she called the Draft Constitution "barren of ideas and principles" (p 66) and decried "a Constitution without a clause relating to untouchability" (p 229).

Hansa Mehta, born in 1897 in Surat, was educated in Baroda and Bombay, and visited UK and the USA. Her inter-caste marriage created a furore in her community. Under the influence of Gandhi ji, she joined the freedom movement. She was active in the Indian National Congress and jailed in 1930 and 1932. She supported many organizations working for women's welfare and headed several educational institutes. On the historic occasion of Transfer of Power, it was she who presented the National Flag to the nation on behalf of the women of India. She argued for the abolition of the *purdah* and the introduction of a Common Civil Code. Much awarded and acclaimed, she passed away in 1995. Part II (pp 272-280) provides her inspiring speeches.

Biography in Part I and speech in Part II - this pattern is followed for the others women founders as well, with four exceptions. For


Kamala Chaudhuri, Malati Devi Chaudhury, Leela Roy and Rajkumari Amrit Kaur, no speech has been either selected or found. Why, one wonders.

The page numbers of the speeches could have been indicated in a separate contents list, to preclude a tedious hunt for speeches corresponding to personalities.

In Part III, 'First Day In the Constituent Assembly' makes fascinating reading but the subsequent pages waste a lot of space.

The authors deserve credit for reviving figures that are getting hazy with time but can still inspire.

Amartya Sen has pointed out that women are "missing" in development literature. It is a sobering thought, especially when we consider the present status of women who are not Constitution-makers but domestic drudges who in crises have often shown themselves capable of bearing the plough of Nargis in "Mother India". Between 1999-2000 and 2004-5, the number of rural women only attending to domestic duties had declined and that of self-employed rural women risen. But with income-earning opportunities for males improving after 2005, the women withdrew again into the domestic arena. Out of 184 countries in 2008, India was ranked 42nd (in descending order) in male Labour Participation Ratio but 165th in female LPR. The number of women with secondary or higher-secondary school education was 37 million in 2009-10, a little more than the population of Canada (*Economic and Political Weekly*, December 22, 2012, pp 42, 48).

Isn't that shocking in a country whose Constitution had at least fifteen "women architects" or "founding mothers"? 

Swami Vivekananda on sectarianism, bigotry and fanaticism

"Sectarianism, bigotry and its horrible descendant, fanaticism, have long possessed this beautiful Earth. They have filled the earth with violence, drenched it often and often with human blood, destroyed civilization, and sent whole nations to despair."

Swami Vivekananda, Chicago, Sept 11, 1893.

THE FOUNDING MOTHERS

15 Women Architects of the Indian Constitution



A member of International Jurist Forum and a Supreme Court lawyer of two decades standing, Sr. Mary Scaria is also a well-known human rights activist and an educator par excellence. Apart from her L.L.M., she has a P.G.D. in Advanced Human Rights and Humanitarian Law, from Sweden. She has held several responsibilities. Currently she is Honorary Secretary of the Constitutional Cause and President of the People's Initiative for Legal Literacy, Advocacy and Research (PILLAR). She has worked immensely on gender justice and equality, human rights, minority rights and has written extensively. She has authored over 20 books, including Education and Minority Rights in the Context of Recent Supreme Court verdicts published in October 2014. She is also a much sought after resource person in the TOT on gender, legal awareness, minority rights, human rights and feminism.



Advocate Dr. Shalu Nigam is an author, research scholar and activist. She has obtained a Masters and Ph.D in Social Work besides getting an LL.B as part of her academic qualification and has ever since been engaged in advocacy, research and action for social change. She has been working on Gender, Governance and Law issues and has associated with various organizations. She has earlier worked as a Senior Fellow with the Indian Council for Social Science Research. Her experience in working at the grassroots level besides her personal journey to justice, informs her activism, advocacy as well as research. She has written several books, research papers and articles on social and legal issues including on the Right to Information, Consumer Rights and Women Rights.

THE FOUNDING MOTHERS

MARY SCARIA & SHALU NIGAM

THE FOUNDING MOTHERS

15 Women Architects of the Indian Constitution

MARY SCARIA | SHALU NIGAM



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ISBN

978-93-7495-636-6



AMMU SWAMINATHAN

Ammu Swaminathan or Ammukutty played a crucial role in the Constituent Assembly of India. She brought with her years of experience working as a social worker and a political activist.



ANNIE MASCARENE

Annie Mascarene was a multifaceted personality. She was a leader of Travancore State of people's movement for independence and integration with the Indian nation. She is remembered as the first woman to be part of the Travancore State Congress Working Committee, and then the first woman minister in Travancore State.



BEGUM AIZAZ RASUL

BEGUM AIZAZ RASUL was the first and the only Muslim woman in the world to become the Deputy President of a State Legislative Assembly. She was the first woman Leader of Opposition of a State Assembly (Uttar Pradesh, 1950-52) and Minister for Social Welfare and Minorities (1969-71).



DAKSHAYANI VELAYUDHAN

Dakshayani Velayudhan was the only Dalit woman member of the Constituent Assembly of India. She was among the first generation of people to be educated from her community. She holds several distinctions including becoming the first woman from the Pulaya community to wear an upper cloth, the first Dalit woman graduate in India and a first woman member of the Cochin Legislative Council.



DURGABAI DESHMUKH

Durgabai Deshmukh was a freedom fighter, lawyer, social activist, Lok Sabha member, first woman member of the Planning Commission and founder chairperson of the Central Social Welfare Board. She was a feminist and a great visionary. Her mission was to work for the upliftment of socially oppressed and politically neglected masses of India. She was known as the Mother of Social Service in India.



HANSA MEHTA

Hansa Mehta was a freedom fighter and a follower of Gandhi. She was not only a social activist but also an educator, who served various institutions and translated books from English to Gujarati. Like her many of her women contemporaries she too was hopeful that equality in the constitution will result in equality of opportunity for women in free India.



KAMALA CHAUDHRY

Kamala Chaudhry was a great freedom fighter, a follower of Gandhi and an eminent architect of the Constitution of India. She played an active role as a member of Provincial Congress Committee and the City Congress Committee. She was also elected as a senior vice chairperson of the 54th session of All India Congress Committee.



LEELA ROY

Leela Roy was an indomitable fighter, a dauntless leader, a fore-ranked revolutionary character of the age and our country. She was a radical leftist Indian politician and reformer, and a close associate of Netaji Subhash Chandra Bose.



MALATI DEVI CHOUDHURY

Malati Chaudhury, fondly called Numa and nicknamed as Toofani by Mahatma Gandhi for her fierce pace of work. She was on the forefront of all the struggles of the oppressed downtrodden people of Orissa throughout her life while fearlessly confronting not only the colonial state and feudal rulers but also authoritarian regimes and forces of exploitation in Independent India. Her commitment to democratic rights of the poor made her the acclaimed mother warrior the activists of the agrarian and tribal struggles.



PURNIMA BANERJEE

Purnima Banerjee was born in 1911 as Purnima Ganguly was an Indian freedom fighter best known for offering the individual Satyagraha in 1941. She also worked as secretary of the Indian National Congress committee in Allahabad and actively took part in the Salt March and the Quit India Movement.



RAJKUMARI AMRIT KAUR

Rajkumari Amrit Kaur was the health minister in the Indian Cabinet for ten years after India's independence. She was an eminent Gandhian, a freedom fighter, and a social activist. She championed the cause of universal suffrage, and testified before the Lothian Committee on Indian Franchise and constitutional reforms, and before the Joint Select Committee of British Parliament on Indian constitutional reforms.



RENUKA RAY

Renuka Ray was a noted freedom fighter, social activist and a politician. She was a descendant of Brahmo reformer, Nibaran Chandra Mukherjee, and daughter of Satish Chandra Mukherjee, an ICS officer, and Charulata Mukherjee, a social worker and member of the All India Women's Conference. She was awarded the Padma Bhushan by the Government of India in 1988.



SAROJINI NAIDU

Sarojini Naidu also known by the sobriquet as The Nightingale of India was an Indian independence activist and poet. Naidu served as the first governor of the United Provinces of Agra and Oudh from 1947 to 1949; the first woman to become the governor of an Indian state. She was the second woman to become the president of the Indian National Congress in 1925.



SUCHETA KRIPALANI

Sucheta Kripalani was the first woman chief minister of Uttar Pradesh from 1963 to 1967. She had a reputation of being a firm administrator, a great freedom fighter and a firm politician. Her tenure was marked by a visible sense of fairness and transparency. The first-ever strike by the state employees which continued for 62 days took place during her regime.



VIJAYALAKSHMI PANDIT

Vijaya Lakshmi Pandit, or Swarup Kumari Nehru as her maiden name, was an active political leader and diplomat and led the Indian Delegation to the United Nations. She was the first woman to be elected as a President of United Nations General Assembly.

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