

# THE RADICAL HUMANIST



ESTABLISHED : APRIL 1937

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

Founder

M.N. ROY

Vol. 84 Number 5

AUGUST 2020

Rs. 15 / MONTH



**This Independence Day  
let all of us come together to  
defend at all costs  
our freedom and  
right to dissent and  
free speech which is  
being treated as a  
grave criminal  
offence inviting  
serious charges of  
sedition and under draconian law, the  
Unlawful Activities Prevention Act (UAPA).  
Let us defend those who are being persecuted  
and prosecuted for fighting for us and our  
freedoms. This will be a true homage to our  
freedom fighters.**

**605**

# THE RADICAL HUMANIST

**Vol. 84 Number 5, August 2020**

## **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.

### **Founder Editor:**

M.N.Roy

### **Advisor:**

Dr. Narisetti Innaiah

### **Editor:**

Mahi Pal Singh

### **Editorial Board:**

Ramesh Awasthi, N.D. Pancholi,  
Dipavali Sen, Sangeeta Mall

### **Printer and Publisher :**

Satish Chandra Varma

### **Send articles and reports to:**

**Mahi Pal Singh**, at E-20/162-163,  
Sector 3, Rohini, Delhi- 110085.  
(M) 9312206414, 8178491055  
Landline Ph:- 011-41828291

### **or E-mail them to:**

**theradicalhumanist@gmail.com** or  
**mahipalsinghrh@gmail.com**

### **Please send Subscription/Donation Cheques in favour of**

### **THE RADICAL HUMANIST to:**

**Satish Chandra Varma, Treasurer IRI,**  
A-1/103, Satyam Apartments, Vasundhara Enclave,  
Delhi- 110096.  
(M) 9811587576.  
Email ID: scvarma17@gmail.com

**Please Note:** Authors will bear sole accountability for corroborating the facts that they give in their write-ups. Neither the IRI/the Publisher, nor the Editor of this journal will be responsible for testing the validity and authenticity of statements & information cited by the authors. Also, sometimes some articles published in this journal may carry opinions not similar to the Radical Humanist philosophy; but they would be entertained here if the need is felt to debate and discuss them.

## **CONTENTS:**

Page No.

### **Articles and Features :**

<b>Indira's Emergency and Modi's Neo-Emergency</b> M.G. Devasahayam	<b>3</b>
<b>Ruler alone is not accountable, everyone who succumbs to authority is no less guilty</b> Coomi Kapoor	<b>6</b>
<b>Something bigger is afoot than just shifting the LAC a couple of km in Ladakh</b> David Devadas	<b>8</b>
<b>On China, Modi Acted Very Much Like Nehru</b> Ramachandra Guha	<b>10</b>
<b>Delhi Police Charge-sheet Misses Key Fact: Riots Killed the Anti-CAA Protest</b> Seemi Pasha	<b>13</b>
<b>Price of Protesting CAA: Student Leader Pooja Shukla Discovers More FIRs Against Her</b> Betwa Sharma	<b>18</b>
<b>Four Months after Viral Video of Policemen Beating Man To Death, FIR Says No Suspects</b> Anumeha Yadav	<b>21</b>
<b>How Delhi Police is using UAPA and charging riots accused in multiple cases to keep them in jail</b> Sruthisagar Yamunan	<b>25</b>
<b>FIR Against Supriya Sharma Is Emblematic of How the Law is Abused to Throttle Press Freedom</b> Suhass Chakma	<b>27</b>
<b>With Harsh Mander named in Delhi riots chargesheet, Indian democracy has slipped into a dark hole</b> Apoorvanand	<b>30</b>
<b>India is heading into uncharted waters with no leadership at the helm, just the simulacra of one</b> Pratap Bhanu Mehta	<b>33</b>
<b>How Javed Akhtar's Atheism Navigates India's Cultural Waters</b> Fahad Zuberi	<b>35</b>
<b>Tribute: Justice Hosbet Suresh (July 20, 1929- June 11, 2020) Justice Hosbet Suresh believed and practised tenets of equity and fairness all his life</b> Teesta Setalvad	<b>37</b>
<b>UBC confers honorary doctorate on Teesta Setalvad Several well-known artists and activists also honoured</b> CJP Team	<b>39</b>

### **Radical Reports :**

<b>1. A Dream of Science</b> Bhaskar Sur	<b>40</b>
<b>2. National Level Study Classes at Amalapuram, Andhra Pradesh</b> Dr. Gumma Veeranna	<b>41</b>

### **Special feature article:**

<b>Mr. Avula Gopalakrishna Murthy's Visit to America</b> Dr. Narisetti Innaiah	<b>43</b>
<b>Readers' Comments on reading 'Selections from The Radical Humanist' at 'academia.edu'</b>	<b>45</b>

# Indira's Emergency and Modi's Neo-Emergency

**Though the character and contents of the current neo-Emergency are different, there is a common thread between Emergency then and now- Governance by Force and Fear.**

**M.G. Devasahayam**

Forty-five years ago around midnight on June 25/26, 1975, the President of India issued this proclamation: "In exercise of the powers conferred by clause (1) of Article 352 of the Constitution, I, Fakhruddin Ali Ahmed, President of India, by this Proclamation declare that a grave emergency exists whereby the security of India is threatened by internal disturbances." I was then the District Magistrate of Chandigarh Union Territory with Jayaprakash Narayan (JP), the Enemy No.1 of the state as my prisoner. Hence, I had a fair insight of the happenings at high levels in Delhi.

This 'National Emergency' could be described as an instrument by Prime Minister Indira Gandhi to 'govern a democratic polity through despotic means' and in the process extinguishing freedom and liberty. With the presidential proclamation, Fundamental Rights under Article 14, Article 21 and several clauses of Article 22 of the Constitution stood suspended. In short, India lost its democracy. Maintenance of Internal Security Act and Rules were made harsh and courts were prohibited from reviewing them, leave alone giving any relief to the preventive detainees which numbered over 100,000!

Civil Rights stalwart Rajni Kothari succinctly described Indira's Emergency era thus: "It was a state off-limits, a government that hijacked the whole edifice of the state, a ruling party and leader who in effect treated the state as their personal estate. It was the imposition of a highly concentrated apparatus of power on a fundamentally federal society and the turning over of this centralised apparatus for personal

survival and family aggrandisement. It was one big swoop overtaking the whole country spreading a psychosis of fear and terror..."

This was then. How about now? On the night of March 24, 2020, Prime Minister Narendra Modi made a proclamation which took effect from midnight: "In the last two days, several parts of the country have been put under lockdown. These efforts by state governments should be taken with utmost sincerity.... The nation is taking a very important decision today. From midnight tonight onwards, the entire country, please listen carefully, the entire country shall go under complete lockdown. In order to protect the country, and each of its citizens, from midnight tonight, a full ban is being imposed on people from stepping out of their homes. All the States in the country, all the Union Territories, each district, each municipality, each village, each locality is being put under lockdown. This is like a curfew...."

This proclamation was not under India's Constitution. As acknowledged by the Prime Minister, states had imposed lockdown exercising power under Section 2 of the Epidemic Diseases Act, 1897. Disaster Management Act-2005 (DMA) which was invoked to impose 'complete lockdown' do not give any such specific powers to the central government. Section 6 (2) (i) only empowers it "to take such other measures for the prevention of disaster, or the mitigation, or preparedness..." This provision does not relate to pandemic disaster. When state governments had already imposed lockdowns under the relevant law, there was no need for central government to

override them and super-impose a draconian nationwide lockdown that too with less than four hours' notice. As it is, this has turned out to be a neo-Emergency that also spread fear and terror.

What has this neo-Emergency actually resulted in? Without any due process or authority of law, it placed every citizen of the country under house arrest depriving him/her liberty and freedom as enshrined in the Constitution. It prevented them from exercising their constitutional right to 'livelihood' thereby exposing them to poverty, penury and destitution. It let loose the brutality of 'police raj' on every citizen treating him/her as 'criminal' or part of 'unlawful assembly'. By slapping sedition charges and indulging in arrest for even expressing mild opinion about the way governments are handling the pandemic, it spread terror among citizens and journalists. By treating individuals as beasts to be beaten-up and sprayed with chemicals, the State took away his/her dignity which is the most precious possession of a human being. The misery of millions of migrant workers and the resultant excruciating exodus, has put India to shame in the international arena!

Since it is neo-Emergency there must be crony-capitalism, and there is plenty even as the country is bleeding from deep multiple cuts. Privatising electricity; selling-off public sector; enacting harsh labour laws to facilitate corporates; handing over protected forests to carpetbaggers and awarding huge contracts to the favourite few. An unaccounted PMCARES Fund through coerced contributions! And Delhi's Central Vista to build a palatial parliament building and prime minister's house!

This neo-Emergency and its enforcement have been condemned by genuine experts. Calling it 'insane' Vikram Patel of Harvard's School of Public Health said, "Lockdown when infection levels are low, but in such a manner that produces intensified infection among the forcibly disrupted millions of informal workers.

Then, when the infection has been properly incubated and intensified, through some combination of incompetence and callousness, allow these millions to be disseminated into the hitherto relatively uninfected hinterland. In this way, the actual policy, as enacted on the ground, maximises both the economic catastrophe, and the ferocity of the epidemic .... Whence this brilliant policy, this hybrid of lock-down and herd immunity, which gives us the worst of both options—economic disaster, and a rampaging epidemic?"

Noam Chomsky, arguably the most celebrated thinker of our times, called it "genocidal" and said, "Indian Prime Minister Narendra Modi gave a four-hour warning before a total lockdown. That has affected over a billion people. Some of them have nowhere to go... People in the informal economy, which is a huge number of people, are just cast out. Go walk back to your village, which may be a thousand miles away. Die on the roadside. This is a huge catastrophe in the making, right on top of the strong efforts to impose the ultra-right Hindutva doctrines that are at the core of Modi's thinking and background."

Chomsky has said what has to be said. During Indira's Emergency period people moved in hushed silence, stunned and traumatised by the harrowing goings on. Bulk of civil services crawled when asked to bend. Higher judiciary bowed to the dust and was willing to rule that under Emergency regime, citizens did not even have the 'right to life'. Politicians of all hue and colour, barring honourable exceptions, lay supine and prostrate. As for citizens, an arbitrary and arrogant state turned them into mere 'subjects.' Things are no different now, and under neo-Emergency, whatever left of the institutions of democratic governance are being totally annihilated. Governance by force and fear is the new norm. No wonder Noam Chomsky calls India an 'unliveable country!'



Like during Indira's Emergency, Union Council of Ministers is non-existent. States have been drained-out with hardly any role to play. Parliament has been totally subdued and had passed the Nazi-type Citizenship Amendment Act (CAA) without whimper. When the entire country rose in protest, a brutal 'police raj' was let loose even on women and children. Now, under the cover of lockdown, police all over, particularly in Delhi and Uttar Pradesh are busy hounding protesters with sedition charges and are busy registering FIRs and arresting youth and students on flimsiest of grounds. This, while protecting and shielding Hindutva elements who have either indulged in or instigated heinous crimes.

Even a mild-mannered public intellectual like Harsh Mander is not being spared! There are talks that he is being hauled up and may even be arrested for calling upon youth during anti-CAA protests to maintain peace and adhere to "Gandhian Ahimsa." Yes, in an atmosphere fouled by hatred, violence and intolerance, peace and Ahimsa (non-violence) are indeed crimes! Considering the fact that Harsh Mander had resigned from IAS in the wake of the 2002 Gujarat 'genocide' and was the first person to call it 'Nazi-type pogrom', we know where the anger against him comes from. But pray, should

the Delhi Police descend to such despicable levels?

It all leads to one thing. Though the character and contents of the current neo-Emergency are different, there is a common thread between Emergency then and now- Governance by Force and Fear. The only difference is that the method adopted then was 'Jhatka' and now it is 'Halal'. Effect on freedom and liberty is the same, probably more chilling now!

Emergency 1975 was eyeball-to-eyeball confrontation between Indira Gandhi and JP in which the former lost. After visiting and touring India during Emergency and meeting Indira Gandhi, Claire Sterling wrote a piece in *New York Times* titled "Ruler of 600 million—and alone." What she said was poignant, "Somebody once told me, as I was traveling around India, that the one thing worse than trying to govern the country by democratic persuasion would be trying to govern it by force. Yet that is how Mrs. Gandhi is trying to do now."

The 'Iron Lady' failed then. Why should it be any different now? As the wise one said: "Those who do not learn from the past have no future!"

***The writer is a former Army and IAS Officer. The views are personal.***

Courtesy News Click, 24 Jun 2020 

## Articles/Reports for The Radical Humanist

Dear Friends,

Please mail your articles/reports for publication in the RH to: [theradicalhumanist@gmail.com](mailto:theradicalhumanist@gmail.com) or post them to: **G-3/617, Shalimar Garden Extn. I, Rose Park, Sahibabad, Ghaziabad-201005 (U.P.)**

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

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

**- Mahi Pal Singh, Editor, The Radical Humanist**

# Ruler alone is not accountable, everyone who succumbs to authority is no less guilty

*Coomi Kapoor writes: The economic consequences are devastating for the print media, one of the few credible sources of news in an age where social media is flooded with fake news and propaganda.*

Coomi Kapoor



Prime Minister Indira Gandhi addressing the nation from the Doordarshan studio during Emergency.

Express archive photo  
August, 1975

Most commemorate the Emergency on June 26 as a reminder of the bleak 21 months when democracy was derailed. Actually, the Emergency came into effect on June 25 at 11.45 pm when then President, Fakhruddin Ali Ahmed, signed the proclamation, even though he was alerted by his secretary that it would be constitutionally untenable. The president is expected to act only on the advice of the council of ministers. Indira Gandhi's cabinet met the next day at 6 am as a formality.

President Ahmed was the first in a chain of constitutional authorities and autonomous institutions in our democracy that caved in, betraying their oath of office and abandoning professional integrity. While holding Mrs Gandhi, Sanjay and his henchmen guilty for the Emergency, we generally forget to apportion blame to the others who succumbed when push came to shove. Mrs Gandhi's cabinet fell in line without a murmur. In Parliament, the entire Congress party, barring two expelled dissidents, meekly raised hands to approve, not just the

Emergency proclamation, but several illegal laws. Mrs Gandhi demonstrated her contempt for Parliament by doing away with Question Hour and Calling Attention Motions, declaring that henceforth only important government business would be transacted.

The record of the courts, a major pillar of any democracy, was not quite as dismal. Nine high courts had the courage to strike down the draconian Maintenance of Internal Security Act (MISA), as being ultra vires the Constitution. (Thousands were detained under MISA during the Emergency). Most of these brave judges were later penalised. But when the habeas corpus writ came in appeal to the Supreme Court (ADM Jabalpur vs S Shukla) the senior-most judges of the land let down the country. Of the five-judge bench, four upheld the Attorney General's argument that a person has no legal rights, not even to be produced before the court or be informed of the reasons for his detention, as long as an Emergency is in force. The blemished four included two who projected

themselves as champions of human rights and civil liberties. The sole dissenter, Justice H R Khanna, threw away his chance to be the next chief justice.

L K Advani's famous jibe at the media during the Emergency, "When asked to bend it chose to crawl" was not untrue. True, censorship laws were in force, but where there was a will there was a way. The Indian Express was one of the rare exceptions which defied the censors frequently, especially after elections were called in January 1977. The Express founder, Ramnath Goenka, knew that he would have to forfeit his newspaper chain in case Mrs Gandhi returned to power, but he refused to bend.

Mrs Gandhi imposed the Emergency with a sledgehammer. But dictatorships can also creep in slowly, silently and insidiously, without any formal announcement. History shows us that the ruler alone is not accountable. Everyone who succumbs to authority is no less guilty. The oft repeated question as to whether an Emergency could occur in India again is particularly relevant in 2020. A dangerous pandemic has weakened the institutions tasked with upholding the Constitution. The COVID crisis can also provide a screen to keep reality from the public gaze and assist rulers in arming themselves with more powers.

Because of the pandemic, justice has been delayed or diverted in some compelling human rights matters. A telling example is the habeas corpus petition filed by the wife of the 82-year-old leader in Kashmir, Saifuddin Soz. The Supreme Court has put off the hearing till July. Soz was detained in August last year along with many others in Kashmir when Article 370 was nullified. He has yet to be informed of the reasons for his imprisonment.

While the courts are constrained from taking prompt action because of the pandemic, the Delhi Police, on the other hand, was hyper active during the lockdown, arresting protesters against the Citizenship (Amendment) Act (CAA). Most

of the alleged trouble-makers are students and Muslims. They were charged with "unlawful activities" during the riots in North East Delhi in late February. The arrests are very obviously entirely one-sided. Even those whose inflammatory speeches and actions are a matter of record, such as local BJP leader Kapil Mishra, were not booked. When an arrested student recently approached a Delhi lower court, the court stated that because of the pandemic it was not in a position to ascertain whether due process of law was being followed.

In March, the Supreme Court rejected the anticipatory bail pleas of journalist Gautam Navlakha and professor Anand Teltumbde, both respected civil rights activists, accused of involvement in the Bhima Koregaon violence of 2018. The two have been detained under the Unlawful Activities (Prevention) Act as amended in July 2019. It is a law meant for terrorists which makes securing bail difficult. It is the government's discretion whom to designate a terrorist, a throwback to the Emergency-era MISA.

The pandemic has delayed the next session of Parliament and there is no indication as to when the Lok Sabha will convene and in what form. Will meaningful debates on issues, such as handling of the pandemic or the Chinese intrusions, be possible? Or will the House meet merely to rubber stamp government decisions, the social distancing norms providing a handy pretext to keep the session brief and business-like?

Another COVID victim is the fourth estate. An unfounded apprehension that newspapers can somehow be carriers of the virus has led to a steep fall in print circulations. Several gated communities and apartment buildings have fuelled ill-informed paranoia. The economic consequences are devastating for the print media, one of the few credible sources of news in an age where social media is flooded with fake news and propaganda.

( To be Contd....on Page - 9 )

# Something bigger is afoot than just shifting the LAC a couple of km in Ladakh

David Devadas

*The government must figure out what the Chinese game plan is and thwart the endgame before it is upon us, possibly in early winter, advises David Devadas.*

Indian strategists must think several steps ahead of the Chinese if India is to defeat the challenge which is currently in the Ladakh region, but could spread elsewhere. After all, a large number of Chinese troops and armaments are massed in Tibet right along the Indo-China border.

Even within Ladakh, the Chinese intruders have changed the goalposts a couple of times since the beginning of May, when they first turned up in huge numbers.

The pushing and shoving that marked their ingress in early May gave the impression that they were primarily targeting the north bank of the Pangong Tso lake.

The two countries' perceptions of the LAC along that bank have differed for years. So, that seemed like only a more belligerent repeat of past skirmishes.

But the Chinese were also pushing at the boundaries in the Hot Springs and the Galwan area at the same time.

And by mid-June, the Chinese had not only consolidated up to Finger 4 on Pangong Tso, the main action had shifted to the hitherto undisputed boundary in the Galwan Valley.

In the couple of days after the fight at Galwan on the night of June 15, the Chinese apparently consolidated fortifications right at the Line of Actual Control there.

In fact, according to most expert estimates, their new battlements at a major bend of the river are actually on the Indian side of the LAC.

The following week, it turned out that the Chinese had moved forward in the Depsang plain farther north and were approaching a bigger

strategic prize -- the highest airfield at Daulat Beg Oldi.

That airfield is very close to the Karakoram Pass on the India-China border -- the established border, not the Line of Actual Control skirting Aksai Chin.

Lieutenant General Rakesh Sharma (retd), a former commander of the Leh-based XIV Corps and currently a Distinguished Fellow at the army's think-tank, holds that the Chinese perhaps want to wrest that corner of Ladakh around DBO from India.

The way General Sharma sees it, having a road through DBO would substantially reduce the distance the Chinese have to travel to connect the main CPEC route, which runs through the Khunjerab Pass.

That may not turn out to be the Chinese intention, unless they want to reorient the road directly east or southeast (via Tibet) to reach the heart of China. Crossing from Aksai Chin to the Xinjiang province would be a long loop.

Plus, "they already have a fabulous highway over the Kunjerab" Pass, as Major General Somnath Jha (retd), a former commander of the brigade that holds Eastern Ladakh, points out.&

The differing viewpoints of the two retired generals, both very intelligent men, illustrate the extent to which the country's strategic community is guessing in the dark about what the Chinese actually want.

For the moment, India's strategists seem to be at sea, perhaps more so within government than among retired officers. The established narrative so far is that the Chinese are engaged in what General Bipin Rawat, the chief of

defence staff, called 'salami slicing' when he headed the army.

That view may be missing the wood for the trees. For, there are tell-tale signs that something bigger is afoot than just shifting the LAC a couple of kilometres in Ladakh.

Sadly, the array of Indian intelligence agencies seem to have been caught napping. As General Sharma points out with a tone of disbelief, two divisions of the People's Liberation Army just turned up in Aksai Chin in May.

"We used to say it will take them two months to cross to it," General Sharma observes, "But two whole divisions just appeared there."

It seems that the range of intelligence paraphernalia and agencies did not have advance warning nor even spotted them when they were physically moving in.

As it happened, even the normal springtime deployment of the Indian Army was not in place at the edges of Aksai Chin when that happened. Apparently, those who are paid to apply their minds to tactical possibilities prioritised covid-related restrictions.

They evidently did not think the strident Chinese opposition, at the United Nations Security Council and elsewhere, following the Constitutional changes with regard to the erstwhile state of Jammu and Kashmir last

August, might possibly lead to coercive action on the ground.

It is futile to cry over split milk, but the government needs to ensure that the intelligence apparatus pulls its act together at least now.

A top priority should be to figure out what the Chinese game plan is and to get ready to thwart the endgame before it is upon us, possibly in early winter.

This requires insightful analysis as well as the various kinds of information gathering resources at the government's disposal.

For, given the shifting Chinese goalposts, Indian strategists need to think several steps ahead of what is obvious on the ground.

Heavy deployment ought already to have been organised in the Depsang area while the Galwan operation was being planned.

It is possible that Demchok further south and other sectors of the long boundary between the two countries could be the next targets.

I have warned at security-related conferences for more than three years now that India should keep in mind the lessons of the 1965 War, when Pakistan intruded in Kutch to draw Indian forces to the other end of the India-Pakistan border before they went for their real objective -- Jammu and Kashmir.

Courtesy **Rediff.com**, June 27, 2020. 

**Contd. from page ...7**

### **Ruler alone is not accountable, everyone ....**

Venerable language publications have shut shop, many newspapers groups have ruthlessly cut down on outstation editions and staff.

A financially debilitated media will struggle for survival after the pandemic. Another disturbing trend of late is for FIRs to be filed on frivolous charges against journalists who ask inconvenient questions to state and central governments. Over-zealous BJP bhakts, who instigate the police to slap such cases, seem

to be following in the footsteps of Sanjay Gandhi's storm troopers during the Emergency. A free media, one should remember, is the touchstone of a democracy.

*This article first appeared in the print edition on June 25 under the title "1975 lesson for 2020". The writer is consulting editor, The Indian Express and author of The Emergency: A Personal History*

Courtesy **The Indian Express**, June 25, 2020 



# On China, Modi Acted Very Much Like Nehru

The recent clashes in Ladakh, leading to the tragic deaths of 20 Indian soldiers, prompt a fresh look at our government's policy towards China. The military, strategic and economic aspects of that relationship I leave to others more qualified in those fields. Writing here as a historian, I wish to draw attention to the curious parallels between the policy towards China of our first Prime Minister and our current Prime Minister.

That in terms of political ideology Jawaharlal Nehru and Narendra Modi are poles apart is well known. Modi does not share Nehru's commitment to Hindu-Muslim harmony or his interest in scientific research and technological education. Modi's attitude towards his critics is far more abrasive than Nehru's ever was.

And yet, for all that separates them, Nehru and Modi exhibit noticeable similarities in how they have dealt with our largest and most powerful neighbour. Like our first Prime Minister, our current Prime Minister has also acted in the belief that by cultivating personal friendships with the top leaders of communist China, a deeper bond of solidarity would be created between the people of the two countries.

Back in 1954, Jawaharlal Nehru visited China to have discussions with Mao Zedong and Zhou Enlai. His hosts, seeking to flatter him, brought a million people out to the streets of Beijing, prompting Nehru to write to a friend: "I sensed such a tremendous emotional response from the Chinese that I was amazed."

On his return to India, Nehru addressed a large public meeting at the Calcutta Maidan. Here, he told the audience that "the people of China do not want war"; they were apparently too busy uniting their country and ridding it of poverty. Speaking about the "mighty welcome" he had received in China, he remarked that



**Ramachandra Guha**

this was "not because I am Jawaharlal with any special ability, but because I am the Prime Minister of India for which the Chinese people cherish in their hearts the greatest of love and with which they want to maintain the friendliest of relations".

It is unlikely that our current Prime Minister has read or heard of this speech. Yet its sentiments were strikingly echoed in a speech that Narendra Modi made in Wuhan in April 2018, after meetings with Xi Jinping. Here, Modi effusively told his Chinese counterpart: "Very positive environment [has been] created through the informal summit and you have personally contributed to [it] in a big way. It's a sign of your affection for India that you have hosted me twice in China outside Beijing. The people of India feel really proud that I'm the first Prime Minister of India for whom you have come out of the capital twice to receive me." A lyrical ode to the unbreakable bond between the two countries followed, with Modi speaking of how "the culture of both India and China is based along the river banks", of how "India and China acted as engines for global economic growth for 1600 years out of the 2000 years".

The meeting at Wuhan had been preceded by a meeting in Ahmedabad in September 2014,

where the two leaders chatted on a specially-erected jhula along the Sabarmati River in Ahmedabad. The following May, Modi made his first visit to China as India's Prime Minister. Here, in a speech in Shanghai, he boasted of his friendship with Xi Jinping that "two heads of states are meeting with such affinity, closeness and companionship, which is 'plus one', better than the traditional talks of global relations, and to understand and appreciate this 'plus one' friendship will take time for many".

Modi's most recent 'summit' meeting with Xi was held at Mahabalipuram in October 2019. Afterwards, a government of India website put up a picture gallery of the two leaders, alongside a text that spoke of how "in the backdrop of the 7th century rock-cut monuments and sculptures...the leaders of India and China sipped coconut water and shared their hopes for a new phase in India-China relations, marked by win-win cooperation, greater trust and understanding of each other's core interests and aspirations. The chemistry between Prime Minister Narendra Modi and Chinese President Xi Jinping shone anew as the former took his honoured guest around the Group of Monuments at the UNESCO World Heritage Site of Mahabalipuram, followed by a sumptuous informal dinner at the scenic Shore Temple". The Prime Minister's personal website also had a puff article, which proclaimed that this meeting between the two leaders would "add great momentum to India-China relations. This will benefit the people of our nations and the world".

In the six years that Narendra Modi has been Prime Minister of India, he and Xi Jinping have met no fewer than 18 times. These manifestations of the "Wuhan Spirit" and "Chennai Connect" constitute, as it were, an updated version of Nehru's "Hindi-Chini Bhai Bhai". If the Indian Prime Minister and the Chairman of the Chinese Communist Party could be friends, so would the people of their two

countries. That is how the argument ran. Narendra Modi has now belatedly discovered, as Jawaharlal Nehru did before him, that a naïve trust in the goodness of Chinese intentions is altogether misplaced.

When, in September 1959, clashes broke out between Chinese and Indian troops on the border, prominent RSS ideologue Deen Dayal Upadhyaya wrote a series of articles about Nehru's failed China policy. "Only he [Nehru] knows when a crisis is not a crisis," remarked Upadhyaya sarcastically. Only Nehru knew, he sneered, "how to emit smoke without fire and how to arrest a conflagration in a Niagara of verbiage!" In the opinion of the Jana Sangh leader, "the present situation is the result of complacency on the part of the Prime Minister. It seems that he was reluctant to take any action till the situation became really grave". Why were Nehru's China policies a failure, asked Upadhyaya - "Is it plain ignorance? Is it simple cowardice? Or it is a simple national policy induced by military weakness, ideological ambiguities and weakening of nationalism?" (These quotes are taken from articles by Upadhyaya in the *Organiser*, dated 7, 14, and 21 September 1959).

Narendra Modi's admiration for Deen Dayal Upadhyaya is a matter of record. One wonders what, if Upadhyaya were alive now, he would have written about the incursions of Chinese troops into Indian Territory and the deaths of Indian soldiers today. Would he have attributed this to the Prime Minister's ignorance, complacency, or cowardice, or to military weakness and ideological ambiguities instead?

In fact, as the quotes in this article show, Narendra Modi has taken the personalization of foreign policy much further than Jawaharlal Nehru ever did. While underlining the bonds between the people of China and the people of India, Nehru never spoke of Chairman Mao in the syrupy and sentimental terms that Modi has spoken of Xi Jinping. It is worth noting that, in

response to our Prime Minister's stream of eloquence in Wuhan in 2018, the Chinese President had laconically responded: "I'm very happy to meet PM Modi. Spring is a good time to meet." Yes, indeed. Spring is a good time to meet an Indian politician in China, and summer an even better time to snatch some territory in India itself.


The clashes on the border in 1959 presaged a full-fledged war three years later. This is unlikely to happen now. That, however, may be meagre consolation. These rising tensions with our powerful and unpredictable neighbour have come at a particularly bad time in the history of the Republic. Our economy is in awful shape; growth has been sluggish for several years, and the pandemic will further inhibit a potential recovery. The ill-conceived Citizenship Amendment Act has made our social fabric even more fragile, while gratuitously offending a long-time ally, Bangladesh. Our relations with another and even older ally, Nepal, may be at an all-time low. And our long-time adversary, Pakistan, continues to foment mischief along the line of control.

Our capacity to tackle these problems, indeed even our ability to adequately

understand these problems, is inhibited by the political culture of the day, where the government and the ruling party seek to present the Prime Minister as infallible, and his policies as beyond criticism. Nehru himself would never have remotely considered mocking someone like Deen Dayal Upadhyaya as anti-national. Yet those decorated army veterans who presciently warned of the Chinese incursion in Ladakh several weeks before the clashes in the Galwan Valley were savagely set upon by right-wing trolls and the Godi Media.

The tragic deaths of our soldiers must surely force a reset of our China policy. Given the mess the country is currently in, this reset should go beyond our relations with one country alone. Our economic policy, our social policy, our foreign policy, all need to be looked at afresh, and informed less by the personal instincts of the Prime Minister and more by hard realities on the ground.

(**Ramachandra Guha** is a historian based in Bengaluru. His books include 'Environmentalism: A Global History' and 'Gandhi: The Years that Changed the World'.)

Courtesy **NDTV**, June 22, 2020 

## The Radical Humanist Rates of Advertisement/Insertion

Journal size: 18cmx 24 cm- Print area: 15cmx20cm

	Ordinary	Special		Ordinary	Special
<b>For One year</b>					
<b>Second Back cover</b>	Rs.2,500	Rs.3,000	<b>2nd Back Cover</b>	Rs.20,000	Rs.30,000
<b>Third Back Cover</b>	Rs.2,500	Rs.3,000	<b>3rd Back Cover</b>	Rs.20,000	Rs.30,000
<b>Last Cover</b>	Rs.3,000	Rs.3,500	<b>Last Cover</b>	Rs.20,500	Rs.30,000
<b>Ordinary page:</b>					
<b>Full page</b>	Rs.2,000	Rs.2,500	<b>Full page</b>	Rs.15,500	Rs.20,000
<b>Half page</b>	Rs.1,500	Rs.1,500	<b>Half Page</b>	Rs.10,500	Rs.15,000
<b>Quarter page</b>	Rs. 600	Rs. 900	<b>Quarter page:</b>	Rs. 6000	Rs. 9000

# Delhi Police Charge-sheet Misses Key Fact: Riots Killed the Anti-CAA Protest

*The activists behind the citizenship protests did not need to organise a riot to attract global media coverage and international criticism of the Modi government. The record shows there was no shortage of either.*



**Women protest at Shaheen Bagh. Photo: PTI**

**New Delhi:** Almost all of the Delhi riot cases that the Delhi Police is investigating are based on the premise that the riots were planned by anti-CAA protesters to coincide with US President Donald Trump's visit to India in the third week of February.

The assumption is that anti-CAA protesters were looking for publicity and knew that any sort of violence during Trump's visit would be amplified before an international audience by the international press, and embarrass the Indian government. This hypothesis is the foundation over which the police has based its entire case – building in effect a quintessential 'house of cards'.

All the accusations are based on the presumption that the world had no idea that the Narendra Modi government had passed a law

in parliament that openly discriminated against Muslims and which – when combined with the National Register of Citizens or NRC – would create the possibility for the disenfranchisement of millions of Indian



**Seemi Pasha**

Muslims. Conspiracy theories floated by the police in its 'blank cheque' FIRs and chargesheets seem to have assumed that protests against the Modi government's discriminatory citizenship law had not already attracted the world's attention and that the protesters needed a big publicity stunt.



Thus, the chargesheet filed by the Delhi Police in Karkadooma court for FIR 65/2020, registered at the Dayalpur Police Station, into the murder of IB officer Ankit Sharma speaks of a conspiracy to organise riots to embarrass the Central government:

*“During investigation, it was also revealed that the accused Tahir Hussain was in touch with Khalid Saifi who is connected with Unite Against Hate Group. Tahir Hussain was also connected to Umar Khalid of JNU through Khalid Saifi. Khalid Saifi had arranged Tahir’s meeting with Umar Khalid on 08.01.2020 at Shaheen Bagh (Shaheen Bagh). In that meeting it was decided to have a big blast so that the Central Govt. could be shaken on the issue of CAA/NRC and so as to defame the country in the international arena...These riots were planned to occur during or prior to the visit of US President Donald Trump in the month of February, 2020.”*

Advocate Javed Ali, who is representing Aam Admi Party councillor Tahir Hussain, claims that a second chargesheet filed by the police in connection with FIR 101 also alludes to an alleged conspiracy to stage communal riots during US President Donald Trump’s visit in February. Javed says, ‘Two separate chargesheets filed by the police in connection with FIR 101 and FIR 65 are almost identical barring the inclusion of a murder charge in one. It is almost as if one chargesheet is being used as a cross reference for the other’.

The same theory has been shared by the Delhi Police in FIR 59/2020 which was registered by the Crime Branch and is now being investigated by the Special Cell. The police is yet to file a chargesheet in the case but the FIR claims that a police officer was told by an informer that communal riots that took place in Delhi between 24 to 26 February were part of a pre-planned conspiracy to defame India. The FIR says that JNU student Umar Khalid gave

two provocative speeches where he appealed for roads to be blocked in the national capital during US President Donald Trump’s visit. According to the FIR, the idea behind the plan was to spread ‘propaganda’, on an international level, that minorities in India are being tortured. Delhi Police’s Special Cell has added sections of the stringent anti-terror law UAPA to this FIR and used it to arrest Khalid Saifi, Ishrat Jehan, Shafi Ur Rehman, Jamia Millia Islamia students Meeran Haider and Safoora Zargar, and JNU students Natasha Narwal and Devagana Kalita.

One glaring error in the police chargesheet has already been widely reported. The police claim that the meeting where the conspiracy to organise a riot during Trump’s visit was allegedly hatched took place on January 8, 2020, whereas the news of the visit was only made public at least five days later.

Even if we leave aside this fundamental error of fact and assume that the “conspiracy” was hatched not on January 8 but on some later date, the police charge sheets make two essential claims about the motive for the conspiracy which are hard to reconcile with the facts:

1. The anti-CAA protesters were hungry for publicity and wanted to make a splash during US President Donald Trump’s visit.
2. The conspiracy was to embarrass the government for its new citizenship law.

#### **No shortage of world media coverage**

Were anti-CAA protesters starved for publicity? Were the women of Shaheen Bagh and similar protest sites – who said they were fighting for their fundamental rights – eager to make global headlines? Had protests against the CAA and NRC really gone unnoticed by the national and international press?

Judging by news coverage across the world in January and February, the anti-CAA protest at Delhi’s Shaheen Bagh had already captured



the attention of the world media. In Delhi and across the country, several protest sites had come up on the Shaheen Bagh model where ordinary women from Muslim ghettos were staging sit-in demonstrations. These protests had been covered by almost every international news agency, channel and newspaper. From BBC and CNN to Al Jazeera, from the *Washington Post* and *New York Times* to Reuters, AP, AFP, EFE (in Spanish) – every news organisation that claims to have a global footprint had carried multiple stories about the protests and the discriminatory law that had impelled ordinary Muslim women to come out of their homes and protest on the streets.

Here are a few examples of stories that were published well before the Delhi violence:

*Reuters*

India celebrates New Year's Eve with protests against citizenship law (December 31, 2019)

*BBC*

Shaheen Bagh: The women occupying Delhi street against citizenship law (January 4, 2020)

Three generations join Delhi women's citizenship sit-in (January 23, 2020)

*CNN International*

They tried to stifle the voices of our children': Meet the women protesters who have been occupying a New Delhi street for a month (January 15, 2020)

In photos: Protesters rally against India's citizenship bill (January 28, 2020)

*Al Jazeera*

Why Shaheen Bagh protests are an important moment in India's history (February 3, 2020)

Indian artists join campaign against discriminatory law (February 6, 2020)

Indian protesters hold interfaith prayers at Shaheen Bagh (February 7, 2020)

*Washington Post*

India's first-time protesters: Mothers and grandmothers stage weeks-long sit-in against

citizenship law (January 13, 2020)

*The New York Times*

In India, Protesters and Modi Tussle Over Who Can Claim Gandhi (January 30, 2020)

*TIME*

'Women Don't Give Up.' Why Female Protesters Are at the Forefront of India's Resistance Movement (January 15, 2020)

*Bloomberg*

Modi Hardens Stance Against Protesters Who Hold the Line (December 27, 2020)

*Mail & Guardian (South Africa)*

Democracy in India faces meltdown (December 27, 2020)

*France 24*

In India, a giant sit-in of Muslim women against a law deemed discriminatory (January 2, 2020)

The fact is that by the first week of January, the anti-CAA protests were being followed closely and covered by the international media. Indian news channels, newspapers and news websites were also covering the protests on a day-to-day basis. These protests did not just get media exposure, they had so much of it that there were allegations of protesters stopping, blocking and manhandling some TV crews because they had the option of choosing which journalists to allow and which to keep out.

On January 13, 2020, Arnab Goswami of Republic TV alleged that journalists from his channel had been 'attacked in Jamia' and that activists were not allowing them to cover the protest. The headline, 'Republic Will Not Stop', aptly captured the channel's eagerness to report from anti-CAA protest sites. Goswami himself sat in front of the camera night after night and obsessed over the protest at Shaheen Bagh.

Deepak Chaurasia and Sudhir Chaudhary, both editors of channels which are often referred to as 'godli-media', did a joint ground-report from Shaheen Bagh where they tried to speak to the protesters but were shoo-ed away.

They were so angry about being denied permission to cover the protest that they discussed and debated the issue endlessly on prime-time.

Considering the splash that anti-CAA protestors had already made in India and abroad, and the overwhelmingly “positive” coverage they were already receiving, it is hard to imagine why they would need to conspire to start a riot in order to generate media attention.

### **No shortage of worldwide criticism**

The second argument on which the police has based its investigation is that anti-CAA protesters were trying to embarrass the government internationally with ‘false propaganda’ that minorities in India, especially Muslims, were being tortured/persecuted and denied equal rights.

This argument presumes that the government had not already been embarrassed on the issue of CAA and feared the prospect of international criticism. Now sample this.

- Two days after the Citizenship Law was passed by Parliament on December 11, 2019, the United Nations Human Rights office issued a public statement calling the law ‘fundamentally discriminatory in nature’. Jeremy Laurence, a spokesperson with the office of the UN High Commissioner for Human Rights said, ‘Although India’s broader naturalization laws remain in place, these amendments will have a discriminatory effect on people’s access to nationality’.
- The discriminatory nature of the Citizenship Amendment Act and NRC was also raised at the 2+2 dialogue in Washington on December 19, 2020 during Defence Minister Rajnath Singh and External Affairs Minister S. Jaishankar’s visit. Answering questions from the press, US Secretary of State

Mike Pompeo said, “*We care deeply and always will about protecting minorities, protecting religious rights everywhere...United States will be consistent in the way that we respond to these issues, not only in India but all across the world*”.

- On December 23, 2019, the Organisation of Islamic Cooperation (OIC) called on the Indian Government to ensure the safety of Muslims in the country after the passage of the Citizenship Amendment Act and also asked for “protection of Islamic holy places” following the verdict of the Supreme Court in the Babri Masjid-Ram Janmbhoomi Ayodhya title dispute.
- On January 25, 2020, it was reported that 154 lawmakers of the European Parliament had drafted a formal resolution against India’s Citizenship Amendment Act, warning that CAA could trigger the ‘*largest statelessness crisis in the world and cause widespread human suffering*’. The draft resolution detailed large scale violence that had erupted in India after the passage of the bill and claimed that CAA was enacted during the government’s push for a nationwide citizenship verification process (NRC). “*The Government’s statements revealed that the aim of the NRC process was to strip Muslims of their citizenship rights while protecting those of Hindus and other non-Muslims*” and “*whereas Muslims who are not included in the NRC will have recourse to the Foreigners’ Tribunals that have been established to determine the right to citizenship, these tribunals have been internationally condemned for*

*failing to protect the right to a fair trial and human rights guarantees".* By January 29, 2020, the draft resolution had won the support of 626 of 751 members of the European Parliament and was going to be voted upon but hectic lobbying from the Narendra Modi Government resulted in the vote being postponed to March. On February 19, 2020, the United States Commission on International Religious Freedom released a factsheet on India's Citizenship Amendment Act and said that *'in conjunction with a proposed nation-wide National Register of Citizens, there are fears that this law is part of an effort to create a religious test for Indian Citizens and could lead to widespread disenfranchisement of Indian Muslims'*. The report also raised concerns about the attitude of Prime Minister Narendra Modi and his government when dealing with largescale attacks by Hindu extremist groups. The report said, *"Prime Minister Narendra Modi seldom made statements decrying mob violence, and certain members of his political party have affiliations with Hindu extremist groups and used inflammatory language about religious minorities publicly. Victims of largescale attacks in recent years have not been granted justice, and reports of new crimes committed against religious minorities were not adequately accounted for or prosecuted"*. Based on these observations, USCIRF placed India on its Tier 2 for engaging in or tolerating religious freedom violations, designating India as a "country of particular concern".

Give the extent of these indictments, warnings and criticism by the international community of discriminatory treatment against Muslims could not embarrass the Narendra Modi government on the issue of CAA, why would the protestors have felt to the need to resort to the sort of conspiracy the Delhi Police chargesheet envisages in order to "embarrass" the government?

### **With this background, cui bono?**

A third question that the Delhi Police chargesheet completely sidesteps is: Who stood to benefit from the riots?

The immediate effect of the Delhi riots was that all anti-CAA protest sites in North-East Delhi were packed up. Out of a total of 53 people whose bodies were recovered in the violence, at least 35, or two-thirds, were Muslims. The homes and businesses of thousands of Muslims were destroyed in the riots that were largely seen as anti-Muslim. The only places of worship which were attacked and desecrated – and there were several – were Muslim ones. The role of the Delhi Police also came under the scanner, as several riot survivors claimed that policemen stood around as mute spectators and in some instances even helped the mob.

Anti-government protest sites were targeted and dismantled in the riots and Muslims bore the brunt of the violence. Why would anti-CAA protesters do this? Why would they indulge in violence, when they were making headlines for peaceful protests? Given that it was precisely the Gandhian nature of their protest which had made headlines around the world, it was obvious that any sort of violence would have been counter-productive to their movement. Did the riots benefit the anti-CAA protest and the civil society activists who were spearheading it, or did they provide an excuse to the government to crack down on the movement?

Courtesy **The Wire**, 18 June 2020. 

# Price of Protesting CAA: Student Leader Pooja Shukla Discovers More FIRs Against Her

*After Sadaf Jafar, Pooja Shukla says she recently found out about two more FIRs in connection with the anti-CAA protests.*

Betwa Sharma

Courtesy  
Pooja Shukla,  
a student  
leader in  
Samajwadi Party,  
at the  
anti-CAA  
protest at  
Ghanta Ghar  
on  
21 January,  
2020.



NEW DELHI — On Friday Pooja Shukla, a student leader with the Samajwadi Party, learnt that the Uttar Pradesh Police had booked her under two more First Information Reports (FIRs) in connection with the protests against the Citizenship Amendment Act (CAA).

This brings the tally of FIRs against Shukla, a member of the Samajwadi Party based in Lucknow, to four FIRs that cites dozens of crimes under the Indian Penal Code, the Criminal Law Amendment Act, and the Information Technology Act.

Shukla said she found out about the FIRs when she was summoned to the Thakurganj Police Station on Friday to sign undertakings that she would not tamper with any evidence or witnesses.

Sadaf Jafar, a political activist and member of the Congress Party, and the only woman

arrested in Lucknow in connection with the anti-CAA protests on 19 December, found out about at least two more FIRs registered against her when she was similarly summoned to the Thakurganj Police Station on Tuesday, last week.

This spate of inquiries, opposition party members say, suggests the Uttar Pradesh government, run by the Bharatiya Janata Party's (BJP) Ajay Singh Bisht, is using the state police to criminalise dissent.

"Anyone raising their voice against the government, the police is creating criminal backgrounds against them in a very planned way so they don't get any help legally," Shukla said.

In Uttar Pradesh, protests against the controversial Citizenship Amendment Act, or CAA, started on 19 December 2019 as a



peaceful demonstration that soon descended into chaos. Violence spread to several districts, with protestors blaming the police and the police blaming protestors for the unrest. Thousands were arrested.

Widely circulated video-footage revealed police violently assaulting protestors. Chief Minister Bisht, who goes by the name of Yogi Adityanath, outlawed any protest against the CAA — an act, that critics say violates the constitution by making citizenship for asylum seekers contingent on their religion.

Last week, the UP Police said that 52 FIRs were registered in connection with the events of 19 December and it had filed charge sheets — the final report of the investigation — against 287 people. The police said they were planning to book 18 people under the National Security Act, which allows for preventive detention and imprisoning a person without a charge for one year, 68 people under the Uttar Pradesh Gangster And Anti-Social Activities (Prevention) Act, and 28 under the UP Control of Goondas Act.

It took nearly a month for the anti-CAA protest to resume after the BJP government's December crackdown. The new round of protest was in the form of a sit-in staged mostly by Muslim women near the iconic Ghanta Ghar, inspired by the sit-in staged by women in Shaheen Bagh in New Delhi.

Shukla was one of the few non-Muslim faces at the Ghanta Ghar protests.

#### ***Two more FIRs***

One of the two new FIRs that Shukla found out about on Friday was registered on 19 January booked her for breaching the peace, rioting, disobeying a public servant and assaulting a public servant.

The second was registered on 16 March and cited Section 66 of the Information Technology Act that pertains to “computer related offenses.”

This FIR says that women started an illegal

sit-in on 17 January, and hammered nails and put banners on the door of the Ghanta Ghar, ruining the beauty of the heritage site.

Men and women, the FIR says, raised anti government slogans. The FIR says the accused misbehaved with Indian and foreign tourists who were visiting Ghanta Ghar and then used social media to lie and say the police was misbehaving with the protestors.

“I feel they are raising the heritage site point because they want to file the NSA against social and political activists. But we don't have that kind criminal background, that is why they are bringing up things like ruining heritage sites, breaching the peace and creating divisions in the community. Their motive is to frame us as traitors,” said Shukla.

#### ***Pooja Shukla***

Shukla, who is 24 years old and attends Lucknow University, shot to prominence after she waved a black flag at the UP Chief Minister Yogi Adityanath in 2017, and spent almost a month in prison.

“There's a world of difference in being a woman or an activist in Delhi and being a politically active woman in Uttar Pradesh,” she told *HuffPost India's* Piyasree Dasgupta at the time.

Shukla said the seemingly never-ending cycle of FIRs, arrests and court hearings did not frighten her anymore, but she is afraid of the perception this sustained vilification creates in society and the permanent harm that it will cause her.

“Every student is afraid of going to jail, getting accused of crimes, getting thrown out of University, but I have already gone through it. This government has taken that fear out of me,” said Shukla. “The only thing is that I had not seen a period of Emergency and now I'm seeing it.”

“I'm not afraid of the police investigation. I'm afraid of the way in which they are misguiding society, and how easily people believe



the rumours that are spread about the people who stand up to them. They are making it difficult for people who criticise the government to live in society,” she said.

### **Arrested**

The first FIR registered against Shukla in connection with the anti CAA protests was registered on 18 January and booked her for joining an unlawful Assembly, rioting, disobeying a public servant, and obstructing the public way.

All four crimes are repeated in subsequent FIRs.

U.P. Police arrested her on 25 January under Section 151 of the Criminal Procedure Code, which allows for sending a person to judicial custody if the police believe that she or he will commit a crime.

Earlier, it was the district magistrate who would have to approve preventive detention, but since the UP adopted the Police Commissionerate System in January, it is the Assistant Commissioner of Police who signs off on it.

Devendra Upadhyay, Shukla’s lawyer, said that “one policeman makes the arrest for preventive detention and another policeman approves it.”

A second FIR was registered against her at close to four in the afternoon on 25 January, even though she was arrested and sent to jail earlier that day.

This second FIR — FIR 38/2020 — is erroneously referred to as FIR 29/2020 in a letter dated 27 January from the UP Police to a magistrate asking that she be remanded to further judicial custody.

Shukla, who was granted bail from the preventive detention on 27 January 2020, believes the UP Police booked her under the second FIR to prevent her from getting out of jail.

Shukla, however, was released on 29 January before the police’s remand request could be executed.

Regarding the erroneous citation of FIR 29 in the letter, Shukla said she had searched for an FIR with that number for several weeks only to discover that it concerned an ATM dispute which had nothing to do with her.

“How is the police making such big mistakes in such a grave matter and then sending an official letter to a magistrate with that mistake,” she said.

On 4 February, the Lucknow Bench of the Allahabad High Court said the U.P. Police could not arrest Shukla for any crime with a prison term of less than seven years without informing her via a police notice.

### **Then and now**

Shukla is no stranger to the state’s coercive machinery, but she finds there to be even less space for dissent than the first time she was arrested shortly after the BJP returned to power in UP with a sweeping majority in 2017.

“When I went to jail in 2017, the police did not manhandle political prisoners. The people who were arrested this time were treated like terrorists. They were beaten, verbally abused,” she said.

There also changes at home. In 2018, Shukla told *HuffPost India* that her parents were wary of her political ambitions and protests that were landing her in jail. Two years later, she says they too have become used to the cycle of FIRs, arrests and court hearings.

“My father was very worried, but nowadays he is fine,” she said.

On the four FIRs, and getting slapped with several of the same sections over and over again, Shukla said that she was worried that the police were preparing the ground for booking her under the NSA.

“There is only one motive and that is to silence people who point out the problems in governance,” she said.

**Betwa Sharma** is Politics Editor, *HuffPost India*

Courtesy **HuffPost**, 23 June 2020. 

# Four Months after Viral Video Of Policemen Beating Man To Death, FIR Says No Suspects

*A video of uniformed policemen forcing 23-year-old Faizan to sing the national anthem as they thrashed him became a defining image of the police's role in the 2020 communal riots in Delhi.*

Anumeha Yadav



**Faizan died in February this year, days after he was violently assaulted by uniformed policemen and forced to sing the national anthem**

NEW DELHI — The Delhi Police's First Information Report into one of the most controversial deaths in the 2020 Delhi Riots omits any reference to the police's alleged role in the incident.

23-year-old Faizan died in February this year, days after he was violently assaulted by uniformed policemen and forced to sing the national anthem.

A video of the incident sparked outrage after it went viral online and was also carried by several news outlets.

Yet the First Information Report registered by the Bhajanpura Police station makes no mention of the clearly documented video footage of the police assaulting Faizan; contradicts on-record police statements that Faizan was in police custody following his assault, and claims that Faizan died after he went missing from the Guru Tegh Bahadur hospital in northeast Delhi.

Three months and a half months after his death, Faizan's family is yet to get a copy of the autopsy conducted on his corpse. Meanwhile,

key witnesses in the case told *HuffPost India* that police officers were putting pressure on them to change their statements.

Kismatun, Faizan's 61-year-old mother, told *HuffPost India* that the local police had asked her to change statements in which she placed the onus of Faizan's death on the police for first assaulting her son in the streets, and then denying him medical treatment when he was held at the Jyoti Nagar police station.

"In the first week of March they called me to Jyoti Nagar station and this time, they addressed me as mataji. A policeman told me, 'Whoever had to go is now gone. If you change your views, you will get some aid and money'." Kismatun told *HuffPost India*. "I told the policeman, I did not want any money. If they had let my child go, I would have sold our house if needed, and got him treatment."

"If the police had allowed my injured son to go, I would have saved him," Kismatun said.

Deputy Commissioner of Police (Crime Branch) Rajesh Deo who is heading the probe declined to comment on whether his team had identified the uniformed policemen who are seen assaulting Faizan in the widely circulated viral video, nor did he respond to the numerous discrepancies in the initial police complaint.

"The case is pending investigation," Deo said. "If there are any discrepancies, they will come out in further investigation." Three months have passed since Faizan's death, but the police are yet to file a charge-sheet in the case, without which prosecution proceedings cannot begin in court.

"This is not a blind spot or a mystery case, one without any evidence, but one in which there is clear video evidence," said Vrinda Grover, the lawyer for Faizan's family. "Instead of following these video leads and testimonies of eye witnesses to identify the perpetrators, the police are questioning the morality and integrity of the victims, and those who captured the videos of the assault from a distance."

"Even during a situation of riots or disturbances, formal orders get passed on which police units will be deputed in which areas. Who those 6 to 8 policemen were who assaulted Faizan is known to the police," Grover said. "If the police SIT who are meant to investigate this impartially are not submitting a charge-sheet even after over three months, then it shows the police is shielding those men."

The following account, based on the FIR, interviews with witnesses and family members, and *HuffPost India*'s previous reporting on Faizan's death, raises troubling questions over the Delhi police's investigations into the week-long communal riots that swept the national capital and claimed at least 53 lives. Reams of video footage from bystanders and CCTVs have shown policemen actively participating in the violence by attacking students and bystanders and damaging public and private property.

The police have registered over 750 first information reports, filed over 88 chargesheets, and claimed that the riots are a consequence of a pre-planned conspiracy by forces aligned against the government; yet the force has been curiously silent about the violence committed by its own policemen.

#### ***Omissions in police version***

If the police FIR is to be believed, on Feb 25 Head Constable Manoj Bhatti arrived at GTB hospital and was provided Faizan's medico-legal-certificate which claimed "physical assault by mob" as stated by the patient himself. Faizan, the FIR claims, had received treatment and left GTB hospital on his own. The FIR claims the police visited Faizan's house, but he was not at home. Later, the police learnt he had sought treatment at Lok Nayak Hospital and had died.

The police version of events makes several omissions, as per a detailed investigation by *HuffPost India* published in March, and eliminates the active role played by the police all together.

An eyewitness who was assaulted by the

police alongside Faizan had told *HuffPost India* that they were bundled into a police vehicle after their assault and taken to the Guru Tegh Bahadur hospital for a round of basic first-aid, after which they were taken to the Jyoti Nagar police station.

Shailendra Tomar, the Station House Officer of Jyoti Nagar station, where Kardampuri falls, had in February, confirmed to *Huffpost India* that Faizan and the other men seen in the assault video were brought to the station on February 24 from GTB hospital.

Kisamtun, Faizan's mother, said she went to the Jyoti Nagar police station to plead for her son's release on three separate occasions: The night of February 24, the morning of February 25, and then finally the night of February 25 when the police finally allowed her to take Faizan home at about 11 PM at night.

The next morning, Kisamatun and her relatives rushed Faizan to the Lok Nayak Hospital after his health deteriorated considerably. He died the same day.

"The police had beat my son so severely that his body turned blue by the time they released him from Jyoti Nagar police station on the night of February 25," Kisamtun, Faizan's 61-year old mother told *HuffPost India* in an interview soon after Faizan's death. "The policemen had put batons inside his throat and he could not swallow or eat when he got him home. Even his fingers were swollen and broken."

Crucially, the family was unable to get any official documentation regarding Faizan's death — neither his medico-legal-certificate from when he was first brought to GTB hospital, nor his autopsy. In fact, his body was not released for three days as police officials at the neighbouring police stations of Bhajanpura and Jyoti Nagar argued over who had jurisdiction over his case.

Three months into the case, Faizan's family say members of the Crime Branch have interviewed them, even as the local police force has sought to silence their testimonies.



**ANUMEHA YADAV: Kisamtun, Faizan's mother, said the local police asked her to change her statement**

"I told the investigators that I went to Jyoti Nagar station on the night of February 24. There, a policeman confirmed to me that Faizan was in the station lock-up," Kisamtun recounted. "But the station staff were rude and dismissive. They threatened me, 'Go, get lost, we will lock you in too'."

"I went again the next morning but they would not respond to me. Late at around 11 at night of February 25, when his condition kept getting worse and he had started vomiting, the SHO told my neighbours to tell me to take him back. I and relatives of two men who had also been assaulted by the police requested a neighbour to drive us in an auto to the station and six of us returned together from the station." Kisamtun said.

As mentioned earlier, the police subsequently called Kisamtun and asked her to change her statement. She isn't the only witness



the police have sought to influence.

“The police are interrogating the person who shot the second video which provides an aerial shot of the police assaulting Faizan and four men next to the Kardampuri mohalla clinic and corroborates the incident,” said a member of Faizan’s family, referring to the fact that there are three separate videos of the police assaulting Faizan. “After they were questioned, the family approached us in April and told us they were terrified. They asked if we had registered a police case against those who shot the video.”

The relative said the police intimidated the person who shot the video by insinuating that he was a rioter too.

“Similarly, the police have been questioning Faizan’s co-workers about his reputation, whether he took part in protests against the citizenship law or not, and so on,” the relative said.

One of Faizan’s former co-workers at the poultry shop, where Faizan worked shortly prior to his death, confirmed that the police had interrogated him about Faizan’s involvement in protests against the Citizenship Amendment Act (CAA), Modi government’s controversial new citizenship law that critics say discriminates against Muslims.

“The police asked me what kind of boy Faizan was, was he participating in CAA protests, had he gone to work that day,” said Qureshi. “I told them I had dropped him at the circular road as per usual at 2:30 pm on February 24. He had come to work every day in the weeks prior to his death, we left home at 6am for Ghazipur and usually returned by 3 or 4 pm.”

One of the men who was in lock-up with Faizan before his death said his relatives were being questioned by the police as well.

“The police have been making enquiries from my relatives on how I am related to them, what they think of me, do I keep bad company, was I up to any mischief and rioting. I told my relatives to speak freely when I have done no wrong,

why should I be scared?” said the young man who remained bed-ridden for weeks after he was assaulted on February 24.

He recounted that the police had assaulted him, Faizan and three others around 4 pm on February 24.

“Women from Kardampuri had organized a peaceful sit-in protest for over a month. That day, someone shouted that a fire had started on the main road and there was chaos,” the eyewitness recounted. “When I got there, it was a stampede-like situation. I fell and policemen caught me, beat me and dragged me till the mohalla clinic till my skin peeled off. Four men lay in a heap near the clinic and I was the fifth. I thought I was going to die that day.”

He continued: “They were in police uniforms, and they beat us and threatened us to sing the national anthem, and taunted us to chant ‘Azaadi’. They were shooting a video making us sing, and that video got leaked by one of them. One of them even threatened us openly ‘Even if you die, nothing will happen to us, and it will be written off as a riot case’.”

He reiterated that Faizan was kept in the lock-up at Jyoti Nagar after being brutally assaulted by the police, and reiterated the timeline corroborated by Kismatun, and the other witnesses in the case.

“The policemen took us to GTB hospital, and then locked us at the Jyoti Nagar station,” he said. “Faizan was asking for water. He was vomiting. We spent February 24 night in the lock-up. We were so badly injured, we could not stand up on our own. Some held Faizan and then me to even go to the toilet. We needed treatment.”

The men were finally released on February 25, the eyewitness concluded.

“The Crime Branch officials tried to ask me many indirect questions on my interest and involvement in protests, but this is the simple sequence of events which I have stated to them as well,” the witness said.

Courtesy **HuffPost**, 19 June 2020. 



# How Delhi Police is using UAPA and charging riots accused in multiple cases to keep them in jail

*Days after Faisal Farooq obtained bail in a case related to violence at a school in North East Delhi, he was arrested again on Monday in a different FIR.*

Sruthisagar Yamunan

On Tuesday, the Delhi High Court gave bail on humanitarian grounds to Safoora Zargar, a 27-year-old student of the Jamia Millia Islamia University who is five months pregnant.

The bail came after a steep struggle since Zargar had been booked under the Unlawful Activities Prevention Act in a case related to the communal violence that erupted in North East Delhi in February.

In fact, an analysis of bail proceedings in Delhi communal violence cases, including the case against Zargar, shows how the police have relied on the draconian law to keep people in jail.

Even when they have not invoked UAPA, the police have been quick to arrest the accused in a second case after they obtained bail in the original case against them.

Added to this, the courts have been inconsistent in the way they have handled the bail applications.

## **Bail followed by arrest**

Delhi police first arrested Zargar on April 10 in a case filed on February 24 in the Jaffrabad police station. The first information report accused several people of instigating protests against the Citizenship Amendment Act near the Jaffrabad metro station on February 22 and triggering the riots that followed. Zargar was not among the 14 accused initially named in the FIR.

When she was awarded bail in this case by a sessions court on April 13, she was immediately arrested in another first information report filed on March 6. This case related to the larger purported conspiracy behind the communal



violence and included charges under the Unlawful Activities Prevention Act. Zargar was accused of delivering an inflammatory speech at Chandbagh in North East Delhi on February 24, which has been cited as an instigation for the violence.

On June 4, the sessions court denied her bail, stating that prima facie there was evidence of her involvement in the case. Her lawyers filed an appeal in the Delhi High Court.

On Tuesday, June 23, following a submission by Solicitor General Tushar Mehta that the police were not averse to the court granting bail to Zargar on humanitarian grounds given her health status, the Delhi High Court released her with several stipulations. This included directives to strictly stay away from the activities for which she had been arrested and to keep in touch with the investigation officer over phone at least once every 15 days.

## **‘Physical presence’**

Zargar’s battle for bail raises doubts over whether the Delhi Police included her in an FIR with provisions of the Unlawful Activities



Prevention Act with the sole aim of keeping her in custody. Given the clauses in the UAPA, getting bail is much more difficult when compared to cases in which only the Indian Penal Code has been invoked.

This is evident from another order passed by a sessions court last week awarding bail to Faisal Farooq, accused of instigating violence at a school in Shiv Vihar. Farooq is the manager of Rajdhani Public School and has been charged with fueling the violence in the area that damaged the adjacent DRP Convent School on February 24. The police did not use UAPA in this case.

In the bail order, the court made a significant observation:

“Admittedly, in none of the CCTV footages, the presence of applicant is there. If it is prima-facie noticeable that accused was not present at the scene of occurrence then naturally, the evidence against him in respect of sections 397/395/436/455 IPC will fall short.”

The court also noted attempts by the investigation officer to improve the statements of witnesses from those initially recorded before a magistrate to make it favourable to the prosecution. A newspaper reporter Farooq spoke to over the phone was misrepresented as a conversation part of the conspiracy.

On Monday, June 22, the Delhi High Court stayed the bail awarded to Farooq, after the Delhi Police filed an appeal. The matter is now scheduled for hearing on July 1.

During the hearing, the police informed the High Court that Farooq has been arrested in

another case on June 22 and is in custody for the same.

According to Farooq’s lawyers RK Kochar and Gaurav Kochar, the second case is also related to the same violence outside the Rajdhani Public School, filed by the Dayalpur Police station on February 28.

On Wednesday, June 24, a magistrate dismissed the plea of the police to grant four days of police custody, noting that the ingredients of the two cases are similar and that the accused has already been in judicial custody for four months.

“After keeping quiet for four months, the police have suddenly arrested him in the new case after he was granted bail in the other case,” the lawyers said. “We have argued that the only purpose of the second case is to keep him in jail.”

#### **The importance of UAPA**

Unlike Farooq’s case, the June 4 order of a sessions court that denied Zargar bail refused to accept her absence from the scene of violence as evidence for her innocence. This is primarily because the FIR under which Zargar was arrested had sections under the draconian UAPA. The court said even though there may not be direct evidence to pin her down, her role in the larger conspiracy cannot be discounted. “When you choose to play with embers, you cannot blame the wind to have carried the spark a bit too far and spread the fire,” the court said.

Even on Tuesday, she managed to get bail from the Delhi High Court only because of her health condition. Others arrested in the same case have been unable to obtain such orders.

For example, Gulfisha Fatima, a 28-year-old woman booked for offences under the UAPA in the same FIR, was denied bail by the Delhi High Court on Monday. She was arrested in the case on April 9, a day before Zargar’s arrest. Her name too was added to the FIR after she obtained bail in another case which did not have UAPA sections.

Courtesy **Scroll.in**, Jun 25, 2020 

# FIR Against Supriya Sharma Is Emblematic of How the Law is Abused to Throttle Press Freedom

*A bare scrutiny of the two documents used to register an FIR against the report shows that the alleged offences invoked are ex-facie not made out.*

Suhas Chakma



Representative image. Photo: The Wire

The registration of an FIR against Supriya Sharma, executive editor of the *Scroll* by the Uttar Pradesh Police under Sections 3(1) (d) and 3(1)(r) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act (POA Act) (corresponding to 3(1) (&) and 3(1)(‘ ) in the Hindi version of the Act cited by the UP police in the FIR) and Sections 269 and 501 of the Indian Penal Code on June 13 is another stark reminder that India has been the worst violator of press freedom during the COVID-19 pandemic across the world. As per information collated by the Rights & Risks Analysis Group, about 55 journalists were targeted with arrest, summons, FIRs and at times with physical assault during the lockdown.

The FIR against Sharma is emblematic of abuse of the law by the police to throttle press freedom in the country.

In her report, “In Varanasi village adopted

by Prime Minister Modi, people went hungry during the lockdown” published in *Scroll* on June 8, Sharma chronicled the conditions of people of the Domari village, adopted by the PM, during the lockdown. In her report, Sharma reported the following on Mala Devi:

“Mala, a single mother, had six souls to take care of. After her employers stopped paying her during the lockdown, the domestic worker made furtive trips to Banaras, in the hope that she would find some odd jobs or gather alms to buy food for her five children. She often failed. “We would sleep on chai and roti, sometimes not even that,” she said.

Mala literally went begging on the streets of Banaras. She lived on the outskirts of Domari, in a cluster of Dalit homes built on the Ganga floodplains. Her mother had a ration card, she said, but she

*did not. She said she had raised her five children by doing jhadu, pochha, bartan – cleaning homes and utensils. Six months ago, things looked up when her son found contractual work cleaning sewers – “Rs 6,000 salary,” she said. Far more than the Rs 2,500 she made. But the lockdown threw both mother and son out of work.*

*When she heard the government had waived the requirement for ration cards during the lockdown, she went to the ration shop. She was told: “Ration humare budget mein nahi hai, wo pradhan apne ghar se de raha hai.” We do not have any extra ration, the village head is directly distributing from his home.”*

Mala Devi was allegedly aggrieved by Sharma’s reportage and in her complaint to the station house office of Ram Nagar, Varanasi on June 13, she stated the following:

*“I am working with Municipal Corporation (Nagar Nigam) as an outsourcing cleaning staff (safai karamchari). My mother was employed with the Nagar Nigam and at present she is receiving pension from the Nagar Nigam. A woman reporter named Supriya Sharma came to me; she introduced herself as a press reporter and asked me about the lockdown. I told her that because I am working as an outsourcing cleaning staff (safai karamchari) I had no problem to meet my daily ends (khana peena).*

*Now I have come to know that Supriya Sharma has published wrong information about me in Scroll.in stating that I work as sweeper and cleaner of dishes and I am sleeping after having tea and rotis. By reporting that me and my children starved during lockdown, Supriya Sharma made a joke of my poverty and caste because of which I suffered mentally and my reputation in the society was harmed. I request to register FIR against Reporter Supriya*

*Sharma and the editor in chief of Scroll.in for publishing a false story about a Scheduled Caste woman and take appropriate action.”*

The news story published in *Scroll* and the complaint filed by Mala Devi are the whole and sole materials for the registration of the FIR.

#### **Alleged offences are ex-facie not made out**

A bare scrutiny of these two documents shows that the alleged offences invoked in the FIR are *ex-facie* not made out.

First, the Uttar Pradesh Police invoked sections 3(1)(d) and 3(1)(r) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Section 3(1)(d) relates to whoever not being a member of a Scheduled Caste or a Scheduled Tribe “*garlands with footwear or parades naked or semi-naked a member of a Scheduled Caste or a Scheduled Tribe*” while Section 3(1)(r) relates to whoever not being a member of a Scheduled Caste or a Scheduled Tribe “*intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view.*”

Sharma only interviewed Mala Devi. Therefore, the question of the offences entailed under the two sections of the Act do not arise. The charge in 3(1)(d) is manifestly absurd. And 3(1)(r) too does not apply as the article did not identify Mala Devi as a Dalit and only referred to the fact that she lives in a cluster of Dalit homes.

Second, Section 269 of the IPC invoked by the police in the FIR relates to “*whoever unlawfully or negligently does any act which is, and which he knows or has reason to believe to be, likely to spread the infection of any disease dangerous to life, shall be punished with imprisonment of either description for a term which may extend to*



*six months, or with fine, or with both.”* The print and electronic media were treated as an ‘essential service’ as per the Ministry of Home Affairs’ order issued on March 24. Sharma does not have COVID-19 and nor does Mala Devi. Therefore, the alleged offence under Section 269 of the IPC is also not made out and in fact, there is no specific averment in the complaint on this issue too.

#### **Police cannot register FIR for defamation**

Third, the FIR was registered under Section 501 of the Indian Penal Code, relating to punishment for defamation. The Supreme Court in its judgment on May 13, 2016, while upholding the constitutional validity of Section 499 of IPC in the case of *Subramanian Swamy vs Union of India* unequivocally stated:

*“another aspect requires to be addressed pertains to issue of summons. Section 199 CrPC envisages filing of a complaint in court. In case of criminal defamation neither any FIR can be filed nor can any direction be issued under Section 156(3) CrPC”.*

In numerous judgments, the Supreme Court and various high courts have consistently held that a complaint of defamation cannot be made directly to a police officer but only through a private complaint made to a judicial magistrate under Section 200 of the CrPC. The police are simply not empowered to register an FIR under Section 501 of the IPC.

If no offence is *ex-facie* made out and police are not empowered to register an FIR for defamation, why are such FIRs being filed?

A scrutiny of the FIRs registered against several journalists during the lockdown shows that they have been filed not because offences were committed by journalists or the state has a case to convict. They were filed to intimidate and send a message to the media community, as the entire process of appearing for an investigation before the police or filing petitions for quashing the FIR before the courts is distracting, time and resource consuming and frustrating.

**Suhas Chakma** is director, Rights & Risks Analysis Group.

Courtesy **The Wire**, 22/Jun/2020 

## **THE RADICAL HUMANIST SUBSCRIPTION RATES**

### **In SAARC Countries:**

For one year - Rs. 200.00

For two years - Rs. 350.00

For three years - 500.00

Life subscription - Rs. 2000.00

(Life subscription is only for individual subscribers and not for institutions)

Cheques should be in favour of **The Radical Humanist**.

### **In other Countries:**

Annual subscription (Air Mail) \$ 100.00; GBP 75.00

### **Note: Direct transfer of subscription amount from abroad may be sent to:**

IFSC Code: CNRB0000349, MICR Code: 110015012 in the Current Account Number 0349201821034 at Canara Bank, Maharani Bagh, New Delhi- 110014, India.

Cheques and money transfer details may be sent to: **Satish Chandra Varma, Treasurer IRI**, A-1/103, Satyam Apartments, Vasundhara Enclave, Delhi- 110096. (M) 9811587576.

Email ID: <scvarma17@gmail.com>

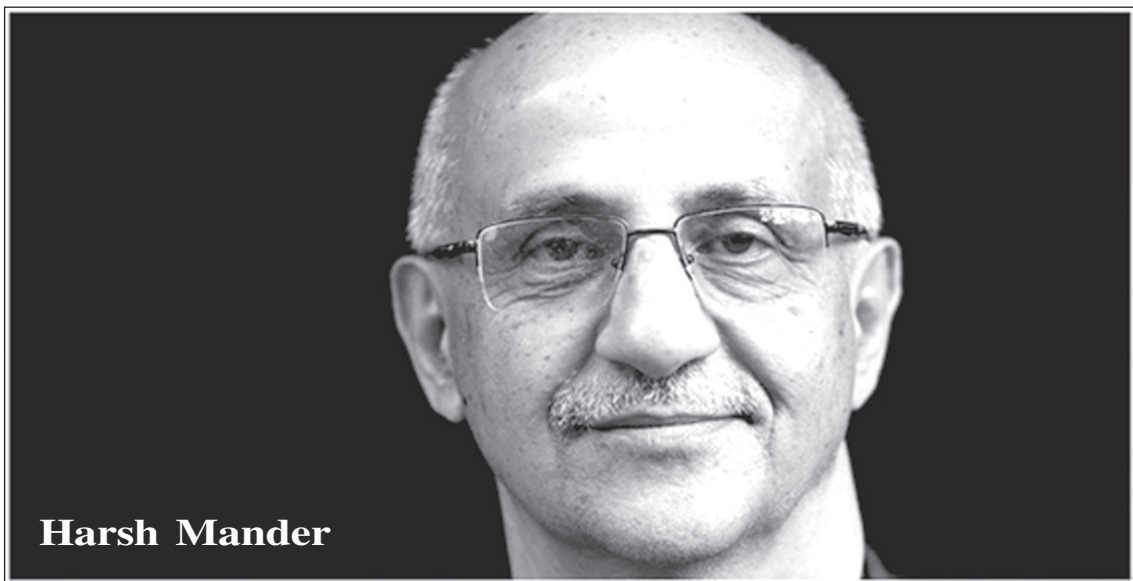


On Monday, June 2

## **With Harsh Mander named in Delhi riots chargesheet, Indian democracy has slipped into a dark hole**

*He gave a speech that called for love and non-violence.  
Government agencies consider this an act of provocation.*

**Apoorvanand**



“What does the future of our country look like? You are the youth of today. What kind of a country would you like to leave behind for your children? Where will this decision be taken? One, it will be on the streets. We are on the streets today. But beyond the streets there is another place where this will be decided. Which is the place where the final decision on this question will be taken? It is in our hearts. In your heart, and in mine. We will have to give an answer. They want to kill our hearts with hate. If we reply with hate, hatred will deepen.

If someone is darkening the future of the country, and we reply in the same language then we will only be amplifying the darkness. Darkness can be fought only with light. We have only one answer for their hate, and that is

love.

If they use violence they will compel us to use violence as well but we will never choose the path of violence. You must understand their motive is to arouse you to become violent so that if you are 2% violent they can respond with 100% violence. We have learnt from Gandhiji how we must respond to violence and injustice. We will fight with non-violence. Whoever encourages you to use violence is not your well-wisher.”

Do you see any instigation of violence in this speech? You won't find it, but the Delhi police believes it reflects a conspiracy to provoke violence. They want us to believe that it is a call for violence couched in the language of peace.

This is the speech given by Harsh Mander on December 16, 2019, addressing the students of Jamia Milia Islamia. It was a tense time. The students were angry. On December 15, the Delhi Police had launched an unprecedented attack on them in their institution. The next day, all of us congregated at Jamia.

The sight of broken glass, injured students and spots of blood left us hurt and angry. At a time like this, Harsh Mander came forward to inspire the students – with a call for love, strength and non-violence. But government agencies consider this an act of provocation.

#### **What is the matter?**

If we were to believe the Delhi Police, Harsh Mander was involved in instigating the riots that rocked Northeast Delhi in February. This speech is being presented as evidence against Mander. If it did not have serious legal implications, we could have laughed it off.

The life of Mander, an administrative officer, Indian head of an international organisation and head of self-established institutions and campaigns, has been a crusader against violence. He has dedicated himself to unveiling the various faces of violence in our society, showing it to those who turn their faces away, working towards systemic changes using the state machinery and legal system, and ensuring the longevity of these initiatives by creating an environment of legal and social awareness. This is an example of a life dedicated to the cause of non-violence.

#### **A ‘minority supporter’?**

The purpose of this article is not to applaud Mander. If someone has chosen to dedicate himself to the most underrated Constitutional value of fraternity, which is equal to other values of justice, equality and freedom, and such a person is unjustly targeted by the state, then it is not the question of this one man alone.

Over the past two decades, Mander has developed an image of being a minority supporter. Especially since the Gujarat

massacre in 2002 and his work with the Muslim victims of the majoritarian violence, he has been maligned and presented to the Hindus as evil.

Mander chose to bring justice to minorities through the legal system. Along with this, he believes in public dialogue. This is not possible through the language of animosity and hate. Both communities will have to learn to speak with each other in the language of friendship and understanding.

#### **Faith in courts**

However, this does not mean that crimes must be forgotten and justice denied. That is the reason Mander tenaciously kept fighting the long-drawn out legal battles in the Gujarat pogrom cases. Having been an administrative officer himself, Mander knows that if communal riots go on beyond a few hours, it is clear the violence enjoys state support. The government wishes it to continue. It is a state-approved and organised violence. Hence, it is imperative that the government is held responsible.

As a young officer in 1984, Mander ensured violence did not break out in the area under his charge. He is aware that violence can be stopped if there is an intention to do so. Whenever anti-minority violence is justified by claiming it is spontaneous, people like Mander call out the lie. That is why people like him are hated.

Mander, with several others, fought for and achieved the passing of the Right To Information, Right To Food, and minimum guarantee of employment laws by holding the government accountable. This is another reason for this attack on him. He has been called a “jholawala” and an “interference”. He is like a thorn in the side of the country’s elite, who wants to seize control over every resource and process.

In the past six years, attacks on Muslims, Christians and Dalits have multiplied. During this time, the Indian media worked hard at invisibilising the violence. Mander and his

companions never allowed it to disappear from the public eye. He has constantly shown everyone that it is possible to combat violence even when a political party with a majoritarian ideology is in power.

#### **Why is he disliked?**

Everyone loves to talk about love and affection, when justice is not on line. Justice is a bitter issue. Were Harsh to keep himself to singing “Ram Dhun”, there would be no problem. Our society is full of Gandhivaadis who keep chanting of love and avoid the mention of justice. Mander speaks of justice and hence, is unpleasant to some people.

Last year, when the Bharatiya Janata Party government adopted a legal route to divide and disgrace Jammu and Kashmir and later, to delegitimise Muslims through citizenship laws, Mander knocked on the doors of the courts. Fighting for the people in detention centres in Assam, he locked horns with the Supreme Court. In February, when violence was unleashed upon Delhi and the police and administration as usual began targeting Muslims, Mander approached the court again.

Fighting the legal battle does not imply turning away from the movement on-ground. When Muslims and the youth of this country took to the streets to protest the Citizenship Amendment Act, National Register of Citizens and National Population Register, they found Mander – and several like him – standing by them in solidarity. He spoke up against the attack on the students of Jamia and even went to the institute. There, Harsh Mander gave a call to all Indians to stand up for our rights through Constitutional and non-violent means.

#### **The hate campaign**

The speech quoted at the start of this article took place in December, after which we saw an organised hate campaign. It was targeted at those who were sitting in protest at various places against the citizenship amendment laws. This hate campaign ran under the shadow of

an election campaign and involved senior members of the ruling party.

The plan to incite violence against the protestors worked. Shots were fired at Shaheen Bagh and Jamia Milia Islamia. Then violence erupted in Northeast Delhi in February. Murders, looting, arson followed.

Mander got involved in the relief work, while also reminding the court that those who had deliberately provoked violence must be brought to justice. It is his insistence of identifying those behind the violence of Delhi that has angered those in the government. They are now trying to fabricate a conspiracy involving him.

All of Mander’s work has been open, transparent and non-violent. Secrecy and conspiracy is not his style of working. He was open about his opposition to the Citizenship Amendment Act and the National Register of Citizens. He has spoken publicly against the unconstitutionality of the government’s actions.

The only agency that could call him a riot conspirator is the one under whose watch Jawaharlal Nehru University students and teachers were attacked by thugs and then went scot-free, and whose chief laughs off the attack on former student leader Kanhaiya Kumar and calls the victims of violence the perpetrators.

Why hasn’t a chargesheet been filed against the political leaders who openly instigated violence against the protestors and spread hate? This question must be raised and remembered.

We must also remember, if a chargesheet can be filed against Mander then the country has already slipped into a grave dark hole. This move is a test to check if the democratic spirit of India is still alive or has it breathed its last.

*Apoorvanand teaches Hindi at Delhi University. The original article in Hindi has been translated by the Karwan e Mohabbat team.*

Courtesy **Scroll.in**, 20 June 2020. 

# India is heading into uncharted waters with no leadership at the helm, just the simulacra of one

*The prime minister evokes a deep adulation in his supporters. But it should be clear by now that whatever that adulation is, it is not on account of his leadership.*

*His leadership has been totally missing. Covid to China, economy to society, there's a politics of illusion and evasive silence*

**Pratap Bhanu Mehta**

The Republic of India is facing a leadership crisis. The economic hardship faced by millions of Indians is severe. Hard won gains in poverty reduction are at risk. The Covid pandemic has not peaked. If the evidence of the last few weeks is anything to go by, we are nowhere near the state of readiness which was within our capacity to achieve. The capacities of our health care system are going to be severely tested now. The immediate military environment is turning adverse. No one is quite sure where the Chinese logic of showing India its true place will end. They are clearly testing India's resolve, and at the moment, the sum total of our objective is to avoid a domestic public embarrassment. Nepal's ability to dare India is a sign of our diminished power and diplomatic hubris. China may be losing international credibility very fast. But India is also, in its own way, becoming a less attractive power because its growth story is stalling and its democracy is becoming less exemplary.

These crises are challenging. But they are made more intractable by the fact that India has a leadership deficit at the top. India's political tragedy is that even the depth of the crisis cannot be acknowledged. The government fully understands that to even acknowledge any elements of the crisis would be to puncture its legitimising myth, that India is in the hands of a powerful leadership that was going to be the sole vehicle for its manifest destiny. Whereas the blunt truth is that there

has almost never been a time in India's recent history when it was so bereft of leadership.

The surest sign of this is the fact that the entire energy of government is geared towards the preservation of the legitimising myth of the leader by propaganda, diversion, repression. Leaders require the dissemination of ideas and achievements. But it is probably a wise maxim in any democracy that the scale of propaganda required to sustain a regime is in inverse proportion to the capacities of its leaders. This government dismisses Nehru as an elitist. But Nehru was a democrat in the respect that mattered the most. He did not doubt the intelligence of the people and the need to explain himself, and the logic of his actions, right or wrong, to them. Modi, the man of the people, talks at people, not to them. It is always in formats where he cannot be questioned; where he is above a democratic conversation, above public reason, not part of it.

This regime, and many of us, criticised Manmohan Singh for his evasive silences, especially in the face of an emerging plutocracy that corroded the UPA from within. But India is, arguably, facing its deepest crisis in three decades, and except an occasional acronym or unmeaning phrase, can you remember one speech in recent times from this prime minister that seriously energised the nation, brought it together and, most importantly, laid out reasoning and content that showed a sense of vision? Speaking a lot is

not the same thing as saying a lot. The deliberate and cumulatively evasive silences of this prime minister now far outweigh the silence of any other prime minister.

The pat response to this criticism is often that this prime minister has often been name-called; and is often subject to elite snobbery. There is truth in this complaint. But the overuse of this argument to create a self-serving protective shield itself displays the lack of leadership. For a prime minister of six years standing, with a historic mandate, with no real opposition, to constantly play victim is either a sign of a deep insecurity that is incompatible with leadership, or a play act that contemptuously believes that inducing a little dose of self guilt in his constituents is a good way to prevent them from asking tough questions. Don't question the handling of the economy. Don't question the strategic brilliance that has made India's borders more secure.

But, more seriously, you would imagine that given the magnitude of the crisis, the first task of genuine leadership would be to bring the country together. But on every single aspect, the divisiveness of the communalism and authoritarianism of pre-pandemic politics continues. Both are on display in the way in which anti-CAA protestors are being hounded. Such are the priorities of this government that in the middle of a pandemic it is obsessed with branding idealistic young students, fighting, perhaps sometimes overzealously, against discrimination, into enemies of the state, while hate mongers go free. A leader knows, as Lincoln said, a house divided cannot stand. Our leader positions himself as the house divided.

Even on the pandemic, the prime minister has not brought the nation together. Instead of the nation dealing with this challenge with resolve and the resources commensurate to it, we set up a weirdly divisive dynamic. Everyone understood the pandemic is a difficult challenge. Most citizens were willing to go to

inordinate lengths to support the effort. But we managed to convert the governance of the pandemic into free fall. At the root of this is the culture of perception management that insecure leaderships at the top create. So, rather than acknowledging the depth of the challenge, many states, from Gujarat to Delhi to Bengal, actively mimicked the Central government's emphasis on managing their image rather than confronting reality. They suppressed testing so that their scorecard looks good. You would have thought that at this point testing would be freely available, and on demand, rather than doled out in rationed doses. Most state leaders, like Vijay Rupani, Mamata Banerjee and Arvind Kejriwal are to blame as much as the prime minister, but they mimicked his style.

You cannot help wondering how much the culture of leadership has been transformed to the point where the old-fashioned expectations of leadership have disappeared. What has the prime minister reduced leadership to? Instead of confronting reality, deny it; instead of encouraging criticism, suppress it; instead of socially mediating differences, exacerbate them; instead of taking responsibility, take the credit and pawn the blame; instead of appropriate empathy, revel in a kind of cruelty; and instead of preparing the nation for challenges, constantly trap it in diversions.

The prime minister evokes a deep adulation in his supporters. But it should be clear by now that whatever that adulation is, it is not on account of his leadership. His leadership has been totally missing. What has been put in its place is a politics of illusion we have all too easily internalised. India is heading into uncharted waters with no leadership at the helm, just the simulacra of one.

*The writer is contributing editor, The Indian Express*

Courtesy **The Indian Express**, 16 June 2020. 



# How Javed Akhtar's Atheism Navigates India's Cultural Waters

*The Richard Dawkins Award to Javed Akhtar brings recognition to the 'milder strain' of western rationality in the Indian subcontinent*

Fahad Zuberi

*"Jab tak dono mujhe gaali de rahe hain, tab tak mai bilkul theek hun. Agar inme se kisi ek ne gali dena band kardi, to mai pareshan ho jaunga* (As long as both – the communal Muslims and communal Hindus – are targeting me, I am doing the right thing. If either of them stops targeting me someday, I'd be worried)," said Javed Akhtar at a literary event in 2018. The poet-lyricist summarised the position of a freethinker and rationalist in contemporary India in simple yet certain words.

The recipient of this year's Richard Dawkins Award, Akhtar has been an avowed atheist and an untiring critic of fundamentalism, communalism, and superstition. Contributing to the movement of rationalism in the sub-continent through his poetry and prose, as well as through his active presence in the socio-political discourse, he has carved out a space for rationality and secularism in a country that holds its religio-cultural values, and dogmas, close to heart.

Whether Akhtar deserved the prize or not has been debated ad nauseam in the Twittersverse, more with rancour and less with reason though. The last bits of vitriol are perhaps still being flung at rivals. Moving past it, a more pertinent inquiry that we must engage in is that of the value such a recognition brings to the larger movement of rationality and secularism, and its interaction with a society like that of India.

The Indian sub-continent has a long history of atheism. With various philosophical ideas such as Buddhism, Jainism, and some schools of thought in Hinduism emerging out of atheistic

outlooks, the discourses in India never separated cultural values from religious ones, and hence, always saw atheism as a parallel discourse within the larger search for meaning in life.

This is in opposition to the modern, western idea of rationality championed by the likes of Bertrand Russell, whereby atheism and rationality seek a break from the 'superstitious past' and from the practices of the 'unenlightened era' that is now (supposedly) behind us. The Indian populace, hence, has seen rationalism and atheism as the 'other' to their value system and a threat to their very way of life. Rationalism as a movement has therefore struggled to appeal to the Indian masses despite the hard work of eminent individuals such as Narendra Dhabolkar, Hamid Dalwai, and Sanal Edamaruku.

Employing his deep understanding of the Indian religious consciousness, Akhtar calibrated his approach, made it more sensitive, and thereby found a way to promulgate the core ideas of western rationality without igniting the fears related to it. One can argue that he rejects the modern binary with which rationalism views the world, and exemplifies a culturally rooted individual with the same fervour as he upholds the values of secularism and scientific truth. The stark boundaries between one's religio-cultural identity and that of a liberated thinking citizen of a modern state, blur in his approach. Modernism has always viewed those boundaries to be indispensable and this very view, I feel, has many a times economised its appeal.

The discourse around atheism generated by 'The Four Horsemen' namely Richard Dawkins,

Christopher Hitchens, Sam Harris, and Daniel Dennett has fiercely shunned religious identity and looked at the individual as existing in a silo. It has been dead opposed to Church visits on Christmas, and even suggested that these rituals are oppressive to the 'closeted atheists'. While their ways of ridiculing religion worked well in the western world, the same would not have taken them very far in India. For that very reason, Akhtar tuned his ideas to accommodate India's religious aspirations.

He devised for himself and embraced a rather oxymoronic nomenclature – Muslim atheist. Questionable as it might be – a prominent video blogger Dhruv Rathee recently earned much ire for describing himself as a practicing Hindu atheist – the term suggested that a person's two identities could be reconciled. So one could be an atheist in thought and belief and yet carry the identity of a Muslim. Many others, myself included, are so repulsed by the religious identity that we choose to simply identify ourselves as atheists and ex-Muslims.

The utility of Akhtar's nuanced approach becomes more clear in his position on more specific issues. For instance, he argues for the abolition of regressive practices such as *triple talaq* and *purdah* while still identifying himself as a part of that religious community. More crucially, he does it without vilifying Muslims or taking a hegemonic-paternalistic route. He criticises fundamentalism while acknowledging an individual's right to follow the religion of their choice. He attacks the communal forces within Islam while also countering the anti-Muslim sentiment peddled by the Hindu right. His advocacy views the social evils of the community as problems that need to be resolved, and not as inherent flaws in the profile of an Indian Muslim.

One finds a similar approach in his ideas on nationalism – a term that dominates the narratives of major political establishments of the world today. Demonstrating his stance on

nationalism in his farewell speech in the Rajya Sabha, Akhtar also responded to an earlier refusal to chant 'Bharat Mata ki Jai' by the AIMIM leader Asaduddin Owaisi. The poet asserted that chanting those words was an individual's choice, not duty. He maintains nationalism as a natural and primal sentiment of love and attachment to one's land of birth while rejecting the European idea of nationalism that divides people on the basis of nationalities.

Today, as the Indian citizenry is rallied on a brand of nationalism that is increasingly nativist and xenophobic, with the reality of CAA and the spectre of Hindu Rashtra threatening to completely erode country's secular-rational ethos, Akhtar has fought relentlessly against the tide. He speaks for the plural and syncretic idea of nationalism that originated with India's struggle for Independence, and advocates for secularism as an inseparable part of the nationalistic sentiment. While denying both – the form of nationalism that Premchand describes as a disease and the form corrupted by the divisive politics of Hindutva – he reclaims nationalism as a virtue for the liberal and secular society.

Contemporary politics threatens secularism today more than ever. In this challenging context, Akhtar has carved a space for rationalism and atheism that beckons to a wider audience and permeates into the public imagination of a country that has identified atheists as saints in its history. As a script writer who articulates shared struggles and aspirations of a citizen in *Zanjeer* (1973), as a poet who can pen eloquent *bhajans* for Krishna in *Lagaan* (2001) and *Yugandhar* (1993), and as a public intellectual who criticises dogma and religious fundamentalism ferociously, Akhtar has massively contributed towards a constructive interaction between the identity of a citizen; cultural values and heritage; and secular values and scientific truth.

( To be Contd....on Page - 42 )

**Tribute: Justice Hosbet Suresh (July 20, 1929- June 11, 2020)**

## **Justice Hosbet Suresh believed and practised tenets of equity and fairness all his life**

*Will Justice Suresh be remembered because with men (and women) like him on the bench, the lawyer and citizen felt “safe”? Because, whatever the outcome of a particular case, justice would be done and the constitutional mandate upheld?*

**Teesta Setalvad**



**Will Justice Hosbet Suresh be remembered because with men (and women) like him on the Bench the lawyer and citizen felt ‘safe’?**

Will Justice Hosbet Suresh, who passed away on June 11, be remembered as one in whose mind the constitutional pledge to every Indian was uppermost? Will he be remembered for the trendsetting jurisprudence set in the Sharad Rao v/s Subhash Desai judgement — in an election petition that unseated an MLA for corrosive electioneering? Will he be remembered because with men (and women) like him on the bench, the lawyer and citizen felt “safe”? Because, whatever the outcome of a particular case, justice would be done and the constitutional mandate upheld?

Much has been written on the qualities of a judge: A sense of fairness, an unflinching commitment to delivery of justice, integrity, an astute grasp of not just the formal sections of the law, but its intent, compassion and courage.

It would not be an exaggeration to say that Justice Suresh had the near-perfect judicial temperament. Or that the understanding Justice

Suresh (and many before and after him) held, of what is the real function of the judiciary and the judge is more an exception than the rule today: To be the ultimate arbiter (and guarantor) of both — equality of life and equality before the law.

Justice Suresh, born in Karkala Sharada, Karnataka in 1929, had two distinct and memorable stints on the bench in Bombay. One as a city civil and sessions judge (1968-1980) and the other at the Bombay High Court (1986-1991). During both stints, he left his mark, procedurally and substantively. He would share his experiences with us, agitated at the huge pile up of cases and the pendency. He had devised a simple system of organising his own roster: Before the start of the court term, he would estimate the number of matters he would be able to complete, list all these on the first day of the term and give an approximate date for hearing. Counsel were estimated to complete

their arguments within a day or two, meeting the schedule. This logical organisation worked wonders. Neither litigant nor lawyer had to wait their turn.

A significant judgement delivered by him was as a judge of the city civil and sessions court, Bombay. He interpreted (40 years ago) Hindu law to allow the son of a prominent family born out of marriage to be recognised as a legal entity, and thereby, be entitled to some share in the ancestral property. As a High Court judge, in 1994, he courageously interpreted section 123 (a) and 123(b) of the Representation of People's Act and struck down the election of an MLA, Subash Desai. He looked hate politics in the eye, and, along with several of his upright and courageous colleagues at the time (Justice VR Krishna Iyer, PB Sawant, KG Kannabiran, Aruna Roy, Ghanshyam Shah, Tanika Sarkar), spoke unflinchingly of the human rights violations in Gujarat in 2002 (Concerned Citizens Tribunal, Crimes Against Humanity, Gujarat 2002).

When the system starts faltering, even failing, and shows deep cracks and schisms, alternatives start to emerge: Justice Suresh not only recognised it, but was deeply affected by this failure. This led him to pioneer, with mentor Justice Krishna Iyer as guide, the people's inquest, the people's tribunal. It took him to the farthest reaches of India — villages and conflict zones — where, for him, real and substantive compassionate justice could come only after listening to the voices of the victims of denial and violations, and of the inaccessibility to justice. Which ones should I name here, even as we begin the task of collecting and annotating this vast library of alternate jurisprudence?

The inquiry he headed into the riots following the Cauvery Water Dispute, Bangalore (1991), the "people's verdict" he delivered with Justice S Daud in the post-Babri Masjid demolition violence in Bombay in 1992-1993, the forced evictions of slum dwellers by the authorities in Bombay in 1994, the inquiry into the harmful

effects of prawn farming on the eastern coast that led the Supreme Court of India to thereafter ban prawn farming (1995), the commission he was part of that investigated the merciless drowning of Dalits by the Tamil Nadu police (1999), the brutal shooting down of tribals in Devas, Madhya Pradesh or the commission he headed that looked into police and paramilitary excesses and torture in Manipur in 2000 — this led the Supreme Court, close to two decades later, to order investigations, as a consequence of which, now, such brutality is substantially reduced.

"My voice is my conscience", he would say to us, clear and firm that a justice sitting on the bench owed it to litigants and citizens alike, to audibly deliver his verdict. For the vast community of human rights defenders and lawyers mentored by him, he was both a passionate shining star that oozed optimism, and a gentle guide and friend. His humility, sense of humour and rigour were unique. He was also the ultimate feminist, believing in equal and joyous spaces for women.

When he began to practice in Bombay, he would devote eight to ten hours a week teaching at the city's night schools. A commitment to the less privileged that led him to continue to support the school that his family had established in Surathkal, Karnataka. To Rama, his late wife (who the family lost in 1993), to his son, and most of all to Rajini, Malini and Shalini, his three surviving daughters and their families, we can only say, "you shared with us a man who was so special and rare, they just don't make enough of them like him anymore." His voice is the conscience of all Indians. Ameen.

*This article first appeared in the print edition on June 19 under the title "His voice, his conscience". The author is secretary, Citizens for Justice and Peace and co-editor Sabrang India*

Courtesy **the Indian Express**, 19 June 2020. 



## ***UBC confers honorary doctorate on Teesta Setalvad Several well-known artists and activists also honoured***



***On Monday, June 22,  
The University of British Columbia  
conferred an honorary doctorate on  
human rights defender and  
journalist Teesta Setalvad. Due to  
the coronavirus outbreak the  
ceremony could not be held in  
person and the announcements  
were made online.***

Setalvad, who is secretary Citizens for Justice and Peace (CJP) as well as editor and co-founder, SabrangIndia, was chosen for a long history of defending the rights of people from religious minorities and oppressed socio-cultural backgrounds. From 1993 until 2012, she along with her partner, Javed Anand published the highly recognised monthly, *Communalism Combat*.

The UBC honoured her saying, “Teesta Setalvad is a civil rights activist, author and award-winning journalist in India who played a prominent role in the campaign for justice for the victims of the 2002 massacre of close to two thousand Muslims in the state of Gujarat. She has worked in the field of human rights and law to expose majoritarianism and religious fanaticism in India and other parts of the world, deepening human rights jurisprudence on victimology and access to justice. She has also been influential on issues concerning rights of women, religious minorities, Indigenous persons, and forest dwelling communities.”

Speaking about the honour Setalvad said, “It is both humbling and a challenge. A lot of my work has evolved around the check on the arbitrary access of power (realisation of the Rule of Law first principles) and access to justice (when vast sections of Indians especially our

Dalits, Adivasis, Muslims, Christians and Women are so far from dignity and non-discrimination in their lived lives). In the India we live in today, the challenge is greater, the risks higher. I hope we are all able to live up to the task. Today more than ever, I remember and miss my father, Atul, who mentored in me a human rights commitment and vision.”

Setalvad finds herself in august company. Some of the human rights defenders honoured this year include:

Keiko Mary Kitagawa, O.B.C., who with her family was among the more than 22,000 Canadians of Japanese descent uprooted, disposed, dispersed, incarcerated and enslaved during and after the Second World War. Kitagawa is a tireless social justice and anti-racism leader and activist, whose efforts led to Japanese Canadian students who had not been able to complete their education due to forced removal and incarceration in 1942, ultimately being conferred with honorary undergraduate degrees in 2012.

Tantoo Cardinal, C.M., a celebrated Canadian actor of First Nations/Métis descent who has been widely recognized for her contributions to the growth and development of Aboriginal performing arts in Canada, especially

breaking barriers for onscreen representation of Indigenous peoples and has challenged negative stereotypes throughout her career.

Tracy Porteous, a Registered Clinical Counsellor and leader in the Canadian anti-violence movement who for the better part of four decades has worked to address gender-based violence through cross sectoral policy, program, training and legislative development.

Paul Thiele who overcame his own visual impairment to study comparative literature and complete his Bachelor of Arts degree. He subsequently became the co-founder, architect and head of UBC's Crane Library, an invaluable resource centre for visually impaired students

for over 50 years. His knowledge regarding visual impairment issues has helped to shape legislation and inform library management throughout Canada.

Other recipients include first ever Principal Dancer of Chinese-Canadian heritage at The National Ballet of Canada, Chan Hon Goh, one of Canada's most celebrated and respected authors, Lawrence Hill, member of the Canadian Music Hall of Fame, Doug Johnson, advocate for the rights of people with lived experience of dementia, Jim Mann, and UBC Chancellor Emeritus Sarah Morgan-Silvester who is known for championing diverse and inclusive environments, particularly for women. 🌈

---

## **Radical Reports :**

### **1. A Dream of Science**

**Bhaskar Sur**

morning I rang up Dipak Kumar Dan to wish him a happy birthday. He turned three score and eleven which, for the Bible, is more than what God allotted to the sinful progeny of Adam. It is the time to settle accounts with life and prepare for what lies beyond it. But Dan, an unbeliever and humanist, is quite unconcerned about ageing and surprisingly for a Bengali, retains his youthful ebullience. He exudes warmth and has an infectious smile hovering on his lips. He remains busy giving shape to a dream of the days of youth - building an institution for taking science to the people. And it stands there, at Gobardanga, a suburban town, 70 kms north to Calcutta. Gobardanga Gabeshana Parishad was founded by Dipak Dan and his wife Rekha Dan from their meager income as school teachers. They used to live at their dilapidated ancestral house but carefully



**Gobardanga Gabeshana Parishad Building**

saved their money to materialize their cherished dream. Now GGP has an impressive building, a well stocked library of science literature in Bengali, a guest room and an auditorium. The institute has become an hub of activity for popular science organizations, environmentalists, research scholars and cultural workers. Seminars are held round the year and the

Institute brings out its own journal Gobardanga Patrika. It has also a publication division which has 70 titles to its credit. Dan, a tireless worker, has so far written or edited about 65 books on popular science and he edits a science journal Bijjan Mela. Though the institute has now a social science section, its focus is on hard sciences. In 2017 Dan started another popular journal of Mathematics. He travels across the length and breadth of the state organizing seminars at schools and colleges to develop love for Mathematics and appreciate its beauty. He says responses have been very encouraging.

Dan, coming from lower middle class Shudra family, was inspired by Mani Dasgupta, a Radical Humanist who, with the help of young activists like Dan, founded Gobardanga Renaissance Institute in 1973, though informally it was active since the mid 60s. MN Roy, who developed Radical Humanist philosophy came to realize from his revolutionary experience that, unless there is revolution in the cultural field, all political revolutions would end up either in dictatorship or social chaos. Only scientific rationality, belief in human potentials, intellectual quest and cooperative action can transform society. In any free and open society science and innovation will play an important role. Science for Roy is the way to truth, spiritual liberation and an adventure of the mind. His followers were also influenced by Russell, Julian Huxley, Karl Popper and Kuhn. Dipak Dan was as much influenced by this ambience as by the Bengali scientific tradition whose exponents are Mahendralal Sirkar, PC Roy, SN Bose, Saha and others. Sarkar, the father of modern Indian Science, also coming from a Shudra background saw science as means to build up a casteless civilized and dynamic society. In his scientific manifesto “On the Desirability of the Cultivation of Science” (1869) he put it forth with much clarity, “Our ideal civilization is incompatible with arbitrary restrictions upon the liberty of thought and private judgement and with prejudice of

every description... The one thing which can secure this blessing to mankind, the toleration, his freedom from prejudice is knowledge... The kind of knowledge which is best calculated to remove prejudice and the spirit of intolerance is Physical Sciences. And the reason of this lies in the fact that in the pursuit of these studies there is no room for dogmatism”. Knowledge, as Popper was to note later, grows through continuous refutations and evolutionary in nature. Very few since then have shown how science is related to society and why without a scientific outlook we cannot move forward to a democratic future.

India still remains mired in religious mode of thinking which serves as a fertile ground for religious revivalism, atavistic outlook and obscurantism. Dr Pushpa Vargav, founder of CCMB regretted that despite all the tall claims of the government, no Indian citizen has received Nobel in science since 1930. India’s ranking in scientific research is an unenviable 55th position, far below South Korea, not to speak of Israel, Japan and China. Our leaders value science for economic growth and big power ambitions. Scientific institutions are embedded in society and they cannot remain free from its pressures, both social and political. When the government promotes non-science and obscurantism with the help of an obliging media, science takes a severe beating. ‘Scientific’ papers are now being written to ‘prove’ that in remote past India had aviation technology and by banging plates we can effectively fight coronavirus. Credulous, uncritical citizens, manipulated by media only perpetuate authoritarian rule hostile to science and freedom. In this surrounding gloom, we need a new wave of science movement free from ideological obsessions such as much dreaded Dialectical Science. Visionaries like Dipak Dan, inspired by reason and guided by love, are the only glimmer of hope.

Taken from **Facebook Post**, 19 June 2020. 

## 2. National Level Study Classes at Amalapuram, Andhra Pradesh

Rationalist Humanist National Level Study classes were held at Z.P. School, Amalapuram, Andhra Pradesh on 15th March 2020. The classes were organized by East Godavari District Rationalist Association. Morning session was presided over by D. Rajasekhar, General Secretary, East Godavari District Rationalist Association.

Shaik Babu, Treasurer, Rationalist Association of India, spoke on Religions beliefs and Scientific Outlook. He stated that religious beliefs should be exposed with the help of advanced Scientific Knowledge.

Dr. Gumma Veeranna, President, Andhra Pradesh Rationalist Association delivered lecture on the subject "Physical realism and humanism". He opined that physical realism is the modern form of materialism based on modern science. He explained the subject in detail. K.V.V. Satyanarayana, President, East Godavari District Rationalist Association also spoke on the


occasion.

In the afternoon KVV Satyanarayana Presided over the session. Meduri Satyanarayana, General Secretary, Rationalist Association of India, spoke on the subject "Humanist way of life and Rationalism". J. Bhima RAO, Vice President of East Godavari District Rationalist Association Discussions were held on all the subjects by the participants.

Study classes ended with the vote of thanks by D. Rajasekhar, The rationalists friends P. Dorababu, K. Satyanarayana, K. Nageshwararao, P. Srinivasa Rao, Balu, Dr. Chaitanya Prasad, Aketi Suranna were attended from various places and participated in the discussions. Nearly 60 people attend the classes.

Rationalist and Humanist literature was sold on that occasion with discount rates.

Report by **Dr. Gumma Veeranna**

President, Andhra Pradesh Rationalist Association. 

### How Javed Akhtar's Atheism Navigates...

**Contd. from page ... 36**

Notably, Akhtar is the first Indian to be awarded the Richard Dawkins Award and the second non-white recipient of the honour after Ayaan Hirsi Ali. The recognition, while identifying his commitment to rationalism and secularism, disengages itself from the oriental view of the region and its society as something that can be, or has to be, transformed into a secular state strictly within an avant garde modernist framework.

The recognition of Javed Akhtar is a departure from the brand of atheism that Richard Dawkins has himself furthered – one that refuses to accommodate any religious flux of an individual. The Richard Dawkins Award 2020 marks the beginning of a dialogue that fosters a post-modern rationalism – one rooted in cultural values while aspiring for scientific truth and a secular society.

Courtesy **Outlook**, 14 June 2020. 

### 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**



Special feature article:

## Mr. Avula Gopalakrishna Murthy's Visit to America

Nariseti Innaiah



Radical Humanist movement in India had special laurels during 1963 after the death of M N Roy and Ellen Roy. It was great honor to the movement. United States of America during the Presidentship of Robert Kennedy specially invited the famous humanist Mr Avula Gopalakrishna Murthy (known as AGK) as distinguished guest to visit their country and study.

Mr AGK was busy with his wedding anniversary and the marriage of his eldest daughter Jayasri in Tenali, a small town in south India.

The wedding was presided over by the chief justice of Andhra Pradesh Avula Sambasivarao.

Then arrived one tall person wearing *khadi* dress. He was the information head in the Madras consular of American embassy. He was B S R Krishna. He handed over silently a letter to Mr AGK. To his surprise, it was official invitation to visit The United States and study, visit any place, meet any person for any length of time. No doubt it was a surprise to everyone.

AGK held no official position in India except one term as chairman of Tenali Municipality and a practising advocate.

AGK accepted the invitation. While he was preparing for the travel, some people arranged a meeting and requested him to tell the greatness of India and the greatness of Vivekananda. AGK said that he will not talk about Vivekananda unless someone asked for and also said that he would tell the truth about Vivekananda.

The conservative daily Andhra Prabha under

the editorship of Neelam Raju Venkateshaiah purposely created controversy and asked the readers to send letters to the editor. The reactionaries wanted to stop AGK from visiting the US. But nothing happened. The tour of AGK took place.

AGK arrived in the USA during June 1963 and on the very first day AGK was invited to attend the press meet. Mr Robert Kennedy the President addressed the press meet, and AGK was honored by asking him to sit in the front row on June 23, 1963.

Then the tour commenced. AGK was asked to choose any place or meet any person. Accordingly AGK went round the States for two months covering east and west, north and south. AGK addressed world agricultural meet in Washington DC, presided over by Frenk Nagi, the former President of the Norway. AGK spoke to the spell bound audience. Nagi admired AGK and they remembered their acquaintance with Indian peasant leader N G Ranga.

AGK visited Milwaukee and addressed people. in the library he signed the visitors' book, and went round the library.

AGK wanted to visit a primary school. It was arranged in Ohio state for AGK to visit a school. AGK addressed primary class students and also taught them the beauty of Indian languages, especially the vowel ending letters. He carried some books with him and read out to the students some portions from them in a very attractive way. Students enjoyed and were thrilled to know the musical nature of Indian languages.

Then as lover of agriculture he was invited to farms. AGK visited farms in California state and Fresno area where some Indian settlers were involved in agriculture.

Then AGK was honored as one day guest President of the town Fresno. AGK was specially invited to see the inside of native Indian villages and meet native Indians. It was very unusual.

An American Radio program was arranged and AGK gave one hour talk on HUMANISM, which was broadcast in California state during 1963 December,

Then AGK spent a day with the famous writer Irving Stone and discussed various things with him. Then they enjoyed swimming in the pool and covered various subjects in their discussion. Similarly AGK toured entire USA-east west north and south.

Finally AGK visited New York city and specially met Mr Robert, the brother of late Allen Roy. They nostalgically remembered the memories of Allen and shed tears.

AGK took appointment to meet the famous humanist socialist Eric Fromm but poor AGK could not maintain punctuality. He went a little late and Erich Fromm waited for him and left. Of course personally several persons met AGK in USA.

The embassy circles were surprised at the grasp of things by AGK. AGK wrote letters to India during his tour.

Now the question remained: Why did the United State government select him? The answer is not known. But it was great honor to the humanist movement during 1960s. That was post M N Roy-Ellen Roy period.

AGK addressed several meetings in India on his return to India and explained his visit to the audience. It was unfortunate that AGK died during 1967 and could not sustain the momentum further. 🌈

## **An Appeal For Donations**

### **For Republishing books written by M.N. Roy & other Humanist Literature**

Indian Renaissance Institute has embarked upon republishing/reprinting the large amount of books & other material written by M.N. Roy as most of them have gone out of print, though requests for these books continue to pour in into our office. Connected humanist literature will also be published. Following books, at the first instance, require immediate publication:

‘New Humanism’; ‘Beyond Communism’; ‘Politics, Power and Parties’; ‘Historical Role of Islam’; ‘India’s Message’; ‘Men I Met’; ‘New Orientation’; ‘Materialism’; ‘Science & Philosophy’; ‘Revolution and Counter-revolution in China’; ‘India in Transition; Reason, Romanticism and Revolution’; ‘Russian Revolution’; Selected Works – Four Volumes(1917-1922), (1923-1927), (1927-1932) and (1932-1936); ‘Memoirs’ (Covers period 1915-1923).

We request readers and sympathizers to donate generously for the above project as this literature will go long way in enriching the humanist and renaissance movement in the country.

**Cheques/Bank drafts may be sent in the name of ‘Indian Renaissance Institute’ to: Satish Chandra Varma, Treasurer IRI, A-1/103, Satyam Apartments, Vasundhra Enclave, Delhi- 110096. (M) 9811587576. Email ID: <scvarma17@gmail.com>**

**Online donations may be sent to: ‘Indian Renaissance Institute’ Account No. 02070100005296; IFSC Code: UCBA0000207, UCO Bank, Supreme Court Branch, New Delhi (India)**

Mahi Pal Singh  
Secretary

Satish Chandra Varma  
Treasurer

## Readers' Comments on reading 'Selections from The Radical Humanist' at 'www.academia.edu':

**Muthu kumar** left a reason for downloading Selections from The radical Humanist Vol. II.

Dear Mahipal ji,

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

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

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

emdublew@yahoo.com

Respected Sir,

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

**Indranil Biswas**, sabdokatha@gmail.com

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

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

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

Dear Sir Mahipal Singh,

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

**Evelin Lindner** left a reason for downloading Selections from The radical Humanist Vol. II

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

### What is Humanism

Humanism is a philosophy and a mental attitude which gives primacy to the human individual and recognises his or her right to live in freedom and with dignity. It believes that "the human individual is the measure of all things". Humanism opposes the sacrifice of individuals at the altar of any imaginary collective ego like a nation or class. Historically as well as logically, humanism is the philosophy of democracy.

(From the Preamble to the **Constitution of Indian Radical Humanist Association**)

# **Books by M.N. Roy**

- **Beyond Communism**
- **Cultural Requisites of Freedom**
- **From Savagery to Civilization**
- **Historical Role of Islam**
- **India's Message**
- **Materialism**
- **Memoirs**
- **China: Revolution and Counter Revolution**
- **Men I Met**
- **National Government**
- **New Humanism**
- **New Orientation**
- **Politics, Power and Parties**
- **Reason, Romanticism & Revolution – Volume I**
- **Reason, Romanticism & Revolution – Volume II**

**(These books are Available at [www.lohiatoday.com](http://www.lohiatoday.com))**





**Avula Gopalakrishna Murthy welcomed on his return to India from USA**



**National Level Study Classes at Amalapuram, Andhra Pradesh, 15.3.2020**



**Former Chief  
Minister of  
Tripura,  
Manik  
Sarkar  
Rare  
Photograph  
and even  
more rare -  
Honest  
Politics**

## **A 'humble' chaiwallah's billion-dollar lifestyle - Vrinda Gopinath (14 May 19)**



There are five bullet-proof BMW sedans to ferry him around in the city—though he's reportedly switched to Range Rovers

The poor and humble PM, Narendra Modi, has splashed out on his trips abroad with an astronomical bill of ₹2,021 crore in the last five years, which amounts to ₹400 crore a year

RTI queries reveal, Modi spent nearly ₹4,400 crore on publicity alone (footed by the government and taxpayer) in just four years, until 2018, to bolster his image along with the schemes launched by him And, has anyone forgotten his monogrammed suit (reportedly prepared at the cost of ₹10 lakh and auctioned at a base price of ₹11 lakh, although it was gifted to him)