

# THE RADICAL HUMANIST



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# SHRI S.C.VARMA, Treasurer IRI, IS NO MORE

**Mr. Satish Chandra  
Varma addressing the  
Board of Trustees of IRI  
with Dr. Ramesh Awasthi,  
Chairman IRI, sitting on  
his right at Gandhi Peace  
Foundation, New Delhi.**



The sad news is that Shri S.C. Varma, Treasurer Indian Renaissance Institute, is no more. He expired yesterday (26th November, 2020) at Delhi. Covid-19 was the cause. It is a great loss to IRI. Sangeeta has rightly said that Mr. Varma's contribution to IRI is huge. He managed accounts of IRI singlehandedly and efficiently. He also managed RH's administrative side very well as its publisher. He repeatedly went to Nainital for six years between 2014 to 2020 to argue our case at the High court dozens of times and almost two times the verdict was within our reach but opposite party manipulated to stop that. I have many memories of him. We shall miss him badly.

**- N.D. Pancholi**

This is terrible. We are losing stalwarts.

**- Narisetti Innaiah**

Varma ji's untimely demise is a great loss to IRI and to the Humanist movement. He was a great support and carried the responsibility of IRI with commendable commitment. He was living in a protected and guarded housing society but still fell victim to Covid-19 Pandemic. He was getting better and that gave us a lot of hope but probably post-Covid complications of this deadly virus must have taken his life. All of us will always miss him.

**- Ramesh Awasthi**

Deep condolences.

**- Bhabani Dikshit**

Deepest condolences. Mr Varma's contribution to IRI was huge. He'll be sorely missed. It's a sad day.

**- Sangeeta Mall**

Deepest condolences. **- Apurba Dasgupta**

Oh! Very sad news. BD Sharma, Narottam Vyas, SC Verma, Vikram, Deepshika and I, We are all from same Chamber in Supreme Court.

Mr. Verma, simply committed person to our cause. It is a great loss to all. **- Vidya K Sagar**

Friends, this is so painful a news.

**- Ajit Bhattacharyya**

My heartfelt condolences to the family and all radical friends for this great loss.

**- S.C. Jain**

On behalf of the IRI I pay my respectful tributes to Mr. Satish Chandra Varma. He was a loving and friendly person and believed in 'Service with a Smile'. Within a few years he made a place in the hearts of all the radical humanist colleagues and left a lasting impression with his dedication and hard work for the IRI.

**Mahi Pal Singh**

# THE RADICAL HUMANIST

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Articles and Features :

## **The Night that Manabendra Nath Roy Died** *(Died on 25th January 1954)*

Abburi Ramakrishna Rao

Fear stared with a thousand eyes  
Like cows that had not grazed  
While gentle air blew softly around  
The universe of Man lay bewildered and dazed.

While the practitioners of falsehood  
Preached Patriotism and Godhood  
He gathered the seekers of truth  
And led them down the path of knowledge  
Across the sea of life  
Over the bridge of Reason.

Millions of minds he filled  
With the light of his knowledge  
And the flame of a new born Humanism  
Moved them with his writings  
Stirred their thoughts  
And shared the toils of his experience.

O Master Mind! O Manabendra!!  
Your life has no death  
For your followers will become you  
And carry on your battle.



*This poem is being published again as a tribute to M.N. Roy who died on 25th January 1954 at 13 Mohini Road, Dehradun, Uttarakhand. The poem was earlier published in 'The Radical Humanist', January 1980.*

# Farmers' Movement - An Itching Quandary for the Central Government

Dr. Prem Singh

*The farmer is the provider of food (Anndata) to the world, but in today's system, he often has a craving for grains. People thrive in towns and cities using his earnings, but only disasters come in his share. The crop dries due to droughts. Floods submerge fields. But a big disaster over these two comes when the price of the crop that came home after a year's hard work is so low that even the cost and expense does not come out. ... If the farmers are in a bad condition today, then it is only the anti-farmer policies of the governments that are responsible for destroying the villages and making a part of the metropolitan cities **Alkapuri**. ... There are villages on the foot-board of the country and on the foot-board of the cities, there are residences of the people who have been desolated from the villages. ('Khet Kisani Ki Nayi Neeti' (New Farming Policy), Sachchidanand Sinha, Samajwadi Jan Parishad, 2004)*

The incessant appropriation of everything from education to defense, from public sector undertakings to small-scale-retail businesses, from government offices to the Parliament Bhawan and from Union Public Service Commission (UPSC) to literature-arts-culture centers – and of bringing everything under corporate capitalist system has been going on unabated for the last three decades in the country. In such a situation, a vast and important sector like agriculture cannot be left outside this process. Manmohan Singh, who implanted the axis of corporate capitalism instead of constitutional socialism, carried out this process in a classical manner, as finance minister, and later as prime minister. As a scholar economist and to some extent as a member of the Congress Party, which had been an erstwhile forum for the struggle for independence, his eyes were always open to these on-goings. The poet-hearted Atal Bihari Vajpayee would sometimes open his eyes and at other times used to avert his gaze from this process. Narendra Modi is the Prime Minister who, with closed eyes,

provided imparted unprecedented acceleration to the process of corporation capitalism. At the *Chousar* of power he plays blind bets and then claps in favor of corporate houses. He made a blatant announcement of his role as the facilitator of capitalist class as soon as he became Prime Minister - the Congress made some amendments in favor of farmers in the Land Acquisition Act of 1894. As soon as he became Prime Minister, Modi tried very hard to repeal those amendments through an Ordinance in favor of capitalists.

Three agriculture-related Ordinances - The Farmers Produce Trade and Commerce (Promotion and Facilitation) **Ordinance**, 2020; The Farmers (Empowerment and Protection) Agreement on Price Assurance and **Farm Services Ordinance**, 2020; and The Essential Commodities (Amendment) **Ordinance**, 2020 - brought by the central government at the time of the Corona pandemic are in alignment with the above process and highlight Modi's specific role in it. In fact, it was only under the colonial system that agriculture



was subordinated to the business interests of the East India Company/England in a planned manner. As a result, *Kheti* (cultivation) fell from the category of *Uttam* (best) to the category of *Adham* (lowest). Even after independence, agriculture/village was kept as a colony of industry/city for development. However, in light of the Directive Principles of State Policy enshrined in the constitution in order to establish an equitable society, there was no exemption for open loot like the colonial era. Despite being subordinate to industry, the agriculture sector repeatedly supported the country's economy in intermittent economic crisis/recession. Now Modi and his government are intent on handing over agriculture sector to corporate houses. Corporate houses do not miss out on any profitable deal. Due to neo-liberal policies, the vast agricultural sector is doomed to fall prey to their profits.

Raised on the strength of small businessmen of small capital, the RSS/BJP are engaged in worshipping the big capital as a holy cow. The Modi-Bhagwat-led RSS/BJP has made the corporate houses opulent and the corporate houses have made the RSS/BJP immensely rich. Like a person who went blind in the month of spring sees green everywhere, they continue to spread the illusion that labour and agrarian laws, actually created to serve the corporate interest, will benefit the workers/peasants! The matter of worshipping big capital is not limited to the RSS/BJP. No economist, politician, even labourer/peasant leader, decisively tells the truth that big capital of corporate houses is a result of the loot of the national natural resources, agriculture and cheap labour. They have carried out this loot with the consent and cooperation of the ruling class of the country. The difference is that earlier corporate houses used to venture into the lap of parties/leaders, now the party and leaders have sat in the lap of corporate houses. Not only the *Godi Media*, *Godi Rajaniti* is also at its peak in present India.

If you want to see the intoxication of worshipping big capital, then see the behaviour of RSS/BJP and its supporters. Farmers say that agricultural laws are not in their interest, but the Prime Minister retorts that these laws are full of rights, opportunities and possibilities for farmers. The farmers, as part of their own decision, have been protesting against the agricultural laws for months and marched to knock on the doors of the capital on the Constitution Day (26 November) with the *Delhi Chalo* call. But the Prime Minister constantly promotes the narrative that the farmers have been misled by the opposition - an opposition that has tricked the farmers for 70 years. Theoretically peasants are considered to be regressive and a dying section even in the communist ideology; but Modi and his blind supporters are publicizing them as living beings without any faculties.

Modi and his government complain that only Punjab farmers are against agricultural laws, as if Punjab is not a province of India. It should be said instead that the farmers of Punjab have shown the way to the entire country by agitating against them from the day the ordinances were passed. Perhaps the farmers of Punjab have offended the power by committing this folly/blight and consequently are now being termed as *Khalistani*. The ruling class, which plays the role of middleman in selling the country's resources/enterprises to corporate houses/multinationals at throw away prices, talks about *Bichauliyas* (intermediaries) at agriculture produce markets, as if they are a group involved in heinous crime! When intoxication of worshipping big capital catch hold of mind then every Sikh is seen as *Khalistani*, every Muslim as terrorist, every human rights activist as 'Urban Naxal' and every anti-Modi as Pakistani. The Prime Minister alleges that a new trend of spreading confusion and fear among the people about decisions is seen these days. But he should see that he himself has propelled this

unprecedented trend for the last seven years - defending all decisions one by one in corporate-interest by making the noise about how nothing has been achieved in the last 65 years in the country.

Farmers reached the main borders of Delhi on the Constitution Day, facing severe obstructions, water splashes and tear gas perpetrated by the police. But the police at borders did not let them enter the capital. However, under pressure, the farmers were allowed to congregate in Burari Maidan under the police circle, as per the agreement between the Central and Delhi governments. But the steadfast farmers refused to be 'imprisoned' at Burari Maidan sticking to their original demand to protest at Jantar-Mantar as per schedule. They kept staging sit-in at the Singhu and Tikri borders of Delhi. On the other hand, farmers of western Uttar Pradesh are sitting on the Ghazipur border protesting against the same agricultural laws. The talks between the government and the representatives of the farmers' organizations in Punjab on 1 and 3 December 2020 have been inconclusive like the one held on 13 November 2020. Now there will be talks again on 5 December, which are expected to continue further. In the mean time the farmers' organizations have given a call for Bharat Band on 8 December 2020. They have not wound up their sit-in, and several farmers' organizations along with trade unions and civil society bodies have declared their support to the movement. Farmers have come with a provision of 6 months of ration, and are reiterating their resolve not to return before their demands are met. There is a demand to accord legal status to the Minimum Support Price (MSP), as well as the demand to withdraw all the three agricultural laws. It is noteworthy that the movement is completely peaceful and dignified, and its leaders are confident and willing to negotiate with the government.

Whether or not the government will accept the demands of farmers now or in the future will depend on whether the agitating farmers are willing to achieve the level of a proper political consciousness. The way in which the world and the country are changing rapidly, it is necessary to change the laws related to farming, logistics and institutions etc. In today's India, farming cannot be established above industry or equivalent. For this, there would be a need to return to the concept of decentralization found in Gandhi's *Gram Swaraj* (Village Self-rule) and Lohia's *Chowkhambha Rajya* (Four Pillar State). The enlightened progressive section of the country will not allow taking this 'backward' task in hands. Agriculture cannot be given equal importance even with the service sector. In the present situation, the only thing that can be done that changes should be brought under the constitutional socialist system and not under the corporate capitalist system. The farmers themselves can take initiative and set up cooperative units across the country, where fresh, quality food items can be available at reasonable rates. This will increase their income and employment. Farmer organizations across the country can play a role in this.

Farmers are the largest voter group in the country. The farmer's existence is completed by adding the agriculture labourers, who mostly belong to the Dalit castes, and the artisans (blacksmiths, carpenters, barbers, dhobis, telis, weavers, etc.) who belong to the most backward castes. There is also a sizable tribal population in India who are primitive farmers also. In this huge farming-related population, the hard work of women is equal if not more than that of men. Only by freeing the mindset of casteism, patriarchy and untouchability, can the farmers fight a united and long battle against the corporate capitalist system. They have inherited the idea/practice of mutual brotherhood and community living.

( To be Contd....on Page - 10 )

# Faces in mirror held up by farmers' protest

*They are showing how wrong we all were in our pessimism and giving the ordinary people a chance for all to unite and reclaim rights*

Amit Bhaduri



*An effigy being burnt in Agartala, Tripura, earlier this month in support of the farmers' agitation against the three farm laws. (PTI)*

The decisive Battle of Plassey that gave the East India Company its foothold in India and established its rule was lost not for lack of battlefield valour but because of the treachery of a military general.

An African saying warns: “An army of sheep led by a lion can defeat an army of lions led by a sheep.”

The truth behind this saying is wider, and covers not only battlefields but many modern governments and democratic leaders. A wrong leader, a toxic ideology, foolish ambition or a false sense of grandeur can play havoc, cause unimaginable damage in a very short time. And then the country would take a long time to recover, if at all.

Examples abound in history. Hitler and Mussolini are still not too distant in memory. The irony of Stalin's rule was that the Red Army

defeated the Nazis but, at the same time, his policy of purges left the independent communist parties of Eastern Europe crippled, from which they never quite recovered.

It is now well documented that toxic policies promoted by the International Monetary Fund and embraced by its market-fundamentalist leaders sent Argentina, a country of vast natural resources, begging before the world.

Delusion combined with a toxic ideology is a recipe for disaster in any country. A negative rate of growth, an unprecedented recession and massive unemployment coexisting with a soaring stock market combined with such ideological priorities as banning cow slaughter and building a Central Vista to show the historic importance of a leader have been foretelling such a disaster.

But we woke up to the fact that the monster



was at the door only when the farmers of the country showed us the mirror.

If you have not already deposited all your intelligence to the expert discussions and images of the mainstream media, you might ask, like in the fairy tale: “Mirror, mirror on the wall, show me who is behind it all”. And, the mirror would show not the obvious faces of the two most powerful politicians (both from Gujarat) of the ruling party in power, but two other faces, the two richest businessmen (again, both from Gujarat) of the country. No prize for guessing who they are. Both have been long time cronies of the current leader from his days as the chief minister of Gujarat.

However, it’s not merely “crony capitalism” that we are talking about. The three farm laws recently passed hastily in a moribund Parliament are no exception to the trend already set in a way. The government has done it repeatedly but the trend started earlier with blitzkrieg attacks that gave the public no time to react.

It started with the guerrilla attack of demonetisation and then the strategically bad implementation of the GST to weaken petty and small businesses and the states in our federal financial structure.

This was followed by the violent uprooting of the lives and livelihoods of migrant workers with the imposition of a most severe lockdown at four hours’ notice.

There was disquiet, discomfort and distress, but the public response was still not one of outrage. The illusion of the government fighting against black money (forget the promise of Rs 15 lakh in every Indian’s bank account) and valiantly imposing a lockdown against the looming pandemic still had some credibility with the trusting public.

But soon we all could not but see how the pandemic was being used as a cover to hollow out from within the essence of parliamentary democracy. A series of anti-labour and pro-corporate labour laws were passed, virtually

without any prior notice or discussion.

Now the government has adopted the calculated move of bringing the three farm laws into effect, fearing little resistance inside or outside Parliament, again under the cover of a pandemic in a demoralised economy with negative growth and crushing unemployment where most are gasping for oxygen.

Briefly, the three laws are meant to dismantle the mandi (wholesale market) system and the minimum support price of agricultural commodities.

And — this is the point of general interest, often underemphasised by mainstream media — they are meant to do away with virtually all normal legal processes in case of disputes through the grant of unilateral power to the government. These laws transfer the power of settling disputes to the executive itself, with no role for the judiciary. The alleged culprit will judge the nature of the guilt, violating all notions of possible conflicts of interest in law.

Such a law was passed by our democratic Parliament hurriedly, demolishing not only farmers’ rights but threatening the rights of all Indian citizens.

The farmers rose against it. They rose to defend their rights and this has now become linked with the wider constitutional rights of all Indian citizens. India’s demoralised, impoverished majority has suddenly become aware of the serious danger that stares them in the face. The corporatisation of agriculture is a prelude to the corporatisation of the Indian democracy, of our constitutional rights.

Economists of the establishment are known not for their expert knowledge but for their irrelevant half-truths, couched in jargon. The cornerstone of their argument, made famous by Milton Friedman, is that a free democracy requires a free market. The farm laws have brought up the question: Is it a democracy where the executor is also the judge? Is that the new definition of a free democracy? And

then, how free is a market where a small or marginal farmer faces Mr Ambani or Mr Adani in a bargain over price?


It is a badly kept secret of standard economic theory that the price mechanism does not work unless all buyers and sellers are price takers in the market. This means nobody has the market power to make prices. The high-powered general equilibrium theory had to invent a disinterested outside “auctioneer” like Voltaire’s God who would set and revise prices to get at the market clearing prices.

With all its imperfections and corruptions, the minimum support price is the closest we have to a price set by an “auctioneer”. The farmers want it enshrined as a law; the government is unwilling because it wants the corporations to set the prices, sooner rather than later, when the mandi system becomes dysfunctional under the new laws, with or without amendments.

**Contd. from page - (7)**

### **Farmers' Movement-An...**

Only they can treat the poison of communalism that is being spread in the society in order to preserve the corporate capitalist system. From the very beginning, the peasantry had a dilemma-less anti-imperialist consciousness in the struggle for independence, while the majority of the feudal and budding middle class remained in dilemma till the end. The statements of many farmers in the present movement show that they are conscious of the neo-imperialist gripes that are being imposed on the country. This political consciousness of the peasants may be the basis of the anti-neo-imperialist consciousness necessary for the restoration of freedom, sovereignty, self-reliance.

(The Author teaches Hindi at Delhi University) 

This is the free market mechanism celebrated by mainstream economists, debated by so-called experts in the mainstream media, and financed by the big corporations. And in the meantime, Mr Ambani’s Reliance has its fingers on the retail market of agricultural produce and Jio will control all corporate online bulk purchases, while Mr Adani is busy extending his network of corporate transport and silos for storing agricultural commodities.

The government is understandably enthusiastic about the future of digital capitalism with 5G, which will be controlled by Jio in India. Is there any respite, any alternative route possible?

The farmers are showing how wrong we all were in our pessimism. Things change, but not always in the way a few plutocrats and their minions want, if ordinary people unite with all their usual frailties and force Opposition political parties to unite at least on this issue. (Otherwise, the Opposition parties want to have neither a clear pro-poor road map of development nor the courage to call the bluff of mechanised corporate agriculture as the El Dorado of the future.)

The farmers’ determined resistance has created the necessary circumstances. It is for us all to join boldly. It reminds one of the wisdom of a well known observation. Paraphrasing Marx, we might say: “Men (and women) create history, but not under circumstances of their own making, but already created.”

The circumstances have indeed been created by the valiant resistance of the farmers. The lion of the African proverb can still lead an army of sheep to defeat what looked once like an invincible enemy.

*Amit Bhaduri is an economist. In January this year, Bhaduri gave up his status as professor emeritus at JNU in protest against the throttling of dissent on the campus*

Courtesy **The Telegraph**, 15.12.20. 

# Central laws won't benefit farmers, experts tell Tomar

Vishwa Mohan



NEW DELHI: At a time when protesting farmers have resolved to continue their agitation, a group of economists on Thursday wrote to agriculture minister Narendra Singh Tomar requesting the government to repeal the central farm laws which, they claimed, were not in the best interests of small and marginal farmers.

The economists put forward five reasons why the three laws were fundamentally harmful in their implications for small farmers. "We do believe that improvements and changes are required in the agricultural marketing system for the benefit of millions of small farmers, but the reforms brought by these Acts do not serve that purpose," they said.

The economists who wrote the joint letter included Kamal Nayan Kabra (retired professor, IIPA, New Delhi), D Narasimha Reddy (retired professor, University of Hyderabad), R Ramakumar (professor, TISS, Mumbai), Arun Kumar (professor, Institute of Social Sciences, New Delhi), Vikas Rawal (associate professor, JNU) and five others.

Referring to the provision of unregulated 'trade area' outside APMC 'mandis', they said mechanisms to address and prevent market manipulation in the APMC markets existed whereas the central Act contemplates no such

mechanisms in the unregulated trade areas. They said there would be no safeguards for farmers against non-price means of exploitation such as weighing, grading, moisture measurement etc in the unregulated trade areas.

They also noted that the APMC market yards still set the benchmark prices through the daily auctions and offered some reliable price signals to the farmers. "Without these price signals, the fragmented markets could pave the way for local monopsonies," they said while citing example of Bihar where farmers have less choice of buyers and less bargaining power, resulting in significantly lower prices compared to other states, since the removal of its APMC Act in 2006.

On contract farming law, they said while contract farming arrangements are voluntary in principle, the acute crisis in agriculture with no price assurances may push farmers towards this paradigm in the hope of saving themselves from the crisis. "However, the reality of contract farming experience doesn't bear that out in the absence of mechanisms to protect their interests," they said.

The economists also believe that the new laws would undermine the state government's role in regulating agricultural markets and this would, in turn, adversely affect the farmers. "State government machinery is much more accessible and accountable to farmers, right down to the village level, and hence state regulation of markets is more appropriate than bringing a large part of commodity sales and trade under the ambit of the central govt Act, by establishing trade areas," they said.

On farmers' concerns about domination by big agri-business, the economists said, "It is legitimate to understand that the three Acts together represent unshackling of agri-business companies from state level regulation and

licensing, constraints such as existing relationships between farmers, traders and market agents, and from limits on stocking, processing and marketing.

“This rightly raises concerns about consolidation of the market and the value chains in agricultural commodities in the hands of a few big players, as has happened in other countries such as the USA and Europe. It inevitably led to the ‘Get-Big-or-Get-Out’ dynamic in those countries, pushing out the small farmers, small traders and local agri-businesses.”

Instead, the believe, what Indian farmers require is a system that enables better bargaining power and their expanded involvement in the value chain through storage, processing and marketing infrastructure in the hands of farmers and FPOs.

“That would be a path for enhancing farmer incomes, and some of the earlier policy initiatives of the government were expected to help in that direction. However, the present Acts set a different direction where it is up to agri-business companies, freed from regulation and constraints, to invest and set up processing,

storage and marketing infrastructure – consolidating their hold on the value chain – while the government steps back from its commitment to help farmers build infrastructure and consolidate their bargaining position in the market,” they said.

Referring to these points relating to APMC mandis, trade areas, contract farming and dominance of agri-business, the economists believe that amending a few clauses will not be sufficient to address the concerns rightly raised by the farmers.

“For example, if setting up unregulated ‘trade areas’ outside the ambit of state regulation is in itself detrimental, then any tinkering with a few provisions of the Act is not going to address that,” they said.

Noting that it is not desirable to perpetuate the impression that farmers are misled by others, when they are raising valid and genuine concerns, they said, “The current impasse is not in anyone’s interests and it is the responsibility of the government to proactively resolve it by addressing the farmers’ concerns.”

Courtesy **The Times of India**, Dec 18, 2020. 🌈

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## **Upholding the Farmers' Protest**

The People's Union for Civil Liberties (PUCI) stands in solidarity with the non-violent and peaceful struggle of the lakhs of farmers sleeping under the open sky in the chill of winter on the Delhi borders. When the farmers of the country needed full support from the government due to the ongoing agrarian crisis, it has come as a shocker that the Government of India (GOI) wants to disempower the farmers completely in the interests of big corporates.

The PUCI would like to assert that the GOI must meet the demands of the protesting farmers and repeal the three new laws on farming, which were passed in Parliament in September 2020, by flouting all democratic norms. We would like to point out that these laws were passed in the middle of the pandemic without a national discussion on the proposed changes of law, which threaten to change the face of agriculture in India. It is objectionable that such far-reaching changes were ushered in at a time when the pandemic had already forcibly restricted the movement and economic activity of ordinary people.

It is evident that the farmers' struggle has moved well beyond the demand of merely protecting the minimum support price (MSP) and the repeal of the two new and one amended law on farming. It is our understanding that it has clearly emerged as a struggle for the survival of more than 50% of the Indian people who are farmers, a struggle against the corporate control of the several dimensions of farming economy and operations from production, to fair pricing, to stocking (hoarding), to markets and to retail marketing. The fear that if these laws are allowed to exist, then they would lead to the creation of landlessness, bondage and destitution of farmers cannot be lightly brushed aside, given the nature of the acute farmer and agricultural crisis that has been growing in the last two years.

The farmers' struggle also highlights the centre's violation of principles of federalism, by it legislating on a state subject without consulting the farmers or the state governments. The struggle also exposes how the laws take away legal and judicial recourse

and put in place only executive redress. Finally, this struggle is also for defending the basic democratic and constitutional right of the Indian people of the right to association, the right to protest and be heard.

With the fourth round of talks between the government and the farmers having failed, it is only clear that the government will begin throttling the protest even more.

The matter of concern is that in the absence of any regulation, and with declining purchasing power of the working poor, there is also a possibility that there will be increasing exports in foodgrains, while people in India continue to remain hungry. In the past, governments have withstood the pressure of the World Trade Organization and other developed countries and given leadership to the less developed countries of the world, arguing for a peace clause, which defends its public stockholding of foodgrains for the purposes of the public distribution system (PDS). In fact, what is needed is an expansion of the MSPs and effective procurement to all crops, including millets, pulses and oilseeds, which will also be in favour of small farmers while improving nutrition, as these can then be included in the PDS basket.

We demand from the GOI the following, that:

As a first step these laws be scrapped and repealed. (i)

Cases filed against the farmers be withdrawn. (ii)

The GOI should respect the democratic right of protest of the (iii) Indian citizens and have a dialogue with the farmers exhibiting good faith.

The GOI should respect the principles of federalism as stated in (iv) the Indian constitution and engage with state governments as equal partners in governance in order to strengthen every aspect of farming and Indian agriculture so that it remains self-reliant, independent and sustainable.

Lawmaking should not embolden the executive with extra powers and (v) deny legal and judicial remedies to the aggrieved. This increasing trend in lawmaking needs to be reversed.

**Ravi Kiran Jain**, National President,

**V Suresh**, National General Secretary 



# Media Management Modi Style

*Media has been managed so well by Modi government that for ministers to dare speak of 'press freedom' is offensive*

*For a while it seemed as if Modi's reason for never having given a press conference was that he did not know how to deal with the media.*

Tavleen Singh

*There are many famous TV anchors who have been 'managed' by the Modi government but Arnab is the favourite because he has willingly allowed his Republic channel to be used as a weapon against the Maharashtra government.*



On the day they arrested Arnab Goswami last week every senior minister in Narendra Modi's Cabinet came out openly in his support. The list of ministerial supporters is long so here is an abbreviated version. Among those who tweeted for Arnab were the ministers of Home, Finance, External Affairs, Law, and Information & Broadcasting. They spoke of what happened to this celebrity TV journalist as an assault on 'freedom of the press'. It was the hypocrisy of this that astounded me. They know better than anyone else that Modi has done more to curb press freedom than any prime minister since Indira Gandhi. Foreign correspondents who have written critical pieces on him have found restrictions imposed on their visas. Within India editors have been summarily dismissed for having the wrong attitude. Earlier this year I personally lost a column in a big Hindi newspaper that had been around for more than two decades. Discreet inquiries revealed that there had been pressure from the top.

So, the one thing that Arnab's arrest is not

is an attack on press freedom. What it can be called is an attack by the Maharashtra government on a journalist who has been so openly a spokesman of the BJP and the Modi government that it is hard to describe him as a journalist. There has not been an issue or event in this past year in which Arnab has not sounded like a member of the Modi government. When the protests started against the Citizenship Amendment Act (CAA) he held a series of 'debates' that supported the new law and charged the protesters with being 'anti-national'. When the first lockdown was imposed so suddenly that millions of migrant workers were forced to walk hundreds of kilometres to their villages, Arnab's 'debates' sought to prove that journalists chronicling this exodus of hungry, desperate people were liars.

When during this same lockdown two sadhus were killed in Palghar, Republic TV tried its best to make it sound like a hate crime by Muslims. Then came the campaign to put Rhea Chakraborty in jail so that Sushant Singh Rajput's name could be used by the BJP to

garner votes in the Bihar election. Arnab led the lynch mob. She was first charged in Arnab's court with murder and money laundering. Other famous anchors who emulate Arnab's style of lynch mob journalism turned their own shows into courts in which she was judged guilty till proven innocent. When the charges of murder, abetment to suicide and robbing Sushant's bank account did not stick, the lynch mob demanded that she be arrested for 'supplying' drugs to Sushant Singh. She was arrested and denied bail on charges too flimsy to merit incarceration.

There are many famous TV anchors who have been 'managed' by the Modi government but Arnab is the favourite because he has willingly allowed his Republic channel to be used as a weapon against the Maharashtra government. The BJP has made it clear that it wants to take back a state that they believe was stolen from them. In this cause the services of Arnab have been invaluable. He has attacked political leaders and the Mumbai police relentlessly to create the impression that there is a total breakdown of law and order in the state.

His style is to openly throw a challenge to the Chief Minister by saying that he is not afraid of him or of his police chief. In recent weeks it was the police chief, Param Bir Singh, who has been named and targeted in Arnab's primetime show. The message has been 'come and get me'. Well, they came and got him.

The question that arises is whether it is right for any journalist to play the role of attack dog for a political party or a government? Actually, the question should not need to be asked. The

media's relationship with government has to be adversarial because in a democracy the media's role is that of a watchdog. Since Modi became Prime Minister, though, it has been very hard for journalists to play this role because they are immediately punished.

For a while it seemed as if Modi's reason for never having given a press conference was that he did not know how to deal with the media. He believes that the media was unfair to him after the 2002 riots in Gujarat and so he prefers to talk only to friendly journalists (and Akshay Kumar) who ask him friendly questions. The main aim of his media policy, though, is to dragoon or lure pliable TV channels into his service. After he won his second term it can be said that the TV channels with the highest viewership have become aggressive and belligerent vehicles of government propaganda. And, Hindi newspapers with the largest readership usually write only in praise of the Supreme Leader.

This is why we have seen almost no criticism of that disastrous first lockdown in which millions of our poorest citizens had to walk to their villages because all means of transport were halted and their jobs were gone. This is why we see so little criticism of policies that caused an economic slowdown long before Covid. This is why there is so little investigation of the Chinese incursions into Ladakh. The media has been managed so well by the Modi government that for ministers to dare speak of 'press freedom' is offensive.

Courtesy **The Indian Express**, November 8, 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**

# Their Lordships & Masters

**The Indian Express: PB Mehta writes: SC was never perfect, but the signs are that it is slipping into judicial barbarism**

*This phenomenon is not just a matter of individual judges or individual cases. It is now a systematic phenomenon with deep institutional roots.*



**Pratap Bhanu Mehta**

The Indian Supreme Court was never perfect. It has had its dark periods before. But the signs are that it is slipping into judicial barbarism in the senses described above. This phenomenon is not just a matter of individual judges or individual cases. It is now a systematic phenomenon with deep institutional roots. It is also part of a global trend, of a piece with developments in Turkey, Poland and Hungary, where the judiciary aids this kind of democratic barbarism. To be sure, not all judges succumb to this; there are still pockets of resistance in the system. There will also be instances of grand pronouncement of principles on behalf of liberty, an occasional relief granted to a deserving plaintiff, to preserve a thin veneer of respectability for the institution, while its daily practice continues to abet the rot.

**Editorial | Hopefully, SC listens to itself and stands up for Kunal Kamra**

So what are the symptoms of judicial barbarism? The court has refused to do timely hearings of cases that go to the heart of the institutional integrity of a democracy: The electoral bonds case, for example. It is no secret that the rules for the grant or denial of bail by the Supreme Court, and, correspondingly, by several high courts, have reached new levels of arbitrariness. But it is important to underscore a point here.

As any undertrial knows, encountering justice in the Indian legal system has always had an element of luck to it. But we should not mistake the distinctiveness of the current moment. Patriots like Sudha Bharadwaj or thinkers like Anand Teltumbde are being denied bail. Umar Khalid was given a minor relief in being allowed

In political science literature there is a familiar term — democratic barbarism. Democratic barbarism is often sustained by a judicial barbarism. The term “barbarism” has several components. The first is the overwhelming appearance of arbitrariness in judicial decision-making. The application of law becomes so dependent on the arbitrary whims of individual judges that the rule of law or constitutional terms no longer have any meaning. The law becomes an instrument of oppression; or, at the very least, it aids and abets oppression.

This usually means weak protection for civil liberties and dissenters and an unusual degree of deference to state power, especially in constitutional matters. The court also becomes excessively concerned with its version of lese majesty: Like a scared monarch, the court cannot be seriously criticised or mocked. Its majesty is secured not by its credibility but by its power of contempt. And, finally, there is barbarism in a much deeper sense. It occurs when the state treats a section of its own citizenry as enemies of the people. The purpose of politics is no longer equal justice for all: It is to convert politics into a game of victims and oppressors and ensure that your side comes up the winner.

to step outside his cell but the fate of so many young student anti-CAA protestors remains uncertain. An 80-year-old social activist who is suffering from Parkinson's was denied a straw, and the court will do a hearing in its own time. One can't think of a more visible manifestation of sheer cruelty. Hundreds of Kashmiris were detained without habeas corpus redress.

All of these are not isolated instances of justice slipping because of the usual institutional inefficiencies. These are directly a product of a politics that sees protest, dissent, and freedom of expression all through the prism of potential enemies of the state. They are not equal citizens before the law. They are treated, without justification in many cases, as subversives, the only construct that democratic barbarism can put on disagreement. This construct is now directly aided by judicial power. And, it has to be said, the same phenomenon can be replicated at the level of states in service of a different political dispensation.

**Opinion | Rekha Sharma writes: Lower courts must heed the apex court's words on personal liberties and free speech**

What starts as a selectivity on civil liberties will slowly creep into the ideological foundations of the state. As state after state is now contemplating legislation on "love jihad", a communally insidious and infantilising construct, watch how the judiciary abets in legitimising this newest assault on liberty. We have gone past the stage where the highest court's infirmities can be captured in the policy wonk-ish language of institutional reform. What is happening is more like giving judicial form to the language of democratic barbarism.

The Supreme Court was right to grant Arnab Goswami bail. It has finally issued a notice to the UP government over its arrest of journalists. But Justice SA Bobde's reported intervention, that the Supreme Court was trying to discourage the use of Article 32, unwittingly let the cat out of the bag. Article 32 is one of the glories of the

Indian Constitution that protects fundamental rights. It can be suspended only in a state of emergency. In some ways, discouraging the use of this article is a perfect metaphor for our times: We don't want to formally declare a state of emergency but we might as well act as if there is one, as and when the need arises. Discourage, rather than suspend, the use of Article 32.

The fight against this is not going to be easy. The democratic barbarism, where every issue is now thought of through the prism of partisan combat, not public reason, has now infected assessment of the judiciary partly as a result of its own inability to project that it is above the fray. So much of the public discussion is about my favourite judicial victim versus yours that it is going to be hard to get a consensus on the rule of law. Ironically, the tradition of legal activism that is heavily invested in making the judiciary the arbiter of everything legitimises judicial intoxication. The trend still continues.

We may have our own views on the Central Vista project, for instance, but this is not the sort of issue the courts need to weigh in on. In seeking our minor policy victories from the court, we in some senses end up legitimising its major infractions on constitutional principles. Third, there is a culture in the Bar. There are a few voices like Dushyant Dave, Gautam Bhatia, Sriram Panchu, willing to call out the rot for what it is; but this has still not translated into a serious professional pushback. The complex of senior lawyers and judges still willing to defer to lese majesty of the courts, and comfortable with judicial barbarism, is still way too high. This may seem like a little graceless exaggeration, but when you see creeping hues of a Weimar judiciary, grace is no option for ordinary citizens.

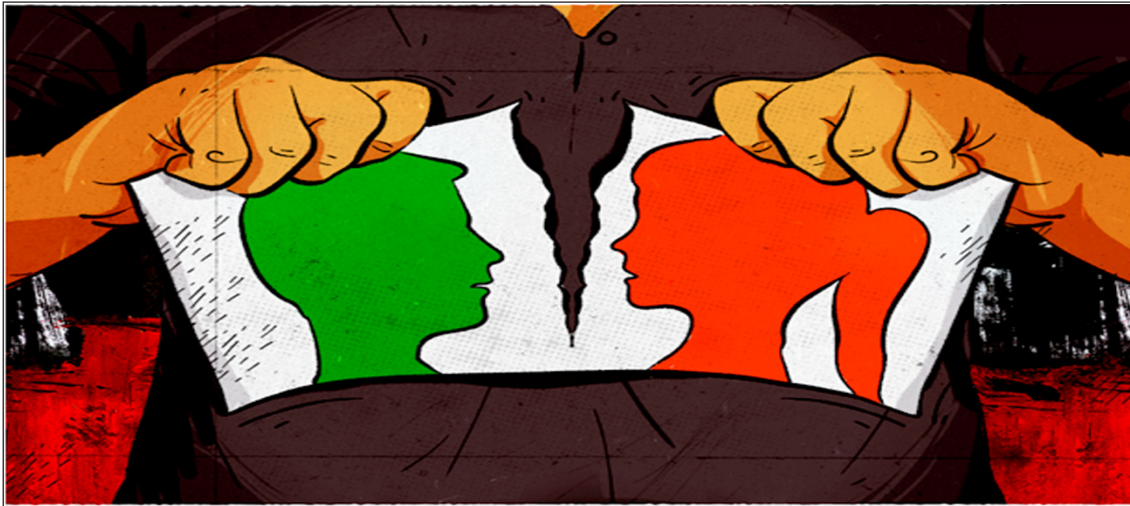
*This article first appeared in the print edition on November 18, 2020 under the title 'Their Lordships & Masters'. The writer is contributing editor, The Indian Express*

Courtesy **The Indian Express**, November 18, 2020 



# Love is a Weapon Against Authoritarian Laws

Goan Observer Team



New laws only make love more vulnerable, will they allow men and especially women to live in equality and dignity under the recently framed law against 'love jihad' in Uttar Pradesh?

## **Nandita Haksar details some of the dilemmas and conflicts....**

I could not quite understand my visceral reaction to the entire controversy over “love jihad”. It is not that I have felt strongly about other attempts to polarize the country by demonizing Muslims and blaming the entire community for the follies of a few. The pandemic started with the demonization of a section of Muslims who so foolishly congregated together without thought for the corona virus threat.

But this time I remembered the innumerable cases that I handled in the beginning of my law practice in the 1980s. These cases were of couples who came to me for help to get them legal protection from parents hounding them for the crime of falling in love with each other despite differences in caste and religion.

I saw how deeply hurt these young men and women were by the way their parents treated them; how desperate they were for social acceptance but how their love for each other gave them courage to face threats to their lives

rather than give up their love for each other. I remember their names, their tears and smiles when I won their case. But it was not always through the law or enforcement of their fundamental rights that I was able to help them. Sometimes I sought the help of the women's groups, other times I myself hid the woman in my home.

For me love is a sacred thing deserving of protection because just the act of falling in love across class, caste, or religion challenges the society's most cherished patriarchal norms.

Gandhi was opposed to inter-religious marriages, even to inter-dining among different castes. Till the early 1920s, he regarded such marriages as contrary to dharma and he found several practical objections to such unions, but by April 1928, he had dramatically changed his opinion.

By 1931 Gandhi wrote that caste should not be a consideration in marriage; what was important for both partners was a sense of belonging to the same nation. He said he had



“no moral objection” to even interreligious marriage as long as each party was free to observe his or her own religion. (<https://www.yourarticlelibrary.com/marriage/mahatma-gandhis-views-on-marriage-and-varna/38526>)

However, Baba Saheb Ambedkar said that inter caste or inter faith marriages would not lead to substantial change in society unless caste itself was annihilated. I think Baba Saheb Ambedkar was so right when he said: “I personally do not understand why religion should be given this vast, expansive jurisdiction, so as to cover the whole of life and to prevent the legislature from encroaching upon that field.”

He was referring to the fact that under the Indian Constitution freedom of religion is not merely a right to practice but also the right to propagate religion. Thus the Constitution has given the right to every citizen to profess, practice and propagate religion.

Way back in 1986 I wrote a graphic book called *Demystification of Law for Women* on how women’s oppression is rooted in patriarchy which is institutionalized through religion (all religions, without exception) and the family. And the Constitution does not see patriarchal basis of law as problematic.



PROTEST: Muslim girls protesting against the arrest of a Hindu boy who married a Muslim girl... quiet simply love is not a crime, marriage is not a crime, nor is conversion!

## Oppress Women

Thus, freedom of religion often means the freedom to oppress women. Religion and law ensure that the most intimate areas of life, marriage and sexuality are controlled within a patriarchal family. This is why even when the Supreme Court strikes down a law as unjust to women it does not strike it down on the ground that it is patriarchal.

There is a fundamental conflict between the two fundamental rights in our Constitution: right to life and liberty and the freedom of religion. Therefore, when people oppose the new law on forced conversions on the ground that it violates the right to personal liberty it is not enough. There is a need to expose the patriarchal basis of both religion and family.

The issue of love jihad came to the fore in Kerala when it was taken up by the Catholic Church. I do not deny the possibility of Islamic militant groups recruiting vulnerable women as they have done in the West; but they have targeted women from all communities including Muslim women. Muslims are in fact greater targets so the issue is not so much of forced conversion as it is of fighting an ideology.

But the Catholic Church fed into the growing Islamophobia by calling it “love jihad” and made it a communal issue between Muslims and Christians in the tradition of the Crusades.

The Syro Malabar Catholic Church synod – the high profile meeting of its Bishops – claimed that ‘Love Jihad’ was real and was used to target Christian women. The church had in a statement released earlier this year alleged that love jihad is a reality and it was being used to target Christian women to a dangerous extent. The statement by the synod reads:

“Love jihad is growing in Kerala and becoming a threat to the social and religious harmony in the state. Christian girls are being killed because of love jihad. It is a fact that Christian girls are being targeted and love jihad is really happening. Girls are molested after faking love and then coerced into conversion by threatening to expose the visuals of the abuse. We should act and start creating awareness among parents and children about the dangers of love jihad.”

Many in the church in Kerala have criticized the synod for issuing such a generalized statement and said it smacks of Islamophobia and it is paternalistic towards women.

As I said I do not deny the possibility of some women being lured into such marriages but all investigations by the police and the National Investigating Agency have clearly shown there is no such generalized conspiracy against the Christian community.

Then why did the Church raise the bogey of love jihad? Several writers have pointed out that it was because the Church has been supporting the BJP's anti Muslim policies. The Kerala Catholic Bishops' Council supported the Citizens Amendment Act, 2019 brought in by the BJP by which non-Muslim migrants got a right to citizenship but Muslims did not.

## Society Polarization

The Citizenship Amendment Act gives Christian immigrants who entered the country before December 31, 2014 the right to citizenship, along with Hindus, Parsis, Sikh, Jains and Buddhists.

The Hindu nationalists have systematically been polarizing the society along communal lines and with each issue they take up they garner support for their agenda of making India into a Hindu nation. The bogey of love jihad and forcible conversions serves the BJP agenda of polarization of our society.

The new laws on “love jihad” have a much wider canvas than merely addressing the non-problem of forcible conversions in the context of marriage. The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020 states that no person shall convert or attempt to convert either directly or otherwise any other person from one religion to another by use or practice of misrepresentation, force, undue influence, coercion, allurement or by any fraudulent means or by marriage nor shall any person abet, convince or conspire such conversion.

**The definition of allurement under section 2 (a) is wide enough to cover a wide variety of circumstances.:**

‘Allurement’ means any gift, gratification, easy money or material benefit either in cash or kind, employment, free education in a reputed school run by any religious body or better lifestyle, divine pleasure or otherwise.

It would seem that the conversions of 350 pavement dwellers to Hinduism in Agra in December 2014 would attract the provisions of this



Yogi hate: Yogi Adityanath, a bachelor himself, does not believe in love marriages. The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020 or popularly described love jihad act, passed by UP Assembly is primarily targetted at preventing conversions of Hindu girls to Muslim faith.

new law on forcible conversion because the converter promised that if they participated in the religious function they would be given ration cards and BPL cards. This was done by Bajrang Dal activists and the Hindu Janjagriti Samiti, both affiliated to the RSS. Even if the ritual was called Ghar Wapsi and not conversion the law would look at the intent and purpose of the religious converter.

A 'Religion Converter' is defined under Section 2(i) as: a person of any religion who performs any act of conversion from one religion to another religion and by whatever name he is called such as Father, Karmkandi, Maulvi or Mulla, etc.

Or take the case of the 150 Dalit families of Meenakshipuram in Tirunelveli district, who converted en masse to Islam in 1981 owing to caste oppression. A scholar who has studied the families came to conclusion that "Instead of the casteist slurs hurled at them, today, men of the converted families are addressed today as 'bhai' by others, which gives a sense of equality and dignity for them."

**Would the converter be booked under the new law for alluring the Dalits to a lifestyle of dignity and equality?**

#### **Control Women**

In the past laws against religious conversions have not been very effective; as long as Hinduism denies people, especially Dalits, Adivasis and women the right to dignity and equality by upholding the caste system the conversions will continue. Perhaps that is why the Church did not oppose the new law. What these new laws will do will make women even more vulnerable to control by family and religious institutions.

I think the opposition to love jihad and the laws being passed on forcible conversion should not be restricted to questions of individual rights and personal liberties. There is a need to see the linkage between religion, family and fascism. Conversations on personal liberty do not

necessarily make these connections.

**As far back as in 1933 Wilhelm Reich made a connection between religion and family in the rise of fascism.**

Chapter V of his book *Mass Psychology of Fascism* (1933) contains the famous statement that the family is the first cell of the fascist society: "From the standpoint of social development, the family cannot be considered the basis of the authoritarian state, only as one of the most important institutions which support it. It is, however, its central reactionary germ cell, the most important place of reproduction of the reactionary and conservative individual. Being itself caused by the authoritarian system, the family becomes the most important institution for its conservation. In this connection, the findings of Morgan and of Engels are still entirely correct."

The family ensures the inculcation of the xenophobic nationalism in the children. Tradition, suppression and brutalized sexuality within a patriarchal family ensures children grow up to be the kind of people needed for sustaining fascism. And love which is not controlled by traditions, family or religion becomes a threat to all forms of authoritarianism.

According to one writer love matches have risen from just five per cent of Indian marriages to 30 per cent in the past decade. Each one is an act of rebellion against the control of tradition, family and religion.

But if individual acts of rebellion are to have an impact upon society there is a need to convert the love for an individual into a love of freedom and liberty for all. It means linking our individual struggles to a movement against all forms of authoritarianism within the family and religion.

(Nandita Haksar is a human rights lawyer, teacher, campaigner and writer. She lives in Goa, Delhi and sometimes Ukul with her husband Sebastian Hongray.)

Courtesy **Goan Observer**,

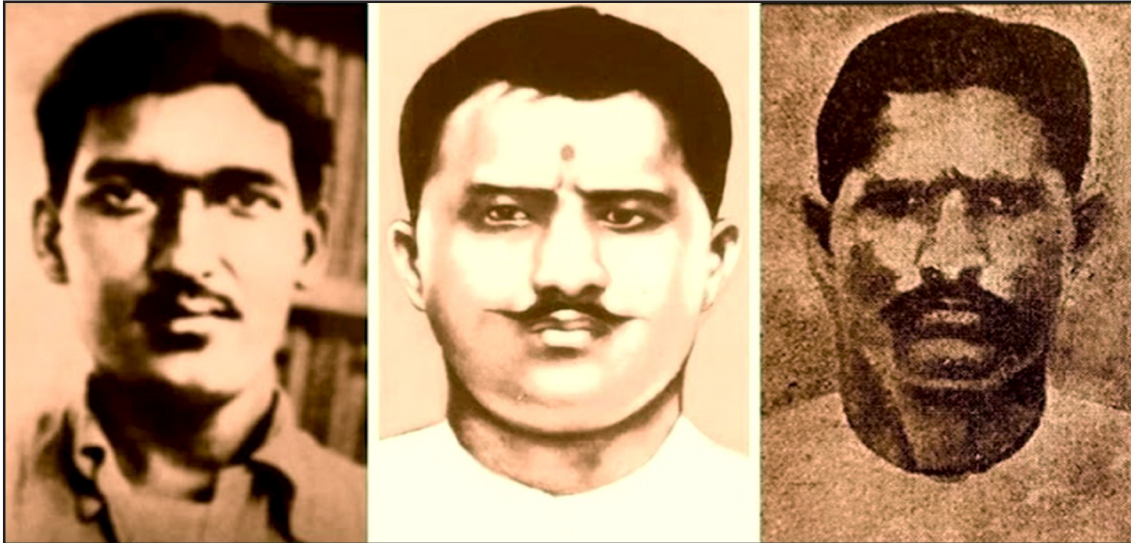
December 4, 2020 



*93<sup>rd</sup> Anniversary of Kakori Martyrs:*

## **Recalling secular-egalitarian ideology of Kakori martyrs amidst Hindutva ‘onslaught’**

**Shamsul Islam**



*On August 9, 1925 a group of Indian revolutionaries affiliated to the Hindustan Republican Association (HRA) which included Chandrashekhar Azad, Ashfaqullah Khan, Ram Prasad Bismil, Rajender Lahiri, Roshan Singh, Manmath Nath Gupta and others waylaid the British Government treasury loaded on a passenger train at Kakori railway station (approximately 20 kilometers from Lucknow) and captured the same.*

*The then British rulers and their henchmen branded these revolutionaries as terrorists who were hot-headed adventure loving young men indulging in robberies for buying guns and fire-arms in order to create anarchy. However, the truth was that this revolutionary group seized the government treasury not for purchasing/manufacturing arms and ammunition but for publishing socialist literature to be circulated among youth, peasantry and workers so that they were politicized and join the anti-colonial struggle.*

CREDIT:PTI This group had left behind the terrorist legacy and matured into a revolutionary political group which believed in involving larger masses in the struggle to overthrow the British rule. It could be seen in changing the name of HRA in 1928 to Hindustan Socialist Republican Association.

In what came to be known as Kakori

Conspiracy Case, four of the revolutionaries, namely Ram Prasad Bismil (June 11, 1897-December 19, 1927), Ashfaqullah Khan (October 22, 1900-December 19, 1927), Thakur Roshan Singh (January 22, 1892-December 19, 1927), Rajendra Nath Lahiri (June 23, 1901-December 17, 1927) were awarded death sentences. Ramprasad Bismil was hanged in

Gorakhpur, Ashfaqullah Khan in Faizabad, Rajinder Nath Lahiri in Gonda and Roshan Singh in Allahabad between December 17 and 19, 1927.

These martyrs represented the youth of the country (the eldest, Thakur Roshan Singh being 35 years old, and the youngest, Rajendra Nath Lahiri, was 26 years old) but also pan-Indian character not only in the Kakori action but as a whole. The revolutionary group consisted of Bhagat Singh, Sukhdev (Punjabi), Rajguru (Marathi), Jyotish Chandra Pal (Oriya), to name a few. These revolutionaries were also committed to overthrow the colonial rule and establish an egalitarian and secular society.

We can see this commitment concretely in the writings of the martyr Ashfaqullah Khan. He wanted a socialist liberated India. In a 'Message to Countrymen' which was smuggled out of Faizabad Jail few days prior to his martyrdom on December 19, 1927, while addressing the Indian Communists, he said:

"I am greatly in agreement with you and want to tell you that my heart always weeps for the poor peasants and helpless workers. While on the run I stayed with them and after seeing their condition I often wept... This is absolutely true that whatever they grow or produce, they have no share, they always remain sad and in bad shape. I do agree that for all these things our white Masters and their agents are responsible..."

"I have deep regards for you in my heart and while dying, I fully agree with your political aims. I want that kind of freedom for Hindustan where poor should live happily and with ease. I pray to God that after my death, that day should come at the earliest when Abdullah mechanic of loco workshop, Dhaniya cobbler and common peasants are seen sitting on chairs in front of Mr. Khaliq-uz-Zaman, Jagat Narain Mulla and Raja Saheb Mehmoodabad in Lucknow's Chhaatter Manzil.

"My comrades, my revolutionary brothers—what I can tell you and what I can write to you, it will be a matter of great pride to you when you will hear that one of your brothers went to the gallows smiling and was happy while dying. I know very well about the spirit which your group has and I was proud of it, and now I am more proud that I am dying as a true revolutionary."

Ashfaqullah Khan like his other comrades was highly conscious of damage communal polarization was causing to anti-British liberation struggle

Ashfaqullah Khan like his other comrades was highly conscious of the damage communal polarization was causing to the anti-British liberation struggle. It was his firm opinion that communal divides would only help the White master. Exposing the nefarious game communal forces were playing in league with the British masters, he wrote:

"Oh! How can we appreciate the present day life when our political leadership is going through internal strife? If one is fond of Tableegh [the propagation of Islam for which an all India organization was formed in 1926] the other believes that dying for Shuddhi [conversion of Muslims and Christians to Sanatan Dharma for



which Arya Samaj+Hindu Mahasabha started aggressive campaign from early 20th century] only will lead to emancipation. Government secret service agents finance the spread of religious propaganda. Their aim is not to defend



religion or help it to flourish but to create obstacles in the path of the moving train [of the freedom struggle].”

While pouring out his heart for his countrymen both Hindus and Muslims he went on to warn them:

“Brothers! Your civil war, your internal bickering will not be useful for any of you. This is impossible that 7 crores Muslims can be converted to Hinduism [through Shuddhi] and likewise it is futile to believe that 22 crores Hindus can be turned into Muslims. However, [if they continue fighting with each other] it is easy and very easy that all of them together will continue to be in chains.”

It was not surprising that martyr Ram Prasad Bismil expressed the identical views in his last message before his hanging at Gorakhpur Jail on December 19. He declared that he was sacrificing life for a country and the world where there would be no slavery:

“The time of execution is fixed for 6.30 am on 19 December. Nothing to worry, I shall be reborn again and again due to God’s grace and my aim will be to ensure complete freedom for the world. That nature’s gifts should be equally shared by all and no one shall rule others. Everywhere people should have their democratic institutions.”

Bismil though a prominent Arya Samajist made it clear like his Ashfaqullah Khan that to defeat the British masters the unity of Hindus and Muslims was a pre-requisite:

“I am not disappointed at this time of giving up my life that this is wasted. Sacrifices never go to waste. Maybe because of our sighs that the idea of sending royal commission came to the mind of Lord Birkenhead [Secretary of State for India (1924-8)], for whose boycott Hindu-Muslims got together again. God may give some wisdom to them fast and they become united again. I had told advocate Mohan Lal Saxena, after our appeal was dismissed, that at least to commemorate us this time Hindu-Muslim

leaders should be united.

“Government had mentioned that Sh Ashfaqullah Khan is the right-hand man of Ram Prasad. If a devoted Muslim like Ashfaq could be right-hand man of Arya Samaji like Ram Prasad in the revolutionary movement, then why can’t other Hindus and Muslims unite forgetting their petty interests?”

Bismil reminded the flag-bearers of the Hindu and Islamic brands of nationalism who were causing communal polarizing:


“Government had mentioned that Sh Ashfaqullah Khan is the right-hand man of Ram Prasad. If a devoted Muslim like Ashfaq could be right-hand man of Arya Samaji like Ram Prasad in the revolutionary movement, then why can’t other Hindus and Muslims unite forgetting their petty interests?”

His appeal from the depth of his heart ended with the following amazing words:

“Now my only request to countrymen is that if they had even an iota of sorrow at our death, then, with whatever means, they must establish Hindu-Muslim unity; that was our last wish and this only can be our memorial. All religions and all parties should consider Congress as a representative. Then the day is not far, when Britishers have to bow before Indians.”

Unfortunately India’s current rulers, the mainstream academia and the media have consciously seceded from this great philosophical heritage of the Kakori martyrs. The Hindutva onslaught today is the outcome of our ignorance about the sacrifices of the Kakori martyrs and ideals for which they laid down their lives. If we are able to revive our memories of this glorious phase of the unity of Indians fighting for a society based on justice, the anti-egalitarian and religious polarizing agenda of the RSS-BJP rulers is bound to fizzle out.

**Shamshul Islam** is a former Professor of University of Delhi.

Courtesy **Counterview**,  
December 19, 2020 

# Chhattisgarh: Adivasis Stall Rally for Ram Van Gaman Path, Call it an Attack on their Culture

*‘The community here does not have any hatred towards a particular religion. But the question is how the government is blatantly cracking down on our indigenous culture and practices to erase what we know.’*

Sumedha Pal



Image Credits: ETV Chhattisgarh

Marking two years of forming the government in Chhattisgarh, the state government is embarking on an ambitious project – the construction of an over 1,000 km long Ram Van Gaman Path, the route taken by the Hindu deity Lord Ram while on his way to exile, according to the Ramayana.

The government organised a mega rally, which began on December 14 and spanned 17 districts. It was a symbolic march to collect soil from the region for the path which is to be constructed.

Chhattisgarh houses a significant percentage of India's tribal communities – a little over 30%. Particularly vulnerable tribes like the Kols, Gonds, Bhunjias and Bhaiyanas, many of whom worship forests, mountains and natural deities, have been resisting being brought into the Hindu fold.

## ***Imposition of Hinduism, Erasure of Tribal Identity***

As the government decides on 51 sites to

promote temple construction and tourism, the Adivasi agitation against the imposition of Hinduism has intensified across the state. The yatra took off from Rama Rao in Sukma on December 14, where members of the tribal community protested vociferously.

In several places in Sukma and Kanker, they did not allow soil to be taken for the path. As the rally arrived in Kondagaon on December 15, members of the communities blocked roads in large numbers. According to reports, the Adivasis took out the soil that the chariot had collected earlier and said that they would not let their ancestry surrender to the Hindu fold. The yatra was scheduled to arrive in Uttar Bastar Kanker district on December 16. However, the tribals blocked NH-30 in Kalgaon, resulting in a two hour-long jam.

The state is witnessing a widespread agitation against the move, especially in its remote areas. Speaking to *NewsClick*, activist

Soni Sori explained the concerns of the local communities. “The government wants to build this path, but the tribal community does not know anything about Lord Ram. Our question is why has the government not protected our gods, our culture our *Jal, Jangal, Jameen*?”

“The community here does not have any hatred towards a particular religion. But the question is how the government is blatantly cracking down on our indigenous culture and practices to erase what we know. When tribals gather at night to worship or when they hunt, they are beaten up; hunting is also a tribal practice which has been criminalised for a long time, so many people are languishing in jails, because of hunting,” she said.

The rally comes at a time where there is an active campaign in the state by right-wing groups to convert members of tribal communities to the Hindutva fold as well as to attack the marginalised communities. The spate of attacks on the Christian community in the state have increased, with the community saying that local members of the Bharatiya Janata Party and the Vishwa Hindu Parishad have been organising a campaign to forcefully convert Christians, particularly Adivasi Christians in the district, to Hinduism.

Earlier in the year, Chief Minister Bhupesh Singh Baghel laid the foundation stone for expansion of an ancient temple of Mata Kaushalya, considered the mother of Ram, in

Raipur.

Speaking to *NewsClick*, Dikri Chauhan, a member of the People’s Union for Civil liberties (PUCL) said: “With the change in the government it was hoped that the Congress will not side with majoritarianism. However, the active interest to promote Hindutva makes the Congress and the BJP alike. There are examples of Ramayanas distributed in the Gundi region and spreading of religious messaging in a bid to convert tribals who do not see themselves as so to become part of the Hindu fold,” she said.

Amid a growing effort by the BJP and its ideological parent, the Rashtriya Swayamsevak Sangh (RSS), to stall religious conversions, tribals across India are reasserting their demand to remain outside the Hindu fold.

Adivasi leaders in the state of Jharkhand, and now across the country, have been demanding the implementation of Sarna code in census surveys, which would allow the tribals to be identified as followers of Sarna faith during the 2021 Census. Until now, the census surveys have included them as “others” in the religion column. The RSS interprets all who fall in the “others” category as belonging to the Hindu faith.

Over the years, the saffron party has pushed the narrative that Adivasis are Hindus “by nature”.

Courtesy **NewsClick**, 18 Dec 2020 

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Please mail your articles/reports for publication in the RH to: **theradicalhumanist@gmail.com** or **mahipalsinghrh@gmail.com** or post them to: **Mahi Pal Singh, Raghav Vihar Phase-3, Smith Nagar, Prem Nagar, Dehradun, 248007 (Uttarakhand)**

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

# Kashmiris Struggle With RTI Delays Due To Modi Govt's Ill-Planned Article 370 Move

*A review of two recent CIC orders and interviews with activists show that in Kashmir, an existing RTI system that ensured relatively quicker access to information for local residents has been replaced by a slower process riddled with red tape.*

**Akshay Deshmane**

NEW DELHI—The Narendra Modi government's hasty abrogation of Article 370, the constitutional provision which gave special status to Jammu and Kashmir, has led to months of confusion and delay for people seeking information from government departments, shows a review of two recent orders of the Central Information Commission (CIC) and interviews with activists.

At the time of abrogation of the controversial provision, some news reports, as well as rightwing activists and websites, had claimed that the Right to Information (RTI) Act would now be applicable to the state of Jammu and Kashmir, implying that there was no such law in the state earlier due to Article 370.

In fact, until 5 August 2019, the erstwhile state was governed by its own version of the transparency law, the J&K RTI Act 2009. Now, more than a year since the abrogation of Article 370, a review of two recent orders of the CIC and interviews with activists shows that an existing RTI system that ensured relatively quicker access to information for local residents has been replaced by a slower, chaotic process riddled with red tape, mainly because of the lack of planning and public consultation that went into the decision of scrapping Article 370.

While the 2009 J&K RTI Act was limited to residents of the state, it mandated the state information commission to dispose of second appeals in 60-120 days. The central RTI Act of 2005 does not have any such provision. The net result of this was that RTI applicants received information, or at least a clear decision about

their request, faster under the 2009 Act than they do now under the 2005 law which was operationalised in the union territory after scrapping of Article 370.

The two CIC orders reviewed by *HuffPost India* specifically show how residents of the now-union territories of Jammu and Kashmir, who were trying to seek information from public authorities last year under the state's own RTI law, were adversely affected by the abrupt scrapping of Article 370.

In one case, an RTI applicant from Jammu was denied information by local civic authorities, who cited the repeal of Article 370 as the reason for the denial. In the second instance, the RTI applicant, apparently a resident of Kashmir, was told that his response was inordinately delayed due to the lockdown imposed in the valley after the removal of Article 370.

"This is yet another instance of the unintended outcome of the rash manner in which fundamental changes to the status of J&K were made without any public consultation or adequate application of mind," said Venkatesh Nayak, who heads the Access to Information Programme at the non-profit Commonwealth Human Rights Initiative.

Speaking about the CIC orders and his own experience of pursuing RTI cases in what is now a union territory, Jammu-based activist Raman Sharma said that the previous system under the 2009 RTI Act of the state was better, even if it had some limitations.

"It is true that as per section 3 of the J&K RTI Act 2009, only people residing in the state



were allowed to seek information. But it is also true that in comparison with the central RTI law of 2005, the previous state RTI Act was more vibrant and ensured time-bound disposal of even second appeals,” Sharma said. “Whereas in the RTI Act 2005, there is no time limit for disposal of second appeals by the Central Information Commission.”

The practical consequences of this technical difference are significant.

“Earlier, our second appeals were disposed of and decisions were coming within 60-120 days and the appellants were able to get time-bound information but presently after implementation of Central RTI, even my own and my friends’ second appeals/complaints are pending with the CIC for last 5-6 months,” said Sharma.

He also alleged that, with the central RTI Act in force, “the public information officers here also now do not take RTI Act seriously because they know that appeals would take long to be decided. Hence they do not respond to RTI pleas of the citizens”.

### **How scrapping Article 370 caused delays and denials of info**

On 13 September 2019, one Jagjit Singh filed an application in the office of the Relief and Rehabilitation Commissioner in Jammu.

Set up in 1990, this office is a department of the Jammu and Kashmir administration which is mandated to provide cash assistance and ration to families, mostly Kashmiri Pandits and other Hindus, who were forced to migrate from the Valley to the plains of Jammu.

Singh wanted information about five aspects of the assistance provided by this office from January-March 2019 to eligible beneficiaries. This included the names of beneficiaries and the reason for the assistance, and also why Singh, despite being eligible, did not get it. When he filed the application under the J&K RTI Act 2009 in September 2019, he was verbally told that the 2009 Act was no longer applicable since

Article 370 had been removed the previous month. Singh received the same response in November 2019 when he filed an appeal.

By the time he prepared and filed a second appeal in January 2020, the Jammu and Kashmir State Information Commission was shut down and all second appeals from Kashmir were now the responsibility of the CIC.

It was only earlier this month, more than a year after he filed his request, that the CIC heard Singh’s appeal and passed some helpful directions. Disagreeing with the contention of the public information officer of the Jammu Rehabilitation Commissioner’s office, the Central Information Commissioner Y.K. Sinha asked him to consider the spirit of the law and respond according to provisions of the 2005 Act if the state law had been scrapped.

Sinha wrote in his order that instead of rejecting the application, “it would be expedient that the same RTI application filed by the Appellant under the State Act be treated now under provisions of the RTI Act, 2005 and appropriate reply/information may be furnished to the Appellant”. This would “uphold the spirit of the RTI Act” and dispose of RTI queries quickly, he added.

The order, issued on November 6, also said, “It is pertinent to note that most of the public authorities have followed the same procedure of applying the Central Act to adjudicate the RTI applications, particularly because there is no specific legal embargo to that effect.”

Another applicant had to wait even longer than Singh. Inderjeet filed an application on 24 April 2019 in the office of the Baramulla Deputy Commissioner, seeking to know details about his mother’s land, which had been encroached upon, in the district of Baramulla. Since he did not get the answers he wanted, Inderjeet appealed in the CIC on 12 December 2019. Within three days, that is on 15 December, he received a response. However, since it still did not properly answer his query, he continued to

pursue the appeal in the CIC.

It was during a hearing of this appeal, held early this month by Central Information Commissioner Y.K. Sinha, that government officials disclosed the reason why they were unable to provide information to Inderjeet for more than a year. They told Sinha that, to provide the information, they needed to remove an existing encroachment on the land. The officials sought help from the local police, but this could not be done because a lockdown was ordered in the valley due to the repeal of Article 370 and 35A of the Constitution.

After hearing the officials, Sinha sent the application for fresh consideration by the Deputy Commissioner of Baramulla, who was directed to issue a reasoned speaking order, explaining how it arrived at its decision. Clearly, the lockdown imposed at the time of repealing Article 370 constrained local bureaucracy from doing its civic functions, one of which was responding to RTI applications.

A third order by Sinha, in response to an appeal by RTI applicant Harish Bhardwaj, brings out another related aspect of this issue. Filed in the Jammu University on 9 September 2019, Bhardwaj asked in his RTI application the details of students from Rajasthan who studied at the university. The university's public information officer denied information to Bhardwaj under section 3 of the J&K RTI Act 2009, which made non-residents of the state ineligible to seek information.

The first appellate authority upheld this decision and when Bhardwaj's second appeal was being heard in the CIC early this month, the university's information officer defended his decision citing a technical reason. Responding to Bhardwaj's argument that, since Article 370 was scrapped on August 5, denial of information under the state law was wrong, the information officer said the abrogation of Article 370 came into *effect* on 31 October 2019 and hence his denial of information was correct.

Brushing aside these technical arguments, Information Commissioner Sinha directed the official in an order dated 6 November to treat the RTI application as per provisions of the RTI Act 2005 and provide information accordingly.

#### **Avoidable issues**

These problems could have been avoided if the repeal of Article 370 was better planned and done after a process of public consultation, say activists. This would have prevented the year-long wait for basic information by citizens and other such issues arising out of transitioning from the state's RTI Act to the centre's law.

While RTI activist Venkatesh Nayak said that Information Commissioner Sinha's two orders in which he directed officials to treat applications filed under the state Act as per the centre's law were "laudable", he also pointed out that they were legally flawed and could be challenged in courts by the public authorities.

"Neither the repealed State Act nor the Central act empower the CIC to pass such orders. The correct method is for the central government to issue clarificatory orders under Section 103 of the J&K Reorganisation Act, 2019 to provide for transitional provisions to counter the effect of the repeal of the State RTI Act. This is possible because both laws give effect to the same fundamental right. This transitional provision would provide legal cover to such orders issued by the CIC," explained Nayak. He further said that the section 103 can be used in this way till 30 October 2024 to deal with such issues.

Unfortunately, the people of J & K Union Territory are kept in a state of limbo. The departments of Jammu and Kashmir administration are not integrated with the Central RTI portal and we the residents of J & K are unable to file online RTIs. RTI Activist Raman Sharma.

Jammu-based RTI activist Raman Sharma pointed out other issues which are yet to be resolved.

( To be Contd....on Page - 38 )

# 140 pleas against Citizenship Amendment Act hang fire in Supreme Court

Krishnadas Rajagopal

*Court declined to stay implementation of the law in December 2019.*

Over 140 petitions challenging the Citizenship Amendment Act (CAA) have been pending for nearly a year in the Supreme Court, leaving petitioners drawn from all walks of life and across the political spectrum “deeply disappointed” over the delay.

“I am deeply disappointed and the case should be taken up for hearing at the earliest,” parliamentarian Jairam Ramesh, one of the petitioners, told *The Hindu* on Sunday.

The last time the CAA case came up in court was on March 3, 2020 when Mr. Ramesh’s lawyer, senior advocate Kapil Sibal, made an urgent oral mention before the Chief Justice of India for a stay on the implementation of the law. He had said the case ran the risk of becoming infructuous.

The CJI had indicated referring the case to a Constitution Bench, but said the court may first hear the review petitions pending in the Sabarimala case. The court had asked Mr. Sibal to press for interim orders after the Holi vacation.

## Lockdown disruptions

However, the physical function of the court was disrupted due to the pandemic by the end of the month. March was the third time the petitioners had sought a stay of the law.

In December 2019, the court similarly declined a stay while asking the Centre to make an all-out effort to disseminate the actual legislative intent of the citizenship law.

In January 2020, the court, to another plea to stay the law, said CAA was “uppermost in everybody’s minds”.

Communal riots had rocked the national capital over the anti-CAA protests.

“Since the CAA has been unprecedented in

many ways — be it the nature of amendment which strikes at the root of the Basic Structure of the Constitution or the protests it has evoked across the nation or the panic among the people that they will be driven out of the country — it would be in the best interest of all that the Supreme Court hears the case at the earliest and put at rest these issues,” advocate Haris Beeran, who represents the Indian Union Muslim League (IUML), said.

The IUML had filed the first petition in the Supreme Court against the CAA in December last year.

## Regional benches

Parliamentarian and senior advocate P. Wilson, who represents DMK, said the pendency of the CAA case makes a strong argument for the establishment of Regional Benches of the Supreme Court.

“The Supreme Court can take up and hear constitutional matters like the challenge to CAA on a priority basis while its Regional Benches could deal with the other cases... The Supreme Court’s own statistics shows 63,693 matters pending before it. There are a total 432 matters pending before its various Constitution Benches,” Mr. Wilson explained.

The CAA fast-tracks citizenship-by-naturalisation process for persons from six religious communities, other than Muslims, who have fled persecution from Pakistan, Bangladesh and Afghanistan.

The petitions against CAA have argued that a law that welcomes “illegal migrants” into India selectively on the basis of their religion, is against principles of secularism, right to equality and

( To be Contd....on Page - 38 )

# Why This Sikh Musician Is Highlighting The Anti-CAA Protests In His Latest Music Video

*‘Koi Bol Ram’ is NYC-based Sonny Singh’s way of addressing the rise of Hindu nationalism in India and among the US diaspora.*



Brooklyn-based musician Sonny Singh has resigned himself to the possibility that he may not get a warm welcome to India if his new song, *Koi Bol Ram*, gets significant traction. The reason: the song about religious unity features visuals from the anti-CAA (Citizenship Amendment Act) protests that took place earlier this year, and has been released at a time when a number of people who participated in the agitation have been arrested and charged under draconian laws like the UAPA, or Unlawful Activities (Prevention) Act.

“If this video gets circulated a lot, am I going to get a visa when I come down to India? I don’t know, but I can’t make decisions based on fear. I do realise I have the privilege to operate like that,” said Singh, who plays the trumpet and *dhol*, and also sings. “Would I make this song if I lived in India? I really hope I would,” he told.

*Koi Bol Ram*, a single from 40-year-old Singh’s first solo album *Chardi Kala*, takes lines from a 16th-century *shabad* on religious harmony by the fifth Guru of Sikhism, Guru Arjan, and sets it to a contemporary musical

Tatsam Mukherjee

arrangement. So far so uncontroversial, but the song begins with chants of Azadi and the music video (directed by Nadia Awad) includes powerful footage of the protests at Shaheen Bagh and Kolkata, interspersed with visuals of Singh’s own *dhol*-wielding presence at an anti-CAA demonstration in New York City. This is his attempt at drawing attention to the bravery on display during the countrywide anti-CAA protests, and to build awareness among the Indian diaspora, claims the trumpeter, who is also inspired by radical Sufi poets like Kabir, Bulleh Shah and Shaikh Farid.

3 It’s not merely an issue of Muslim’s civil rights, it’s a much bigger. So when I decided to do my solo stuff, I figured this deserved a mention. I want more and more people in the US to understand what’s happening (in India). Especially those who think it doesn’t affect them, including the Sikhs living here. A lot of these guys have been commenting on my tweets, saying, ‘how can you be against the CAA, especially since it allows persecuted Sikhs from Afghanistan to come to India’ — but that’s rubbish. The rise of fascism has been global, so the call for unity needs to be global too,” Singh said.

Born to parents who moved out of Pune and settled in North Carolina (NC) in the mid ’70s, the themes of inclusion, exclusion, identity, and politics resonate with Singh at a personal level. Growing up as one of two (turban-wearing) Sikh boys in the predominantly White town of Charlotte, he was from an early age subjected to various forms of racism and bigotry. “I remember being bullied pretty much every



day in school, having my turban pulled off on the playground, being asked where I'm from in an almost threatening way," he recalled.

Singh was nine years old when he picked up the trumpet "arbitrarily" for the band in his elementary school, and music soon became an important creative outlet for him even though no one in his family had similar inclinations. However, it was a while before he began using music as a cultural bridge of sorts. "When I got to college, I started a ska band, but we didn't really start experimenting with South Asian music till I was in my twenties," Singh said, adding that it was only after he moved to Brooklyn and joined the critically acclaimed and rather politically charged *bhangra*-fusion band Red Baraat in 2008 that he began to fuse his Western influences with the sounds of the Punjabi heartland.

It's audible in *Koi Bole Ram* too, where a trumpet-and-*dhol* riff reminiscent of traditional *baraat* (wedding procession) music punctuates the song, and mirrors the celebratory nature of the protests. Incidentally, the melody was composed almost a year prior to the anti-CAA agitation but the idea for the video was sparked after Singh got involved in the cause. "As I started going to these protests and learned more about the CAA, I figured it was an important issue to highlight in my music. And what better song to do it than this one? The meaning of this song seems directly in touch with the rise of Hindu nationalism... it's troubling how relevant this song is even today," he said.

The ascent of Hindu nationalist sentiments, according to Singh, is not a phenomenon only in India but also among the diaspora. He also says that he has been witnessing a rise in Hindu nationalism for close to two decades, although this accelerated when the BJP came to power in 2014.

"In the US there are a lot of upper-caste Hindus who have accumulated a lot of power in Indian-American circles. Many of us with

South Asian ancestry have been troubled by this. I've been trying to create alternative spaces for South Asian youth, because the Hindu nationalists have been doing a lot to bring the young people into the Hindutva fold, by organising these Hindu summer camps and student associations. If you dig deep, many of these have links to the VHP or RSS. A lot of us in the US have been working to counter these efforts," Singh said.

As for the political turmoil in India, he stays clued in with the help of a reliable network of friends who he says work as organisers and activists on the frontlines. A regular accompaniment to his morning *chai* is a radio broadcast called *Democracy Now!* that covers American politics and important stories from all over the world, and he is also educating himself on caste. "Of late I've been going to this portal called Velivada. I'm learning so much about caste oppression, the struggle of *Bahujans*. There are caste dynamics in the Sikh community too, which I've been trying to learn more about. Velivada carries a very specific anti-caste narrative, which is something that we seem to lack in our 'progressive' discourse," Singh said.

According to Singh, he saw "frightening parallels between the rise of Modi-ism in India and Trumpism here — empowering Hindu nationalists on one side, and empowering white nationalists on the other".

His emotions around the political turmoil in the US and towards the CAA, he said, are not dissimilar. "I wanted to release this video — and this message of unity and resistance to fascism — now. I stand in solidarity with Muslims, Dalits, and other marginalised groups in India who are directly impacted by Hindu nationalism — not only through government policy but through interpersonal violence and harassment. It's something I have experienced a great deal as a Sikh in the United States. Our struggles are intertwined," Singh said.

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

# Damning Court Observations Raise Serious Questions on Delhi Police's Riots Probe

*A survey of several bail orders in Delhi riots cases reveals the police's terribly casual and flawed approach.*

**Manu Sebastian**

Selling a mobile SIM card without due verification of a customer is against the law. But is it a 'terrorist act' so as to attract the provisions of the draconian ant-terror law Unlawful Activities Prevention Act(UAPA)? Yes, thinks the Delhi police.

In December 2019, Faizan Khan, who works in a mobile phone shop in the national capital, issued and activated a SIM card without proper verification of the subscriber's identity. It turns out that someone else's Aadhaar card and photograph was submitted by the subscriber to purchase the SIM card from Faizan Khan.

Later, this mobile number was allegedly used by the media team of Jamia Coordination Committee headed by Safoora Zargar to create WhatsApp groups to coordinate protests against the Citizenship (Amendment) Act.

Almost three months later, communal riots happened in North East Delhi during the last week of February 2020. The Delhi police formulated a conspiracy theory to link the students/activists leading CAA protests to the riots. And Faizan Khan, who sold a SIM card in December for Rs 200, was booked for 'terrorism' under the UAPA, for the 'larger conspiracy' behind Delhi riots.

He was arrested on July 29. After nearly three months custody, the Delhi high court granted him bail, despite the stringent conditions under Section 43D(5) of UAPA, after raising serious doubts about the police case which was based solely on the fact that he had sold a SIM card without due verification.

The high court said that the materials produced by the investigating agency did not

disclose commission of offences under the UAPA. Earlier this week, the Supreme Court confirmed the bail, dismissing the special leave petition led by the Delhi police against the high court order.

The case of Faizan Khan is an example of the pattern followed by the Delhi police – which answers to the Union Ministry of Home Affairs – to incriminate random persons in Delhi riots cases after exaggerating remote links with the incidents.

Fortunately, the courts have questioned this approach of Delhi police in many cases related to riots and have passed scathing orders against the investigation while granting bail to the accused.

A survey of several orders passed by courts while granting bail to accused reveal a terribly casual and awed approach followed by the police in many cases.

## **Police constables as eyewitnesses**

A common feature of many riots cases was that the eyewitnesses mentioned in the chargesheet were police constables themselves, who could not inspire the confidence of the court even at the stage of bail hearing.

In the case *Firoz Khan v State*, the Delhi high court refused to accept the statement of the police constable who claimed to have witnessed the act of burning down a shop during riots.

The high court noted that the informant gave a statement that though he had contacted the police control room when his shop was being attacked, there was no immediate response. The court wondered why the informant contacted the PCR if the police constable (who

claimed to be the eyewitness) was at the spot.

“Even on first blush, it is not understood as to why the complainant would say that he failed to reach the police by telephone, if Constable Vikas was already present there,” the court observed.

The court also noted that there was no material to show how the police could pick up only Firoz Khan and another person out of an alleged unlawful assembly of 250-300 persons.

While granting bail to one Irshad Ahmed, who was alleged to have assisted Tahir Hussain in attacking the houses of Hindus, the Delhi high court made a damning observation that the eyewitnesses in the chargesheet “seemed to be planted”. The so-called eyewitnesses were police constables themselves. The high court noted that though the two police constables claimed that they were at the spot of the crime and identified the accused, they waited for three days to lodge the FIR.

“As per the statement of Constable Pawan and Constable Ankit (both are eye witnesses and were present at the spot), they had identified the petitioner and other co-accused. However, they have not made any complaint on the date of incident, i.e. 25.02.2020, whereas the FIR was lodged on 28.02.2020. Thus, the said witnesses seem to be planted one,” the high court observed.

In the case of Kasim as well, the high court refused to take into account the statements of police witnesses.

The court also noted that the two police constables, who claimed to have witnessed the involvement of petitioner Kasim, waited for seven days to make a statement implicating him in the crime.

Kasim was also alleged to be an associate of Tahir Hussain. While granting bail to him, the high court also noted that his presence was not there in the 11 video footages of the crime produced by the police in the chargesheet.

In the case of of Mohammend Rehan too, the police constables were the projected eyewitnesses. The high court was reluctant to

accept the eyewitnesses’ accounts after observing that they did not make any immediate entry in the records about the accused. In this case, like in the case of Kasim, the police officers’ incriminating statement against the accused came seven days after the incident. The high court also noted that there was no CCTV footage, video clip or photo to corroborate prosecution’s claim. Rehan had to remain under custody for nearly six months.

### **Only peaceful agitation; no evidence for instigation**

The police had arrested student leader Devangana Kalita alleging that she had instigated a mob to resort to violence in a case related to Delhi riots. However, the high court observed that there was no evidence of Kalita instigating violence and that materials produced by the investigating agency only showed that she was participating in peaceful agitations against the CAA.

“I have gone through the inner case diary produced in a sealed cover along with pen drive and found that though her presence is seen in peaceful agitation, which is fundamental right guaranteed under Article 19 of the Constitution of India, however, failed to produce any material that she in her speech instigated women of particular community or gave hatred speech due to which precious life of a young man has been sacrificed and property damaged,” observed the high court while granting bail to Kalita in one of the riots-related cases registered against her.

The court noted that there was no evidence of the agitation (against Citizenship Amendment Act-NRC), which had been going on for a long time since December 2019 with the presence of print and electronic media, leading to any acts of violence.

The court also refused to accept at face value the disclosure statements of witnesses, observing that they were recorded much belated on 30.06.2020, 03.07.2020 and 08.07.2020, whereas that witness is claimed to be present

throughout, since December 2019 when the agitation initially started against CAA.

The Delhi Police attempted to challenge the high court order before the Supreme Court but met with no success.

“She is not going to run away,” the Supreme Court remarked while dismissing the SLP of Delhi Police against the bail to Kalita.

#### **Riots victim made accused**

In another curious case, a 65-year-old man, Mithan Singh, who himself was a victim of Delhi riots, was chargesheeted by the Delhi police. The Delhi high court observed that there was no material in the chargesheet against him.

“[The] petitioner is 65 years old and is a victim of the riots. His house was also damaged by an unlawful assembly, to which he has also lodged a complaint,” the court observed.

#### **Investigation leaves a lot to be desired**

Not just the high court, the lower courts in Delhi have also been raising doubts about the Delhi police investigation in many riots cases.

In the order granting bail to anti-CAA activist and member of the group ‘United Against Hate’ Khalid Saifi, the Additional Sessions Court of Karkardooma lambasted the police case. The court noted that the case showed “total non-application of mind by the police” which went to the extent of “vindictiveness”.

“In my humble opinion, chargesheeting the applicant in this case on the basis of such an insignificant material is total non-application of mind by the police which goes to the extent of vindictiveness,” observed Additional Sessions Judge Vinod Yadav of Karkardooma court.

The observation was made while referring to the oral evidence relied on by the Delhi police to allege that Saifi was part of conspiracy behind Delhi riots. The witness had told the police that he had seen Saifi dropping Tahir Hussain (who is accused of murder of IB officer Ankit Sharma) outside a building on February 27 and thereafter had seen Saifi and Umar Khalid going into the building.

In this regard, the judge observed:

“The sole evidence of this so called conspiracy is a statement of PW Rahul Kasana, wherein he stated on 27.09.2020 that he was standing outside a building in the area of Shaheen Bagh, where he had dropped principal accused Tahir Hussain and thereafter he saw applicant and Umar Khalid going into the same building. I fail to understand from the aforesaid statement how a lofty claim of conspiracy can be inferred.”

The court noted that if the principal accused, Tahir Hussain, was moved or actuated by Saifi in the meeting, then Saifi should have been made co-accused in ten other cases like Hussain, “which is not the case”.

On November 17, the Additional Sessions Court of Karkardooma granted bail to one Ajay, who was accused of violence during Delhi riots, after observing “the investigation in the present case leaves a lot to be desired.”

The same court granted bail to another accused, one Anwar Hussain, after noting that video footage produced by the police did not relate to the date of the alleged crime.

“...it can be clearly stated that for whatever footage depicts of the incident of 23.02.2020, by no stretch of criminal liability, can be accounted for the offence of riot and murder committed on 24.02.2020. Thus, the video footage is not of the day of the incident of 24.02.2020 but of 23.02.2020,” judge Amitabh Rawat observed in the order.

There is a “gaping hole” in the statement of an eyewitness in the matter, observed the Karkardooma Sessions Court while granting bail to one Gurmeet Singh in a riots case.

In another case, the Sessions Court wondered how could the police exactly identify three accused from a riotous mob of hundreds.

“From among the riotous mob consisting of several hundred persons, till date the investigating agency has been merely able to identify and charge sheet the aforesaid three applicants only,” the court noted while granting



bail to accused Shah Alam, Rashid Saifi and Mohd Shadab.

In this case too, the court raised doubts about the credibility of the police officer, who claimed to be an eyewitness.

“Being a police official, what stopped Beat Constable Pawan from reporting the matter then and there in the PS or to bring the same in the knowledge of higher police officers. This casts serious doubt on the credibility of this witness,” the judge observed.

#### **Court restrains police from giving media statements about accused and witnesses**

The Delhi high court has restrained the police from giving statements to media about the accused or witnesses in the Delhi riots conspiracy cases till charges are framed.

In a petition led by Devangana Kalita challenging the press note issued by the police against her, the high court observed:

“Selective disclosure of information calculated to sway the public opinion to believe that an accused is guilty of the alleged offence; to use electronic or other media to run a campaign to besmirch the reputation or credibility of the person concerned; and to make questionable claims of solving cases and apprehending the guilty while the investigations are at a nascent stage, would clearly be impermissible.”

The court categorically observed :

“The police or any other agency cannot use media to influence public opinion to accept that the accused is guilty of an alleged offence while the matter is still being investigated. The same is not only likely to subvert the fairness of the investigation but would also have the propensity to destroy or weaken the presumption of innocence, which must be maintained in favour of the accused till he/she is found guilty after a fair trial.”

However, the court refrained from quashing the specific press note issued against Kalita after noting that it was taken from the chargesheet. While the court did agree that it was not

necessary for the police to name the Petitioner in such a press note, the court went on to hold that issuance of such a press note did not violate Article 21 of the Constitution or any other law in force.

In another case, the Delhi high court directed Zee News to disclose the source from where the alleged confessional statement of student leader Asif Iqbal Tanha, an accused in the riots conspiracy case, was obtained. Tanha’s lawyer submitted before the court that certain media outlets ran a smear campaign against him based on selective leaks from the police. The case is still pending and Zee News has sought for additional time to submit the affidavit disclosing the source.

#### **Controversy over ‘Hindu resentment’ order of police**

Meanwhile, an instruction issued by the Special Commissioner of Police, dated July 8, which cited ‘resentment among Hindu community’ in the wake of arrests in Delhi riots cases, became controversial.

A petition was led by one Sahil Parvez, an accused in a riots related case, challenging the order as indicating communal bias on the part of the police. The order had instructed police officials to exercise due diligence while carrying out arrests in riots cases as the arrests of some “Hindu youth” from riot hit areas led to “a degree of resentment among the Hindu community”.

When the petition first came before the court, the bench orally remarked that the order was “mischievous” and asked what was the need to issue the same.

Later, after the reply of the Delhi police, the court refused to interfere with the order observing that it was issued after the petitioner was chargesheeted and hence no “prejudice was caused” to the accused. The court also recorded the statement of Delhi police also noted that charge sheets have been led in many cases and that till date 535 Hindus and 513 Muslims have been charge-sheeted in all the cases.

The court further observed that the media reports about the order were contrary to its spirit and cautioned the media to exercise restraint and verify facts.

#### **Larger conspiracy case**

The cases mentioned above are registered by different police stations of North East Delhi in relation to separate incidents of violence during riots. A special cell of the Delhi police is investigating the 'larger conspiracy' angle behind the riots (FIR 59/2020). Casting a wide net in this FIR, tracing back the alleged conspiracy behind the February riots to the anti-CAA protests which started in December, the police has arrested many student leaders and activists such as Safoora Zargar, Umar Khalid, Gulshima Fatima, Natasha Narwal, Devangana Kalita etc.

In these case, the courts have *prima facie* accepted the police version to deny the student activists bail under UAPA charges. In one of such orders, the Sessions Court termed the plan to organise chakka-jam to protest against CAA-NRC as an "unlawful activity...causing disaffection against India".

#### **No bail for prominent riots accused**

The courts have refused to grant bail to prominent accused like NDMC councillor Tahir Hussain, who is an accused in the murder case of IB officer Ankit Sharma and Sharukh Pathan, who aimed a gun at the police during riots, after *prima facie* accepting the police case. The high court also cancelled the bail granted to private school manager Faizal Farooq, after observing,

"Personal liberty of an individual though precious, is of little value if the larger interest of the people and nation are at stake."

#### **No evidence for incitement by politicians, says police**

It is also pertinent to note that the Delhi police has told the high court that no evidence has surfaced so far to indicate any role played by BJP leaders Kapil Mishra, Anurag Thakur and Parvesh Verma in either instigating or participating in the Delhi riots. This claim was made by the Delhi police in an affidavit led in the Delhi high court in response to petitions which sought criminal action against these politicians alleging that their provocative speeches led to riots.

On February 26, a bench headed by Justice S. Muralidhar had played the videos containing the alleged inflammatory speeches of Kapil Mishra for the viewing of police officers.

The bench later directed Delhi police to take a decision within a day on the complaint made by social activist Harsh Mander seeking registration of FIRs against the leaders for alleged provocative speeches.

Next day, the Solicitor General told the court that the Delhi police has decided to defer the decision on FIR as the riots situation was not "conducive" for registration of the same.

#### **Court observations damning**

The developments in the riot cases probe have to be seen in the light of criticisms that the probe in riots cases is one-sided and has taken a different track to terrorise political dissidents.

Nine retired IPS officers, including the decorated officer Julio Ribiero, have questioned the Delhi police investigation in these cases.

"Basing investigations on 'disclosures' without concrete evidence violates all principles of fair investigation. While implicating leaders and activists, who expressed



*Kapil Mishra, Anurag Thakur and Parvesh Verma.*

their views against CAA, all those who instigated violence and are associated with the ruling party have been let off the hook. Such investigation will only make people lose faith in democracy, justice, fairness and the Constitution,” the ex-officers said in their letter to the Delhi Police Commissioner.

The Delhi Police Commissioner responded

**Contd. from page - (30)**

### **140 pleas against Citizenship...**

dignity of life enshrined in the Basic Structure of the Constitution.

The Ministry of Home Affairs, however, described the CAA as a “benign” law which does not lead to expulsion, deportation or refoulement of illegal migrants.

It maintained that CAA merely offers “amnesty” without hurting India’s secularism. It relaxes the settled principles of Indian citizenship for Hindus, Sikhs, Buddhists, Jains, Parsis and Christians persecuted in the “theocratic States” of Pakistan, Bangladesh and Afghanistan.

Courtesy **The Hindu**,  
6 December 2020. 

by defending his force and dismissing the allegations as a “false narrative”.

Be that as it may, the court orders discussed above speak for themselves. It is true that the observations made by a court in a bail order are tentative and preliminary in nature. Yet, some of the observations in the bail orders in the riots cases are highly damning against the Delhi police and they raise a serious question mark over the efficacy of the investigation

It is horrifying to note the casual invocation of UAPA, which happened in the case of Faizan Khan whose only crime was that he sold a SIM card without due verification three months before the riots. Persons with remote links with the incidents were roped in as accused on the basis of evidences which the courts later termed scripted. While it is a matter of consolation that many such accused persons managed to get bail, it must not be forgotten that it came at the cost of their personal liberty.

*(Courtesy to reports of court orders done by Sparsh Upadhyay, Karan Tripathi and Akshita Saxena.)*

*This article was originally published on LiveLaw.*

Courtesy **The Wire**, 30/Nov/2020. 

### **Kashmiris Struggle With RTI Delays Due...**

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“Unfortunately, the people of J & K Union Territory are kept in a state of limbo. The departments of Jammu and Kashmir administration are not integrated with the Central RTI portal and we the residents of J & K are unable to file online RTIs. We demand, like Chandigarh UT, that the departments of J & K UT are also integrated with the central online portal so that people here too are able to file RTI applications,” said Sharma.

The minutes of a meeting held by the CIC in May show that issues regarding transfer of second appeals pending with the state information commission of Jammu and Kashmir and the overall transition to the RTI Act 2005 were discussed in some detail. The CIC did start hearing appeals from April this year but clearly there are pending issues which await a resolution.

For instance, the RTI activist Sharma also said that multiple appeals against the decisions of the erstwhile Jammu and Kashmir State Information Commission were pending in the J&K high court and there is no clarity about what will happen to them. He filed an RTI in the CIC but failed to get any information.

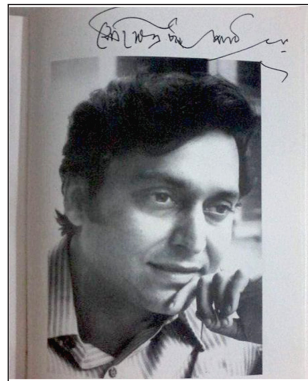
Courtesy **Huffpost**, 19.11.2020. 

# Soumitra Chatterjee: Marxist with a Myriad Mind

Bhaskar Sur

*"I still believe the Left is the only alternative."*

Soumitra Chatterjee who breathed his last on November 14, 2020 is better known outside Bengal as a great actor of the silver screen, arguably the greatest Bengal has produced. Satyajit Ray was very appreciative of his talents and most of his highly acclaimed celluloid classics owe not a little to Chatterjee's protean performance. He received most of the prestigious awards an actor may dream of - in 1999 he was



**Soumitra Chatterjee**

honoured with Officier de Arta des Metiers, the highest honour given by the French Government for performing arts. In the same year he received the Lifetime Award at Napels Film Festival, Italy and in 2018 Cavalier ed la Legion d'honneur, the highest civilian award of France. His country could give him only the third highest - Padma Bhushan in 2014. However his greatness as an actor has overshadowed his other selves - poet, editor, recitor, wit, and, above all, his lifelong engagement with the politics of change. He was a Marxist and despite the decline of the Left in Bengal, Marxist he remained till the last.

Bengal has been a land of poets and singers. Chatterjee's poetic sensibility was formed by his time when some of modernists of the 30s such as Buddhadev Bose were still active but new voices of protest and anger were being heard. He was modernist who was deeply rooted in the tradition. His poetry explores a wide range of emotions and is characterised by a refined sensibility and irony. Like Urdu speaking community, Bengalis have retained some old habits: for them poetry is not to be silently read and enjoyed in the privacy of the bedroom but to be recited before an eager audience. Chatterjee

was not content with writing poetry, he recited it before packed audience in a voice capable of bringing out the subtle nuances of meaning and through its skillful modulation, vividly register the graph of emotions. He took poetry to the masses, making them throb with its rhythm and feel the magic and power of the winged words. Along with friend Nirmalya Acharya, he successfully edited one of the best little magazines

in Bengali- Ekshan ( This Time ), remarkable for the quality, content and aesthetic get up. You can see below the cover of the special issue on Marx, published in 1968 when revolution was in the air. The magazine expanded the mental horizon of the reader, provoking much debate related to the theory and praxis of the Left. When Acharya died in early 90s, he ceased its publication as he felt with his exacting professional schedule, he won't be able to justice to the magazine.


Chatterjee, as usual with most revolutionaries, was not a proletariat but he stood by them and was not afraid to speak to power. The 60s of the last century was a turbulent time for Bengal. There was hunger, growing unemployment and a sense of desperation. There was a constant flow of hapless traumatized refugees across the border. There was poverty and squalor. There was also a dream of a better world that the Left movement promised. The handsome tall young man became a Left activist, raising funds and joining rallies. Despite his deep ideological commitment, he did not hesitate to speak his mind when he felt it necessary. But he knew, by removing the Left one could only help the



rightist forces .He was unsparing in his criticism of the religious right - of Hindutva fascism and their decisive and destructive agenda .He saw it clearly that the BJP is not a conservative but a fascist force, out to destroy the democratic institutions through a violent majoritarian politics .When BJP won the 2018 election and Modi became the Prime Minister ,he vented his anger and frustration without mincing his words :

“ I’m surprised that the man during whose tenure Gujrat witnessed communal riots in 2002 ,is now ruling India .Indians are tolerating these people and voting them to power once again ,I think the big reason is that people cannot find a powerful alternative .Or they dont just know what to do “

Soumitra Chatterjee was the voice of conscience in a country where cine celebrities grovel before power for fear or favour or become cheerleaders of goondaraj .He was an incurable idealist and visionary .He was for a secular socialist India based on democratic principles .To forge an alternative politics the Left will have to reinvent and remake itself allying with other democratic forces .This also requires an alternative culture that would sensitize people to the to the injustice ,plunder and the fraud that has been cunningly foisted on them and inspire them to fight for a better world. The best tribute to him will be to forge this alternative .

Taken from the Facebook post of **Bhaskar Sur.** 

## **Book Review :**

# **“Lead Kindly Light, In the Encircling Gloom”**

**Dipavali Sen**

With pandemic and recession all around us today, this book comes as a timely message of hope.

Dr Raghu Kumar has an LLB, LLM and PhD from Osmania University, Hyderabad, and has worked at the Department of Telecommunications and the Bharatiya Sanchar Nigam Ltd in various capacities including that of a Law Officer. His PhD is on the impact of Globalization on Industrial Relations. He has been associated with Trade Unions and labour laws and is the Director of the Centre for Critical Juridical Studies, Hyderabad. Apart from this, he has a Master’s degree in Philosophy from the Osmania University, and has inter-acted with the National Service Scheme, Telengana State.

The presentation of the book is systematic, reminiscent of a legal document. There are two scholarly Introductions. The first is by Prasad Gollanapalli, Managing Trustee, Gandhi King Foundation, and Secretary, Gandhi Darshan. The second is by P. Vishnu Dev, Professor and Head

of the Dept of Sociology and Social Work, Osmania University, and Director on Board, NLCIL, Ministry of Coal, and GoI.

The Preface is complemented by an Epilogue at the end, prior to the Bibliography. It is only in between that the reader gets to the substantive contents of the book. This is in four sections, the first three of them with numbered subsections.

In the first section ‘Approaching Gandhi- The Shat Darshanas’, A. Raghu Kumar begins by saying that in spite of the voluminous literature and numerous biographies of Gandhi, he remains a ‘misunderstood’(p 1) figure. Romain Rolland had put his trust in ‘Gandhi’s spirit’ triumphing or re-incarnating (pp 13-14). Pannalal Dasgupta had written in appreciation of Gandhi as a ‘revolutionary’ in the historical process of dialectical materialism (pp 36-37). Freudian psychoanalyst Erik H.Erikson had enquired into Gandhi’s concept and practice of Truth, tracing it right to his childhood (p47). Political psychologist Ashish Nandy analyzed how Gandhi

rejected history and used myths as a means of bringing about Swaraj (pp 58-59). Historian Anthony J. Parel has sought to interpret Gandhi's philosophy as a way of harmonizing *dharma*, *artha*, *kama* and *moksha*, the four values of *purushartha* (p 71). Drawing upon stalwarts from Sarojini Naidu to Nirmal Kumar Bose, Raghu Kumar, he shows up Gandhi as challenging authority and being a bit of an anarchist, at the same time as being a law-abiding citizen (pp 86-87). In his Conclusions to this section, he again emphasizes Gandhi as being contradictory and therefore misunderstood (pp 88-89).

While the first section was divided into Shat or six aspects, the second is a trinity or threefold analysis. Gandhi has been called a saint dabbling in politics, a failure on both the fronts of religion and politics but Raghu Kumar emphasizes that this does not mean that Gandhi can be ignored. He draws attention to the intense and unusual way in which Gandhi related religion and politics (pp 96-97). He iterates that Gandhi felt that religion can provide individual salvation only if it encompasses the entire suffering mass of humanity. Constantly declaring himself a Hindu, Gandhi nevertheless studied several religions and wanted to combine their best principles and practices. He may have failed, but Raghu Kumar does not find that failure disappointing (p 118). After discussing Gandhi's Politics and Gandhi's Religion, he turns to Gandhi's concept of the State. Gandhi, he says, idealized 'Ramarajya' in spite of its reactionary overtones because in the collective memory of the masses it has registered as benevolent to all rather than oppressive to the lower classes (pp 138-139). Gandhi tried to build his Raj Niti on the basis of age-old principles of Bhishma and Vidura, but with additional inputs from Western civilization (p 140). He experimented and added value to our understanding of the State, although he did not provide any final statement on it (p 144).

The third section is on Gandhi and Philosophy. Raghu Kumar points out that Gandhi himself did

not consider that he was propounding any new philosophy of his own. He was not a scholar or academic but a practitioner discussing issues from a moral and humanist point of view (p 147). His life exemplified the common man's search for truth by means of action and experiment, grappling with external realities yet listening to his inner voice, discovering and establishing truth by truth alone. The 'means to an end' had, according to Gandhi, to be as true as 'the end'. He often changed his opinions and appeared to be 'inconsistent'. As he himself put it, his views often got clearer with daily practice and he stated them accordingly rather than making a fetish of sticking to them (p 151). Raghu Kumar looks at Gandhi's Philosophy from five angles. First, Satya or Truth, but as theory and praxis united. Second, True Means for a True End. Third, Ahimsa or Non-violence as the sine qua non of Satya. Fourth, Antodaya or upliftment of the last man and Sarvodaya or upliftment of all men. That is, Science and Technology which was 'ethical' and did not cause atrophy to man as it had done after the Industrial Revolution (p 185-6). The third section ends with Raghu Kumar stating that there is indeed "a definite and comprehensive philosophy in Gandhi" though his ideas are "scattered" and lie "in bits and pieces" (p 182). Gandhi did not believe in any one general principle governing human life but he did leave it to posterity to give expression to the philosophy that may have enabled him to influence others (p 191). Raghu Kumar calls Gandhi's *Hind Swaraj* writings and his Autobiography "a kind of Gandhian manifesto" (p 191). There may be many "problematic and contested areas of Gandhian thinking or practice" (p 196) but there is "abundant material in his spoken and written words, and practices which constitute something called as Gandhism" which holds out "a hope in this state of despair" that the world is passing (p 198).

In the fourth and last section 'Gandhi – A Hope in Despair', Raghu Kumar writes: "In my

study of Gandhi, I found a profound thinker and a person who took activism to its extreme limits. Especially his work in the last phase of his life has no parallel in the history of activism anywhere in the world. But more than anything else I found in Gandhi a rare and misunderstood intellect, in the midst of modernism, who could juxtapose religion, politics and morality, and throw a serious

challenge to the idea of ‘modernity’ as normally understood as many” (p 200). There are valuable insights in this section, especially the comparisons Raghu Kumar draws of Gandhi with Karl Marx and Jesus Christ.

In his Acknowledgments, Raghu Kumar has stated: “I am no natural reader of Gandhi” and thanked critics of Gandhi for creating his interest in him (p viii). In the Epilogue too he says: “I am not a Gandhian. I never aspired to be one.....I never thought that I would be reading Gandhi, at this juncture of my life.” (p 220). Well, his educational qualifications and work experience may also been a natural propellants. But the fact that he reading Gandhi when he did has made him do so with a sense of wonder, a freshness of outlook, and a willingness to transform which are lost to those who have read Gandhi as a matter of routine bordering on boredom. That is why he has benefitted enough to admit wholeheartedly: “I am no more in the binaries of ‘I’ or ‘We’ Vs ‘You’ or ‘He’ or ‘They’ and now I find the need to respect the truth of the other” (p 229).

Against such an inspirational admission, what are a few printing errors like **Roland** (p14), **Chapter-III** (p xxxv), or *The Continent of Circi* (p56)? If readers pursue Raghu Kumar’s book, with a modicum of his openness, they may also experience his transformation. For, it is a timely one, and indeed holds out a hope in the midst of despair. 🌈

**Contd. from page - (32)**

### Why This Sikh Musican Is...

Yet, he remains hopeful. The name of his album is *Chardi Kala* after all, he pointed out, which is “a Sikh concept of eternal optimism”. This optimism has, at least, been rewarded on one side of the globe. When it finally became clear that Joe Biden had won the US presidential elections, Singh took to the streets with his trumpet in celebration. “It was cathartic! We are not celebrating neoliberalism, centrism, or surface level identity politics — we are celebrating the defeat of an authoritarian tyrant,” he said. He is also delighted about Kamala Harris’s ascent. “My mixed race Black and *desi* niece and nephew will now have a Vice President who shares their racial identity. Symbolically that is a really big deal.”

Courtesy **HuffPost**, 15/11/2020. 🌈

### Why is Democracy Weak in India

The democratic values of liberty, equality and fraternity are only a popular version of the scientific humanist values of freedom, rationalism and self-sustained morality.

Democracy in India is weak and unstable because these humanist democratic values have not been adequately disseminated among the people. That is why in India the spirit for freedom and self-reliance remains submerged under the traditions of submission and servitude, why blind faith predominates over rationalism, why morality is overwhelmed by corruption and injustice, and why casteism and communalism continue to thrive. A renaissance movement based on Radical Humanist values is necessary for the all round political, economic and social transformation of India society.

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



**Mr. Mallela Srinath, who installed the statue of M.N Roy in Amaravathi, Andhra Pradesh, passed away at the age of 88 on 19<sup>th</sup> December 2020 at Guntur. He wanted the installation function to be held but his wish was not fulfilled.**

**Dr. Narisetti Innaiah**



## ***Mubarak Bala must be released, says Abuja High Court***



***On 21 December 2020, a judge at the High Court in Abuja, Nigeria, ruled that Mubarak Bala should be immediately released from detention in Kano State, where he has been held since April 2020.***

The ruling in which the judge declared Bala's continuous incarceration as illegal and ordered his immediate release follows a 'fundamental rights' petition detailing how Bala has been detained without charge for more than seven months, for five months of which, he was denied access to his legal representatives. The Court also awarded 250,000 Naira (around \$500USD) against the Respondents.

Humanists International is supporting Bala's legal team in Nigeria, and is in touch with them to understand the impact of this ruling, and what effect it will have in practice.

Nonetheless the organization reaffirms its call that Bala should be released immediately and without delay to a safe location.

**Andrew Copson, President of Humanists International**, said: "Today's ruling by the High Court in Abuja is a victory for the human rights of all citizens in Nigeria. It is time our colleague Mubarak Bala was released immediately and unconditionally and we call upon leaders in Nigeria to respect due process and the rule of law."