

# THE RADICAL HUMANIST



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Founder  
M.N. ROY

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INQILAB INDIA

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proud globally, has to carry his documents to the  
EC office to **prove his Indian citizenship.**

# THE RADICAL HUMANIST

Vol. 89 Number 11, February 2026

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

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## CONTENTS:

Page No.

**Articles and Features :**

On Umar Khalid, Sharjeel Imam, the Opposition must take a stand	3
Brinda Karat	
Why SC denied bail to Umar Khalid and Sharjeel Imam: UAPA's ever-widening definition of terrorism	5
Deeptiman Tiwary	
'Attempt to silence national press': Four Kashmiri journalists get police summons	7
Anant Gupta	
Congress leaders slam BJP for amendments to MGNREGA	9
Tribune News Service	
Equality is not the enemy of growth – oligarchy is	11
Pratap Bhanu Mehta	
Supreme Court to Hear Plea Challenging Lifelong Immunity to Election Commissioners	13
The Wire Staff	
SIR could roll back decades of progress in women's political participation	14
Rahul Shastri, Yogendra Yadav	
SIR - A Violation Of Spirit Of Universal Suffrage	16
Arundhati Dhuru and Sandeep Pandey	
SC questions EC on voter deletion, citizenship	18
The Hindu	
Branded 3.66 crore voters in West Bengal and Madhya Pradesh as suspects	19
Ayushi Kar & Nitin Sethi	
In Favour of Humanity, Against the Silence of Power: A Clear and Firm Public Message from the Citizens of India	22
Pratap Saharan	
Sharia, Manu smriti or Indian Constitution	23
Ram Puniyani	
MOBOCRACY OVERTAKES WISDOM	25
Sandeep Pandey and Mir Shahid Saleem	
Swami Vivekananda's views on the Hindu caste system and its Ambedkarite / Dalit-Bahujan Critique	27
SR Darapuri	
Two Fundamental Criteria: Man and Reason	30
He Wan	
Legal Article: While Bail Is Not To Be Refused Mechanically, It Must Not Be Granted On Irrelevant Considerations Or By Ignoring Material Evidence: SC	34
Sanjeev Sirohi	
Marxism Applied to India from Abroad	37
G.P. Bhattacharjee	
The Humanist Frame: Sociology And Public Policy	40
Michael Young	

## *Articles and Features :*

# On Umar Khalid, Sharjeel Imam, the Opposition must take a stand

*When there is hesitation to challenge unjust court orders, to oppose political persecution carried out through lawless laws like the UAPA, the ruling regime faces no real political cost for its repression*



**Umar Khalid, Sharjeel Imam**

The Supreme Court's refusal to grant bail to Umar Khalid and Sharjeel Imam, while accepting the bail pleas of five other accused in the same case, is not merely a judicial order affecting two individuals. It marks a deeply troubling moment for constitutional democracy in India. While the ruling party, its army of toxic trolls, and a largely captive media ecosystem celebrate this unjust and far-reaching order, the political silence of much of the mainstream opposition — with the exception of the Left parties — remains conspicuous and must be questioned.

The order reinforces a pattern in which extraordinary laws, most notably the Unlawful Activities (Prevention) Act (UAPA), are normalised as instruments for the prolonged incarceration of dissidents, rather than being used for the proclaimed goal of protecting "national security". The bench of Justices Aravind Kumar and N.V. Anjaria accepted the prosecution's assertion of *prima facie* involvement and held that Khalid and Imam were "on a qualitatively different footing" from the other accused.

Ironically, the only obvious difference is that neither of them was present in Delhi during the period of the violence. Imam was already in judicial custody, having been arrested in January — nearly

a month before the Delhi violence — on the charge of making an inflammatory speech. Khalid was elsewhere. These facts, which should have strengthened the case for their non-involvement in any alleged conspiracy, were turned on their head, and absence from the site of violence was perversely interpreted as evidence of orchestration.

In its order, the Court has reversed the logic of earlier SC judgments that took a more balanced view on granting bail under the UAPA. The order adds new and dangerous dimensions to the already draconian nature of the law. Under this interpretation, one need not be involved in any act of violence, nor directly provoke violence. Participation in a road blockade, disruption of public spaces, or actions deemed to affect "economic stability" can now be treated as terrorism.

Under such an expansive reading, workers going on strike, Adivasis blocking roads to protest mining in their lands, or slum dwellers resisting the illegal demolition of their homes could all potentially be arrested under the UAPA and designated as terrorists. What, then, remains of the "golden triangle" of the Constitution — Article 14 (right to equality), Article 19 (freedom of expression), and Article 21 (right to life and liberty)? This interpretation opens the door for an authoritarian government to equate dissent with sedition and systematically corral any opposition to its policies through fear and incarceration.



**Brinda Karat**

At the heart of the injustice lies another stark reality: The *prima facie* evidence and the actual chronology of events point in an entirely different direction. The backdrop to the violence was the widespread opposition to the amended Citizenship Amendment Act (CAA). This opposition was, by and large, peaceful, secular, and unprecedented in its spread across caste, community, and regional lines. The demonisation of this protest became one of the main planks of the BJP's campaign in the Delhi Assembly elections held in the first week of February 2020.

Who can forget the provocative words of the Home Minister, urging voters to “press the button so hard that the current will be felt in Shaheen Bagh”? The BJP lost the election. This defeat only strengthened the imperative, from the ruling party's perspective, to break, sabotage, and communalise the anti-CAA movement. A comparison of speeches made during that period by Khalid, Imam, and other activists on the one hand, and by BJP leaders such as Anurag Thakur, Parvesh Verma, and Kapil Mishra on the other, clearly reveals whose words incited hatred and violence.

This writer filed complaints with the police and petitioned the courts with video evidence against these BJP leaders. Not a single FIR was registered. Justice S Muralidhar, responding to another petition and after viewing the videos in open court, criticised the Delhi Police for their failure to register FIRs in cases of hate speech. He was transferred soon after.

The violence began on February 23, following Mishra's provocative speech. Yet, there was hardly any preventive action. On the contrary, video evidence emerged of sections of the police conniving with rioters. On February 25, the Delhi Minorities Commission wrote an anguished letter to the Lieutenant Governor, urging the immediate imposition of curfew. On the same day, then Chief Minister Arvind Kejriwal and Police Commissioner Amulya Patnaik flagged the grave shortage of security forces to the Home Ministry, which was the authority over law and order in the national

capital. Who was responsible for the low deployment of police forces? Why was the Army not deployed in time? Why was curfew imposed late, and restricted to only a few areas? According to official figures, 41 of the 53 people killed were Muslims, and the overwhelming majority of those whose homes, shops, and places of worship were destroyed were also Muslims. This has disturbing parallels with earlier episodes of communal violence, where delayed or selective state action enabled mobs to operate with impunity.

Yet, we are asked to believe that this violence was planned and executed by a group of 18 people, most of them young students. There is another dimension that cannot be ignored: The demonisation of Muslim activists who opposed the CAA on constitutional grounds. Of the 18 charged under UAPA, 16 are Muslims, including three women. Of the approximately 751 cases filed at the time, in case after case, lower courts have slammed the Delhi Police for their shoddy investigation and dubious witnesses.

It is imperative for opposition parties — particularly Congress — to speak out clearly and consistently on these issues. Silence transforms injustice, more so when it has a communal colour, into routine governance. When there is hesitation to challenge unjust court orders, to oppose political persecution carried out through lawless laws like the UAPA, whether in the Delhi violence cases, the Bhima Koregaon prosecutions or the NewsClick case, the ruling regime faces no real political cost for its repression. In such a political climate, even the custodial death of a Stan Swamy — caused by the sheer cruelty of denying bail and basic facilities despite his serious health conditions — becomes normalised. The absence of a clear stand in cases like that of Umar Khalid and Sharjeel Imam by secular and democratic opposition parties weakens the struggle for the defence of democracy and the Constitution.

*The writer is a senior CPI (M) leader*

Courtesy **The Indian Express**, January 9, 2026. 

# Why SC denied bail to Umar Khalid and Sharjeel Imam: UAPA's ever-widening definition of terrorism

*The UAPA, in its original state, did not address terrorism at all. Behind its current, sweeping form is a series of incremental and bipartisan amendments*

**Deeptiman Tiwary**

In **denying bail to Umar Khalid and Sharjeel Imam** in connection with the 2020 Delhi riots case, the Supreme Court Monday relied on an expansive statutory definition of a “terrorist act”. Both Khalid and Imam are accused under various provisions of the Unlawful Activities (Prevention) Act (UAPA), India’s principal anti-terror law.

At the heart of SC’s reasoning lies UAPA Section 15, which defines terrorism in exceptionally broad terms. The provision goes beyond specifying weapons such as explosives, firearms, or poisons and includes acts committed through “any other means.”

This non-specific phrasing has long been criticised for enabling investigating agencies to invoke UAPA at their discretion, even in cases that do not align with the conventional understanding of terrorism.

From the arrest of journalist Siddique Kappan in October 2020 to the detention of NewsClick editor Prabir Purkayastha in October 2023, and the booking of Kashmir University students in 2023 for allegedly raising pro-Pakistan slogans, the expansive scope of Section 15 has repeatedly been invoked in cases far removed from mass casualty violence or organised terror attacks. The prosecution of Khalid for his alleged role in anti-Citizenship Amendment Act protests remains a prominent example.

While the UAPA is frequently associated with the Union government’s hardening of national security laws, its evolution into its current form has been incremental and bipartisan. Several of its most far-reaching provisions, including the broadening of the definition of terrorism, were introduced under the UPA government. The Modi

government, however, has taken the law further by expanding executive powers.

## Origins of the UAPA

The UAPA was enacted in 1967 as a law to deal with “unlawful activities” threatening the sovereignty and integrity of India. Contrary to its present form, the original statute did not address terrorism at all.

Its origins lie in the work of the National Integration Council (NIC), formed following a conference convened by Prime Minister Jawaharlal Nehru in 1961 to address divisive forces such as communalism, casteism, regionalism and linguistic chauvinism.

In 1962, a panel appointed by the NIC recommended the imposition of “reasonable restrictions” on certain fundamental rights in the interest of national integrity. This led to the Constitution (Sixteenth Amendment) Act, 1963, which introduced such restrictions on freedom of speech and expression, peaceful assembly and the right to form associations. The UAPA was enacted to operationalise these constitutional changes.

At this stage, the Act was primarily concerned with activities advocating secession or undermining India’s territorial integrity. Terrorism, as a distinct legal category, entered the statute decades later.

## Introduction of terror into UAPA Act

A decisive shift occurred in 2004 when Parliament amended the UAPA to explicitly deal with terrorism. The title of the Act was altered to include the phrase “and for dealing with terrorist activities”, and a new Chapter IV — “Punishment for Terrorist Activities” — was introduced. This amendment followed the repeal

of the Prevention of Terrorist Activities Act, which the UPA government had scrapped after criticism over alleged misuse.

Chapter IV, spanning Sections 15 to 23, defined terrorist acts, prescribed punishments and criminalised related activities.

Section 15 defined terrorism as acts involving explosives, firearms, lethal weapons, poisons, chemicals or hazardous substances that caused or were likely to cause death, injury or damage to property. Crucially, such Acts had to be committed with the intent to threaten the sovereignty, integrity or security of India, or to strike terror among the people. Abduction aimed at coercing the Indian or a foreign government was brought within the ambit of terrorism.

The 2004 amendment broadened the definition of “unlawful activity” under Section 2 by adding acts intended to cause “disaffection against India”. Section 10, dealing with membership of banned organisations, was strengthened by enhancing penalties for possession of arms or explosives. Punishment extended to life term or even death if such possession resulted in loss of life.

#### **Post-26/11 expansion of UAPA powers**

The most consequential changes to the UAPA came in 2008, following the 26/11 Mumbai terror attacks. Citing UN Security Council Resolution 1373, which mandates states to combat international terrorism, Parliament introduced amendments that substantially expanded the scope and tightened procedural safeguards for the accused.

The most controversial change was the insertion of the phrase “by any other means” into Section 15. This single addition vastly broadened the definition of terrorism, allowing virtually any act deemed disruptive or threatening to public order to be construed as a terrorist act. Critics argue that this vagueness has enabled the criminalisation of protests, dissent and political mobilisation.

Procedurally, the amendments extended police custody from 15 to 30 days and judicial

custody from 90 to 180 days, giving investigating agencies significantly more time to file charge sheets while ensuring prolonged incarceration of accused persons. Anticipatory bail was barred, and securing regular bail was made exceptionally difficult. Courts were directed to deny bail if the accusations appeared “prima facie true,” a threshold that often relies heavily on the prosecution’s version of events.

The amendments also shifted the burden of proof from the prosecution. Under Section 43E, if an accused was found in possession of arms or ammunition allegedly used in a terrorist act, the court was required to presume guilt. This marked a departure from a fundamental principle of criminal law.

Additional provisions classified attacks on public functionaries as terrorist acts and expanded offences related to conspiracy, recruitment, and training for terrorism. Special courts were established, and new categories such as “terrorist gangs” were introduced alongside terrorist organisations.

#### **Economic offences as terrorism**

In 2012, the UPA government further expanded the scope of the UAPA by including threats to the “economic security” of the country within the definition of terrorism. Economic security was defined broadly to include financial stability, food security, livelihood security, energy security, and even ecological and environmental security.

One of the most striking outcomes of this amendment was the designation of the production, smuggling, and circulation of counterfeit Indian currency as a terrorist act.

The amendments also introduced Sections 22A, 22B, and 22C, extending liability to companies, trusts, and societies. Office-bearers could be held criminally responsible for terror activities unless they proved lack of knowledge. It is under these provisions that Prabir Purkayastha has been accused.

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

# ‘Attempt to silence national press’: Four Kashmiri journalists get police summons

*Senior ‘Indian Express’ journalist Bashaarat Masood was made to report to police station on four days and asked to sign a bond.*

Anant Gupta



*Students protest against the targeting of Indian journalists, in this representative image from October 2023. | AFP*

At least four reporters working for major national publications have been summoned by police in Jammu and Kashmir, *Scroll* has learned.

One of them is a senior journalist with *The Indian Express*, Bashaarat Masood, a person familiar with the development told *Scroll*.

Masood had recently reported on a controversial police drive to collect information on mosques and mosque officials in Kashmir. He was asked to sign a bond, stating that he would not do anything to disturb peace in the union territory, the person said.

The police action is not based on a formal first information report, but is being carried out under Section 126 of the Bharatiya Nagarik Suraksha Sanhita, the person said.

The provision allows an executive magistrate to pre-emptively seek bonds from people “likely to commit a breach of peace”. Government officials can invoke this section merely on the basis of information they have received about individuals.

An *Indian Express* spokesperson confirmed that Masood had been called to the police station. “Bashaarat Masood, Assistant Editor, and a member of the Srinagar bureau of *The Indian Express* since 2006, was called on four days to the Cyber Police Station, Srinagar, and asked to sign a bond which he has not signed,” the spokesperson said. “*The Indian Express* is committed to doing what is necessary to uphold and protect the rights and dignity of its journalists.”

*Scroll* contacted the senior superintendent of Srinagar police, asking about the reasons for summoning journalists and asking them to sign the bonds. The official did not respond to our calls and messages. This story will be updated if he responds.

### **The summons**

On the evening of January 14, Masood received a phone call from the cyber police in Srinagar, asking him to come to the police station the next afternoon, according to the person familiar with the events that followed.

When he got there, he was made to wait for nearly three hours after which a police officer asked him to come back the following day. The officer assured Masood that he would only have to spend half an hour at the police station the next time he came.

However, the journalist ended up spending the whole of Friday and Saturday running from one government office to another.

First, he was sent to the deputy commissioner's office from the police station, where he was asked to sign a Section 126 bond. The police officials were unwilling to provide reasons for their demand, said the person. When Masood refused to comply, a police official told him that he would then have to go to Srinagar central jail.

From the deputy commissioner's office, the journalist was sent back to the police station. There, one of the officers told him that he was being asked to sign the bond because of a story he had written on the political reaction to the police drive in mosques in Kashmir.

On Monday afternoon, he was called in again, the fourth day he had been forced to turn up at the police station. This time, though, the police did not keep him at the station for very long.

The three other journalists got similar summons. One of them was out of Srinagar when he got a call from a police official, asking him to come in. None of the other journalists

have, as of yet, reported to the police station.

### **'Serious erosion of press freedom'**

The four journalists summoned had reported on the political reaction to the Jammu and Kashmir police's drive to collect information on mosques, which has been the subject of much controversy over the past week in Kashmir.

Police officials are reportedly distributing copies of a four-page form to mosques in the Muslim-majority region. The form seeks extensive information pertaining to the family background and financial details of those involved in the upkeep of the places of worship.

The exercise has drawn fire from Kashmiri politicians cutting across party lines as well as prominent religious organisations, who argue that this goes beyond looking into the legal status of mosques.

On Monday, veteran journalist Nirupama Subramanian wrote a social media post about reporters being asked to sign bonds in Kashmir, leading to criticism from public figures in Kashmir.

"Forcing reporters into affidavits, undertakings and bonds at police stations is condemnable," Mirwaiz Umar Farooq, seen by many as the chief preacher of Kashmir, wrote on X. "Religious spaces are not surveillance targets, nor reporting facts a crime."

The Jammu and Kashmir Peoples Democratic Party, the principal Opposition party in the valley, also put out a statement criticising the police. "If reporters from national newspapers can be summoned, harassed, and pressured over routine reporting, it marks a serious erosion of press freedom," it said.

MLAs from other smaller parties, such as the Communist Party of India (Marxist) and the Jammu and Kashmir People's Conference, also spoke up in support of the journalists.

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

# Congress leaders slam BJP for amendments in MGNREGA

Tribune News Service



*Ambala City MLA Nirmal Singh addresses mediapersons in Ambala on Saturday.*

*Congress leaders in Ambala and Kurukshetra today criticised the BJP government for amendments in the MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act) and called it an attempt to erase Mahatma Gandhi's legacy.*

In Kurukshetra, addressing the mediapersons as part of the "Save MGNREGA" campaign at Congress Bhawan, Thanesar MLA Ashok Arora said, "The BJP government wants to weaken and ultimately abolish MGNREGA by making changes to the scheme and eliminating the legal guarantee of work. This is a blatant attack on MGNREGA, which the Congress party will never tolerate."

Pehowa MLA Mandeep Chatha, Shahabad MLA Ramkaran Kala and former MP Kailasho Saini were also present on this occasion.

Thanesar MLA Ashok Arora said, "The Centre has removed Mahatma Gandhi's name from MGNREGA, thereby destroying its very essence. He said the Congress will continue its struggle against this until the Centre restores the original form of the scheme. The scheme was introduced by the UPA government and it

guaranteed the right to work for at least 100 days every year. This made MGNREGA the backbone of rural livelihoods. Every year, five to six crore families received employment. But the BJP has eliminated the right to work."

Similarly in Ambala, the district presidents and MLAs slammed the BJP government for the amendments and said it has tried to defeat the very purpose of the scheme.

Ambala City MLA Nirmal Singh said, "The poor people across the country took benefits from the MGNREGA scheme as it provided right to work to the people. It also provided rights to the panchayats. But the BJP has made amendments in the scheme to weaken and ultimately end the scheme. The Congress party has launched the "Save MGNREGA" campaign and it will not compromise under any circumstances."

Mullana MLA Pooja Chaudhry said, “The Centre has failed to effectively utilise the scheme and now it has brought amendments to hide its failures. Instead of further strengthening the scheme, the BJP has changed the scheme and made an attempt to erase the legacy of Mahatma Gandhi. The BJP has made its intentions clear by changing the name.”

Naraingarh MLA Shalley Chaudhary said, “We oppose the amendments made in the scheme. The rights of labourers are being abolished. The changes are unfavorable and the party will force the BJP to restore the scheme in its original form.”

Ambala Congress district chief (urban) Pawan Aggarwal, district chief (rural) Dushyant

**Contd. from page - (6)**

### **Why SC denied bail to...**

Additionally, the period for which an organisation could remain declared an “unlawful association” was increased from two to five years, and new schedules were added to incorporate international conventions and security features of Indian currency.

#### **The 2019 amendments**

The most recent changes were in 2019, when the Centre amended the Act to allow designation of individuals as terrorists. Earlier, only organisations could be so designated. This move was criticised for undermining the presumption of innocence by enabling the state to brand individuals as terrorists without prior conviction. The move empowered NIA to seize properties without consent from states and allowed inspector-rank officers, instead of deputy superintendent, to probe terror cases. It added the International Convention for the Suppression of Acts of Nuclear Terrorism to the schedule.

Courtesy **The Indian Express**, January 7, 2026. 

Chauhan, district chief (Ambala Cantonment) Parvinder Singh and several other Congress leaders criticised the government for the changes. They said that the Congress will hold protests to save MGNREGA.

Courtesy **Haryana Tribune**, Jan 11, 2026. 

**Contd. from page - (8)**

### **‘Attempt to silence national...**

#### **‘What is the future of journalism?’**

This is not the first time that reporters in Kashmir find themselves at the receiving end of police scrutiny. Since the abrogation of Article 370, there has been a sharp uptick in coercive state action against journalists in the region. In some cases, even their passports have been suspended.

In November, the police raided the defunct office of the Jammu newspaper, *Kashmir Times*, and claimed that it had discovered “incriminating arms and ammunition”.

However, this is perhaps the first time that multiple reporters working for reputed national publications have been subjected to such treatment by the police.

“There is a pattern,” noted a journalist in Srinagar, requesting not to be named. “They [police] have more or less silenced the Kashmiri press. The attempt now is to silence the national press too.” Freelancers working for the foreign press, too, avoid writing about Kashmir out of fear, he added.

What troubled this journalist the most was the “routine” nature of the story that led to the summons from the police. That, in his view, showed how tightly the Centre seeks to control press coverage of the Union Territory. “If there is no tolerance for even this kind of journalism, then what is the future of journalism here?”

Courtesy **Scroll.in**, 20 January 2026. 

# Equality is not the enemy of growth – oligarchy is

*The way income inequality is framed in public debate is a red herring. By associating all talk of equality with resentment, we avoid asking serious questions about inequality's real effects*

**There is good reason to suspect that those who seek to silence talk of inequality in the name of the poor are, in fact, seeking to protect oligarchy.**

If one were to read public debates in India on economic equality, one might be forgiven for associating equality with four sins. First, what matters, apparently, is poverty reduction, not inequality — inequality is dismissed as a distraction. Second, equality is portrayed as the enemy of entrepreneurship. Third, it is assumed to entail greater bureaucratic control by the state. Finally, talk of equality is cast as resentful, socialist levelling down. We can, of course, have a philosophical debate about whether equality has intrinsic moral value. This is also not the place to discuss the tired debate over equality of opportunity versus equality of outcomes. But what is striking about these associations is the absence of even a rudimentary understanding of why, quite apart from any intrinsic appeal, there are compelling pragmatic reasons to take equality seriously, precisely to achieve the very objectives that inequality is said to advance.

First, the claim that poverty reduction and equality are rivals is a laughable piece of mystification. High inequality can directly undermine poverty reduction by weakening the growth elasticity of poverty. When income gains are highly concentrated, aggregate growth translates into fewer absolute gains for the poor, even when headline growth rates appear impressive. As India's experience shows, unequal societies systematically underinvest in the public goods necessary for durable exits from poverty: Health, education, sanitation, and social

protection. The persistence of malnutrition, learning deficits, widespread precarity, and wage stagnation despite decades of growth illustrates the structural limits of poverty reduction pursued without regard to distribution.

We also know that distribution affects investment: Extreme concentration of wealth can depress consumption and thereby weaken investment demand. Equality is not inherently hostile to growth — it is often a precondition for growth that is broad-based and capable of delivering wage gains for the majority. Inequality may not be intrinsically good or bad for growth in the abstract, but in modern, human-capital-intensive economies, as Brad DeLong's account of 20th-century economic history shows, high inequality is far more likely to impede growth than sustain it.

Second, the relationship between equality and entrepreneurship is far more complex than is usually acknowledged. Under some conditions, inequality might spur growth, but this relationship is contingent and fragile. In India, much attention is understandably devoted to the role of state regulation in impeding entrepreneurship. But the concentration of wealth can be just as damaging to the diffusion of entrepreneurial activity. It enables political capture and regulatory bias that favour incumbents, skewing policy in ways that undercut new entrants as effectively as overt



**Pratap Bhanu Mehta**

bureaucratic control. Extreme inequality restricts who can afford to take risks. When access to credit, education, networks, and legal protection is tightly correlated with inherited wealth, entrepreneurship is drawn from a narrow social base. More equal societies expand the pool of potential entrepreneurs by lowering entry barriers and reducing the catastrophic costs of failure.

High inequality also produces severe misallocation of talent. Capable individuals are drawn into rent-rich sectors, finance, lobbying, speculation, and regulatory arbitrage, rather than productive innovation. What inequality often protects is not entrepreneurship as such, but rent-seeking incumbency — the ability of the powerful to insulate themselves from competition. Behind the façade of state regulation lies the deeper power of unequal capital distribution. Inequality and state control are frequently symbiotic, not opposed.

Third, equality does not logically entail bureaucratic micromanagement. Indeed, high inequality often requires more discretionary state power, not less: Subsidies to capital, regulatory forbearance for large firms, selective tax enforcement, and ad-hoc bailouts. By contrast, egalitarian strategies rooted in universalism, universal basic services, and public provisioning of health and education can reduce administrative discretion and political capture. Universalism is often institutionally simpler and less corrupting than an anxious, privileged, preserving inequality managed through targeted patronage.

Finally, the charge of resentful levelling down misunderstands the direction of causality. Egalitarian policies are not about pulling the top down, but about preventing inequality from corroding the social and economic conditions necessary for sustained prosperity. High inequality erodes social trust. India is arguably less threatened by egalitarian resentment than by a high concentration of capital that nervously seeks to control the rest of society, fearful of

challenge from those who may be more capable or innovative. If excessive regulation is partly a function of low social trust, then inequality itself is a major contributor to over-regulation. One lesson of 20th-century economic history bears repeating: Equality is not an ethic of envy, but a form of social insurance for capitalism itself.

In this sense, the way income inequality is framed in public debate is a red herring. By associating all talk of equality with resentment, we avoid asking serious questions about inequality's real effects. With few exceptions, even among those concerned about inequality, there is little resentment of the fact that some people are very wealthy. The political force of resentment against wealth is often exaggerated. What people worry about instead are the pragmatic consequences of inequality for growth, entrepreneurship, social trust, and institutional integrity. What is rarely acknowledged is that resentment is not directed at wealth per se, but at the translation of wealth into other forms of power that undermine political dignity and agency. For a social contract to tolerate wealth inequality, it must ensure that such inequality does not hollow out democratic citizenship. In India, the oligarchic shaping of political agendas and the distortion of public values may be at least as serious a threat as populist overreach.

The precise policy responses are, of course, complex. The relationship between growth, entrepreneurship, and inequality is contingent. But it is a measure of how degraded our public discourse has become that these elementary truths, that equality need not impede growth or entrepreneurship, have to be restated at all. There is good reason to suspect that those who seek to silence talk of inequality in the name of the poor are, in fact, seeking to protect oligarchy.

*The writer is a contributing editor at The Indian Express*

Courtesy **The Indian Express**, January 13, 2026. 

# Supreme Court to Hear Plea Challenging Lifelong Immunity to Election Commissioners

The Wire Staff

*“We will examine the matter to determine whether this provision is causing any harm and whether such an exemption can be granted under the Constitution,” the court said.*

**New Delhi:** The Supreme Court on Monday issued notices to the Union government and the Election Commission of

against any person who is or was a Chief Election Commissioner or an Election Commissioner for any act, thing or word, committed, done or spoken by him when, or in the course of acting or purporting to act in the discharge of his official duty or function.”

The petitioner argued that such immunity, which is not available to even the president or governors, should not be granted to election officials.

Lok Prahari said that a Union minister had stated in Parliament that the 2023 law only dealt with service conditions, arguing that protection from criminal prosecution cannot be treated as a service condition. Further, the

provision was not part of the original Bill, but added at the last minute.

The petitioner argued that such a provision harms free and fair elections and urged for an immediate stay “in view of the gravity of the continuing irreparable loss caused to the cause of free and fair election”

The Supreme Court, while agreeing to hear the matter, said that an immediate stay on the provision was not required.

“This is an important issue. We will examine the matter to determine whether this provision is causing any harm and whether such an exemption can be granted under the Constitution,” the bench said.

Courtesy The Wire.in, 13 Jan 2026. 



India (ECI) seeking their response to a public interest litigation (PIL) challenging lifelong immunity granted to the Chief Election Commissioner (CEC) and Election Commissioners (ECs).

A bench comprising Chief Justice of India Surya Kant and Justice Joymalya Bagchi were hearing a plea filed by NGO Lok Prahari concerning section 16 of the The Chief Election Commissioner And Other Election Commissioners (Appointment, Conditions of Service And Term of Office) Act, 2023.

The section states: “Notwithstanding anything contained in any other law for the time being in force, no Court shall entertain or continue any civil or criminal proceedings

# SIR could roll back decades of progress in women's political participation

Rahul Shastri, Yogendra Yadav

A future historian might record this cruel irony: Just when women were beginning to be recognised as political actors in their own right, the largest-ever disenfranchisement of women occurred in India. She might wonder why and how it happened in the third decade of the 21st century, when the whole world had taken women's suffrage for granted. This is where she would encounter "Special Intensive Revision" of electoral rolls.

Now that we have the data from all states except Uttar Pradesh for the second phase of the SIR, it is clear that we are witnessing the single biggest reversal of decades of gains on women's electoral participation. In the last two decades, we have seen improvement in women's enrolment, in turnout of women voters and a distinct focus on women's issues. The SIR threatens to take us back to the basic struggle for women's voting rights.

In India, women's voting clout has historically suffered from a double whammy. The first is a phenomenon identified by Amartya Sen as the "missing girl child": A vast gap between the number of girls expected to be born, going by the natural birth rate, and the actual number of girls who are born. The second phenomenon is women's under-enfranchisement — the women who do reach the age of voting are less likely to be on the voters' list than men. The SIR has now made it a triple whammy for Indian women by introducing a new phenomenon: Disenfranchisement of women who were already on the voters' list. Independent India has never seen this phenomenon at this scale.

Bihar gave us the first glimpse of what was to come. Before the SIR, the gender ratio in Bihar's population was 932 — for every 1,000

men in Bihar's adult population, there were only 932 women. The voters' list made it worse. For every 1,000 men on the voters' list, there were only 914 women — fewer than their share in the population. The list should have had 7 lakh more women if the share of women was the same as in the population. After the SIR, the gender ratio in the final voters' list of Bihar fell sharply to 890. Thus, thanks to the SIR, the number of "missing women voters" increased from 7 lakh to 16 lakh. In Bihar, the SIR wiped out a whole decade's gain in the gender ratio of electoral rolls.

The data from the second phase of the SIR confirms that what happened in Bihar was not an anomaly. The accompanying table presents the data for six major states in the second phase. In every case, the SIR has led to a decline in the gender ratio of the voters' list. On average, these six states had 979 women for every 1,000 men in their pre-SIR voters' list. This was a little less than their share in the adult population — 985. Now look at the impact of the SIR: The gender ratio in the draft voters' list declined to 963. This steep drop translated into 23 lakh additional "missing women voters". In other words, if the SIR exclusions were proportionally the same for men and women, we would have had 23 lakh more women on the draft voters' list than we have on the draft lists for the second phase.

We don't have the gender-wise data for UP (and Chhattisgarh) yet. In all probability, the number of "missing women voters" will shoot up then. This list of six states happens to include Kerala and Tamil Nadu, which are among the best states in terms of their gender ratio. Even in these states, where the number of women on the voters' list is higher than men,

the SIR has led to a drop in the gender ratio — 2 points in Tamil Nadu and 14 points in Kerala. As expected, the other states fare much worse, dropping by more than 15 points each. Thus, the SIR has already wiped off nearly 6 lakh women voters Gujarat, more than 5 lakh in Rajasthan and West Bengal and almost 5 lakh women voters in Madhya Pradesh. Contrast this with Assam, the only state that has not used enumeration forms and “mapping” requirements for its recent voter list revision. Here, the Special Revision has actually led to an improvement in the gender ratio, from 1,002 to 1004. Clearly, SIR is the culprit.

As in the case of Bihar, the SIR has reversed long-term gains in the proportion of women on the voters’ list in these states. Take MP, for example. In 2009, the gender ratio of its voters’ list was abysmally low at 887. Thanks to the ECI’s sustained efforts, the ratio improved in every subsequent revision and reached 950 last year, matching the actual share of women in its adult population. The SIR draft list brought it down to 933.

There is little surprise in this. The SIR suffers from a design defect that works to the disadvantage of women. The requirement of filling an enumeration form with a photograph

by a harsh deadline is a classic device of what scholars call administrative disenfranchisement. It is not surprising that more women have been excluded on the grounds of being “absent/shifted”. An overwhelming proportion of these are married women whose names have now been deleted from their maternal home, but never included in their married home. But this is not all. Further disenfranchisement awaits those women who are on the draft list but cannot “map” themselves to their parents (in-laws are not allowed for this purpose), in two-decade-old electoral rolls. This is plain discrimination against married women.

When our future historian looks at this data, she might also chance upon the ECI’s Manual on Electoral Rolls. She might be struck by how sensitive the ECI’s rules and procedures were when it came to women’s enrolment. She might notice that the ECI’s own manual required it to monitor the gender ratio at each stage, carry out physical verification and appoint female BLOs in case of any imbalance in the gender ratio. She might wonder how the Special Intensive Revision of the voters’ list turned into a very special intensive deletion of women voters.

Courtesy **The Indian Express**, 6 January 2026. 

## Articles/Reports for The Radical Humanist

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

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

# SIR - A Violation Of Spirit Of Universal Suffrage

*The Election Commission of India is conducting the Special Intensive Revision (SIR) in 12 states and Union Territories. The SIR was first held in Bihar.*

Arundhati Dhuru and Sandeep Pandey



*Representational Image (PTI)*

When India became independent, its people got universal suffrage as a fundamental right because of the visionary leaders of the freedom movement. It was seen as quite a natural thing in a democracy for people who were deprived of even basic civil rights under a foreign rule.

Before the process of Special Intensive Revision started, an effort was made to enlist everybody living in India as a voter, and people were encouraged to vote on some other form of identity proof if they did not happen to possess Electoral Photo Identity Cards (EPIC) and their names were there on the rolls.

It was assumed that foreigners would not vote unless they had lived in India long enough to acquire Indian citizenship. Hence, everybody who considered themselves Indian citizens had a right to vote. This is the idea of universal suffrage. Now, with the arrival of SIR, the concept of universal suffrage has been disrupted. It is not a mere revision as its name stands for. It

is making voters' lists afresh.

The stated purpose of SIR is to remove dead, duplicate and permanently shifted people. But in reality, it is eliminating a number of other categories of people who would have made it to the list if a mere revision was being carried out.

Let us take the case of Uttar Pradesh, which has an adult population of 16.1 crore. The state has just now also concluded revision of its voters' list for the upcoming panchayat elections by Booth Level Officers, doing a door-to-door survey in which the number of voters stands at 12.7 crore.

This is only the rural voters. However, in the process of SIR undertaken in the entire Uttar Pradesh - rural and urban - by the Election Commission of India (ECI), where an enumeration form was asked to be filled out by each of the 15.4 crore voters on the electoral rolls, only 12.6 crore could return their forms.

This implies that the number of voters in the

entire Uttar Pradesh after the SIR process is less than the voters on rolls for panchayat elections just for the rural areas! How do we explain this anomaly? In addition to dead, duplicate and permanently shifted voters, there were other categories of voters who did not return their enumeration forms to their BLOs.

There are voters who filled out their forms online in spite of it being a very tedious process. The mobile number of the voter must be linked to their Aadhar Card and EPIC, and their name on the two cards must exactly match. Don't ask the question why the voter should reveal their Aadhar Card number, an option they have when filling the enumeration form manually; otherwise, you can't move ahead in the online process.

When the voter goes again to the ECI website to check the status of their enumeration form, the link opens a fresh form to fill out. The voters who submitted their forms to their BLOs and whose forms have been subsequently uploaded get a message on the website that their forms have already been submitted.

A complaint has been filed with the Chief Election Commissioner on December 18, 2025, regarding such enumeration forms successfully filled online, which failed to generate a 'form already submitted' message from the ECI website when checked later. The complaint did not elicit a response either.

There are voters who possess a valid EPIC, but when they check the status of their EPIC on the ECI site, it says 'no result found.' It appears that their names have been removed accidentally or deliberately. But technically, as they possess EPIC, their names should have been there on the current voters' rolls.

The grave question is, why did they not get their enumeration form? As they did not get any enumeration form, they could not submit any, meaning their names will be missing when the

ECI publishes its draft rolls.

There are voters who don't possess an EPIC, but their names or their parents' or grandparents' names appear in the last SIR list of 2002-03, meaning thereby that they pass the citizenship test of ECI. But as they have not received any



*SIR - A Violation Of Spirit Of Universal Suffrage (ETV Bharat)*

enumeration forms, they too could submit any. Their names too would not appear on draft rolls.

Then there are voters who have their names in the current voters' lists, but they were displaced by the government en masse due to some development project, like the residents of former Akbar Nagar in Lucknow. Their BLO did not give them the enumeration forms, claiming that they had permanently shifted to another *Vidhan Sabha*.

The correct procedure should have been to give them the enumeration forms and simultaneously get Form 8 filled by them for the change of their address. Such voters also could not submit any enumeration forms and will find their names missing from the draft rolls.

However, all voters of the above categories whose names will be deleted from the draft voters' list are being asked to fill form 6, which is filled by a first-time going to be voter. While filling this form, an undertaking has to be given that they were not there in any electoral roll in the past.

Hence, the authorities are asking people to lie when filling the form 6, and this raises doubts about whether the genuine voters like the above-mentioned cases from among the close to 3 crore names eliminated as a result of the SIR process, will ever be able to make it to the electoral rolls?

It is quite clear that instead of choosing a simple door-to-door survey as was done for revising the lists for upcoming Uttar Pradesh panchayat elections, the SIR process of asking people to fill out enumeration forms has eliminated about 18 per cent of voters, a large number of them genuine ones.

A basic question also arises for Uttar Pradesh as to why two different processes were adopted for revising voters' lists for two different levels

of elections in the process generating two markedly different lists for the same adult population? Can there be a more succinct example of bureaucratic insolence, mismanagement and waste of public time and money, not to mention the precious lives of BLOs who became victims of all this. Does this not go against the spirit of universal suffrage?

**(Arundhati Dhuru is with the National Alliance of People's Movements. Sandeep Pandey is with the Socialist Party (India).)**

*(Disclaimer: The opinions expressed in this article are those of the writers. The facts and opinions expressed here do not reflect the views of ETV Bharat)*

Courtesy **ETV Bharat**, January 11, 2026. 

## SC questions EC on voter deletion, citizenship

**The Hindu**

The Supreme Court on Tuesday (January 13, 2026) asked the Election Commission (EC) whether an Electoral Registration Officer's (ERO) decision to strike a person off the electoral rolls after an "inquisitorial" enquiry into his citizenship under the special intensive revision (SIR) exercise could be referred to by the Centre to commence an investigation into the individual's right to remain in India or be deported.

Justice Joymalya Bagchi, a member of the Division Bench headed by Chief Justice Surya Kant, asked whether EROs could exclude a person from the electoral rolls even before the Centre took a final call to "strip him of the colour of citizenship".

The questions raised by the Supreme Court have gained significance as draft electoral rolls published in nine States and three Union Territories, including West Bengal, Uttar Pradesh, and Tamil Nadu, witnessed the deletion of nearly 6.5 crore names in the second phase of the special intensive revision process.

The Election Commission counsel noted that citizenship and delimitations were the cornerstones of electoral process. The senior counsel added that persons excluded from the electoral roll under the special intensive revision had the right to appeal. The pleas in the Supreme Court challenging the EC's decision to undertake the SIR exercise in several States, including Bihar, have raised significant constitutional questions on the scope of the poll panel's powers, citizenship and the right to vote.

On January 6, the Election Commission had told the Bench that it has the power and competence to undertake SIR of the electoral rolls, and that there was a constitutional duty to ensure that no foreigners are registered as voters. Last week, *The Hindu*'s editorial observed that in a leap into the phantom world of foreigners taking over the country, the real challenges to the integrity of India's electoral process are being overlooked.

Courtesy **The Hindu**, 14 January 2026. 

# Branded 3.66 crore voters in West Bengal and Madhya Pradesh as suspects

*The algorithms were opaque and the underlying data untested for reliability. Officials received no instructions from the Commission on how to resolve crores of such cases in days.*

**New Delhi:** The untested software deployed by the Election Commission of India (ECI) without written instructions, protocols and manuals, red-flagged 1.31 crore voters in West Bengal and 2.35 crore voters in Madhya Pradesh as suspicious, putting their voting rights in jeopardy.

These voters earmarked as suspicious comprised a whopping 17.11% of the voting population in West Bengal and 41.22% of the voting population in Madhya Pradesh.

Crcores of other voters were earmarked as suspicious across 10 other states that are undergoing voter reregistration as part of ECI's Special Intensive Revision (SIR), independent sources confirmed.

The ECI euphemistically termed these as cases with "logical discrepancies".

*The Reporters' Collective* accessed the suspect list summary of two states, which were drawn up in the first half of December. Data from these records are being made public for the first time. The ECI has kept such details for all 12 states undergoing the Special Intensive Revision (SIR) of voter rolls locked away from public scrutiny.

This software, used to identify voters as suspects, relied on the digitisation of physical voter lists from more than 20 years ago. The digitisation had been carried out across the 12 states in haste.

Detailed tests were not carried out in each state to verify the quality of this digitisation – whether computers could read these records and match them with voters' inputs properly or not. This likely led to software misidentifying

voters as suspicious, a senior ECI official in the state confirmed to *The Reporters' Collective*.

ECI's regulations require that whenever doubts are raised about a voter's rights, these are resolved by a ground verification and a formal hearing by election officials at the constituency level. The ECI had not laid down in writing what evidence by voters would suffice to counter the computer-generated doubt about their rights. Taken aback at the unprecedented scale of suspicious voters flagged by its software, the exercise to check the crores initially marked suspicious was abandoned across states, even as the SIR rolled on.

At least in one state, *The Reporters' Collective* can confirm that the Commission kept repeatedly tweaking the software while the exercise was ongoing. This got the number of suspicious cases down with the passage of time. Meanwhile, it was left to the last-mile Booth-Level Officials (BLOs) and constituency-level election officials to work with discretion rather than any established protocol.

In West Bengal's case, 1.31 crore voters were marked as doubtful on a list generated in mid-December. By January 2, this number had dropped to 95 lakh, *The Hindu* reported, citing sources in the state chief electoral officer's office. However, no reports were released to explain how the 34 lakh cases marked suspect by the ECI's software had been resolved.

This is the first recorded time that the ECI ended up raising doubts about the rights of

**Ayushi Kar & Nitin Sethi**

crores of existing voters based on opaque algorithms, without the safety layer of ground verification and established protocols for resolving the doubts by officials.

The ECI has not made public any records, protocols, data or orders about this failed attempt to use an undocumented and untested software to test the voting rights of crores of voters at risk.

In an earlier investigation, we had uncovered the ECI's activation of two softwares in the middle of the second phase of SIR. This investigation shows the chaos and opaqueness that followed the use of one of these two softwares.

### **The Mapping Business**

Since announcing the SIR in June 2025, the ECI has made and bent the rules for the reregistration of voters on the go. It changed protocols once again during Phase 2 of the revision in 12 states.

After the Bihar SIR and into the next phase, the commission introduced 'mapping'—a process that allowed voters to rejoin the rolls without showing their documents.

To do this, they had to prove that either they or their relatives were listed on a 20-year-old voter list. Those unable to prove this link were labelled 'unmapped.' The unmapped had to submit documentary evidence of their voting rights.

Weeks before states were scheduled to release their draft lists, the ECI introduced the mapping software, which flagged what ECI called 'logical discrepancies' in the mapping of voters against the two-decade-old lists.

The software red-flagged all cases where:

- More than six voters had linked themselves to a single ancestor from the 2003 list;
- The age gap between a voter and their parent fell outside the 15-to-45-year range;
- A cited grandparent was less than 40

years older than the voter;

- There was a name mismatch between the relative cited and their entry on the 2003 roll; or
- The gender of the voter did not align with the name provided.

Until mid-December, the directive from ECI had been clear: only 'unmapped' voters would receive summons from Electoral Registration Officers to submit proof justifying their inclusion in the voter rolls. But as the year turned, ECI's goalposts shifted.

In West Bengal, the ECI expanded its dragnet to include electors flagged for 'logical discrepancies' by its suddenly activated software.

Chief Election Commissioner Gyanesh Kumar had bragged about this mapping back in October 2025, pitching it as a way to ease their bureaucratic burden.

Kumar had said, this 'digital pre-mapping' would handle almost all of the process, leaving only a small fraction of voters to undergo manual verification. He claimed, "the burden of proof was shifting from the citizens to the database."

The idea was good on paper. It fell apart on the ground.

The mapping relied on two steps, where ECI's new and undocumented process unravelled. First, the two-decade-old voter lists had to be digitised for voters to find themselves or their relatives on it. A senior officer at the state level in the ECI office told *The Collective* that the digitisation of the old voter roll was uneven and not tested for its quality.

"We don't know if the digitisation was 95% accurate or 60% accurate in different states," he said.

Independent researcher and privacy activist, Srinivas Kodali, explained, "The true accuracy of this digitisation exercise will only be understood when the ECI discloses its character recognition algorithms. Accuracy

levels in digitisation can range anywhere from 60% to 90%.”

If the computer could not read the characters on the old list accurately, it potentially would generate wrong warnings. We asked ECI if it had tested its digitisation of the voter lists, and if it could share any report prepared for such an audit. It did not reply.

To top it, the BLOs too had been asked to type out data from the new enumeration forms into the digital database of ECI, which provided another opportunity for errors.

But the ECI’s voter registration juggernaut rolled on.

*The Collective* acquired a few of the ECI’s internal records, tracking the number of voters flagged, initially by this new software. In Madhya Pradesh, nearly 40% of the voters on the draft roll (2.35 crore voters) were deemed ‘suspect’ as their mapping contained logical discrepancies less than a fortnight before their draft list was published. In West Bengal, 17.11% (1.31 crore voters) of the voters were initially flagged for ‘logical’ discrepancies.

There is an irony in ECI’s sudden fondness for computer-generated lists of suspicious voters. The ECI had previously derided the use of such algorithms during the Bihar SIR, citing their high variability and the frequency of ‘false flags’ in the results. It told the Supreme Court, “The strength and accuracy of the results were variable and large numbers of suspected DSE (demographically similar) entries were not found to be duplicates.” Deduplication was therefore junked in Bihar.

But the ECI performed a policy U-turn immediately after, in the second phase of SIR, beginning with West Bengal. First, the mapping software was activated, and then the goalposts were shifted regarding the issuance of summons to voters to validate their rights.

The ECI had already armed itself and its foot soldiers in the district with wide powers for the SIR. In its directive to officials dated

October 27, 2025, it had empowered the Electoral Registration Officers to conduct a *suo motu* enquiry in any case that they had any doubt about an existing voter ‘due to non-submission of requisite documents or otherwise.’

This practically meant, an officer of ECI, at discretion, could raise doubt about any existing person holding a voter ID and turn them into a suspect. The ECI did not leave it to the officials. It began raising these doubts on its own, using the software it had activated.

Not all those red-flagged by the software are receiving summons from ECI. In the case of West Bengal, 24 lakh of the 95 lakh flagged will receive notices of summons, the Commission leaked to the press. No public disclosures on the criteria used to summon voters or resolve discrepancies have been made. We asked ECI about the criterion used, but they did not reply at the time of filing the report.

We previously reported how officials on the ground were now left to conduct the inquiry into crores of suspect cases of wrongful mapping. Except, they had not been told in writing how to conduct the inquiry, what evidence was adequate and what proof was needed to call a voter a voter. We sent official questions asking for this SOP to ECI and CEO offices of three Indian states, but none of whom replied so far.

The lack of written instructions continues to shroud the process, along with the opaque software algorithm and the bad scans of old voter rolls. In a meeting with officials from the ECI and the Chief Electoral Officer of West Bengal last week, district-level election officers explicitly requested written guidance on how to resolve “logical discrepancies.” No such instructions had been provided by the time this report was published.

Courtesy **Reporters’ Collective**, January 6, 2026. 

# In Favour of Humanity, Against the Silence of Power

## *A Clear and Firm Public Message from the Citizens of India*

**Pratap Saharan**

The American military intervention in Venezuela and the removal of President Maduro have once again held up a mirror to the world. This mirror does not reflect only the power of the United States or the aggressive foreign policy of its president Donald Trump; it also exposes the moral standing of all those countries that have either remained silent or tried to evade responsibility through evasive language in the face of this open violation of international law.

Countries like Brazil stated clearly that this action was an attack on sovereignty and international law. Several nations in Latin America made it equally clear that disagreement with a dictator can never mean granting a foreign power a license for military intervention. This is precisely the kind of moral clarity the world needs today.

Yet, against this backdrop, India's silence is the most disturbing.

The Indian government's statement was limited to expressions of "concern" and "restraint." It did not even show the courage to name the United States. This is not ordinary diplomatic caution, but a sign of deep political calculation and anxiety over the preservation of power.

Why this fear exists must now be stated openly.

### **The Truth Behind the Silence of Power in India**

The current establishment in India knows that the story of Venezuela creates uncomfortable parallels. Questions over electoral processes, the erosion of institutions, the subservience of the media, and the nexus between corporate power and the state. In such a situation, if India were to openly oppose

Trump, it could invite sharper international scrutiny of India's own democratic condition. This is the fear that hollows out official statements.

It is also a fact that the United States today is a major trade, technology, and strategic partner for India. But the question remains: can mortgaging morality entirely under the cover of economic interests truly be called "national interest"?

### **Moral Voices Rising from Within the United States**

This is not irony, but a mirror for those in power in India, that voices of opposition emerged from within the very country that carried out this action.

New York Mayor Zoharan Mamdani not only described this military operation as a violation of international law, but also called Trump directly to register his protest. This is the courage of an elected representative who questions power while being part of it.

Former Vice President Kamala Harris also criticised this step, describing it as a politics of power and resources rather than a defence of democracy.

When democratic voices can speak up within the United States, the silence of those in power in India becomes even more shameful.

### **This Message Is from the People of India**

This article is no longer just an analysis. It is a public message from the citizens of India.

We, the citizens of India, wish to state clearly that

An attack on democracy, whether in Venezuela or anywhere else, is unacceptable.

( To be Contd....on Page - 29)

# Sharia, Manu smriti or Indian Constitution

The Indian Constitution has been the outcome of the values which emerged during our freedom struggle. The Constituent Assembly, broadly a representative of India, formulated the Indian Constitution which as a whole is the guide to our national life. The Constitution calls for democratic society based on Liberty, Equality, Fraternity and Social justice.

There was a section of political opinion mainly formed by conservative Hindus and those arguing that India should become a Hindu nation; who opposed it right from the start. The leaders of Hindu nationalist politics, supported by the conservative sections of society's opinion; was articulated by an article in *Organiser*, the RSS mouthpiece, which opposed the Indian Constitution; saying that there is nothing Indian about it and it will not be accepted by the Hindus. Savarkar, went on to say that Manu smriti is *the* Constitution today. In this spirit Swami Avimuktешwaranand recently stated that Manu smriti is above the Indian Constitution.

This stream is not the only one to undermine the constitution and showing the primacy of 'word of God' or sacred scriptures. Maulana Mufti Shamail Nadwi made a similar statement. This Maulana has come to prominence in the last few days after his debate with Javed Akhtar on "Does God exists". In a viral clip, he asserts that "Muslims erred by accepting secularism and the supremacy of national institutions over Shariah, criticizing democracy and the notion of placing the nation (desh) above religion. He questions whether believers should passively accept court verdicts conflicting with Islamic law. These statements, while presented as theological opinions, have been

interpreted by critics as undermining India's constitutional secularism and promoting religious supremacy."

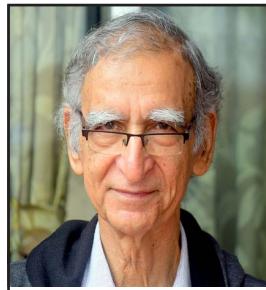
While Manu smriti is a compilation representing the values of Brahmanism, the dominant stream within Hinduism, Sharia is based on multiple things. Sharia (Arabic: *the path*) is the Islamic legal-ethical system derived from:

"Qur'an, Hadith (sayings/actions of Prophet Muhammad), Ijma (consensus of scholars) and Qiyas (analogy)" It guides personal conduct and law, not just punishments. In practice, Sharia is interpreted through schools of jurisprudence (Sunni: Hanafi, Shafi'i, Maliki, Hanbali; Shia: Ja'fari), so there is a diversity within the legal system of Sharia.

Out of nearly 55 Muslim majority countries it shapes the laws etc. only in Saudi Arabia, Iran and Afghanistan fully. Partly it is implemented in a few other Muslim majority countries. In India it forms a base in matters of Muslim personal laws only.

So, what does one do with changing times and the social patterns, which have occurred over a period of centuries when these laws were devised. Those doing politics in the name of religion in India harp on bringing in Manu smriti and countries like Iran, Afghanistan and Saudi Arabia are having sharia in full. In many Muslim countries it is not implemented or implemented only in part.

Can Sharia be above the Constitution as the Mufti claims? The legal luminary Faizan



Ram Puniyani

Mustafa in a video [https://chatgpt.com/s/t\\_6958cc1175d881918e5e6573c342c651](https://chatgpt.com/s/t_6958cc1175d881918e5e6573c342c651) argues that in every country the Constitution is supreme. The Constitution does consider Sharia in many countries and integrates some aspects of that in the Constitutions.

So, what is the status of democratic institutions in Muslim majority countries? There are different degrees of ‘democracy’ in these countries. At the moment many social sites are criticizing Shamail for encouraging Muslims not to follow the constitution, which is an anti-patriotic act. On the other hand, many are praising the Mufti for upholding the Sharia. It is interesting to note that during the medieval period of Indian History, the Muslim Kings did not make it obligatory for the state.

While Mufti Shamail has one opinion there are others like Asghar Ali Engineer, the foremost scholar of Islam in India; who have different idea about the role of Sharia viv a vis Constitution. Dr. Engineer harps on Shura (Mutual consultation); to argue that democracy and related principles are possible in the contemporary World. Dr. Engineer says a Quranic concept – and modern-day representative democracy – merely a human concept – may not be exactly similar. However, “the spirit of modern democracy and the Qur’anic injunction to consult people is the same”.

As per him “New institutions keep on developing and human beings, depending on their worldly experiences, keep on changing and refining these institutions. And in the contemporary world, the concept of Shura should mean democratic process and constitution of proper democratic institutions of which elections are a necessary requirement.” The Qur’anic text not only gives the concept of Shura (democratic consultation) but “does not support even remotely any concept of dictatorship or

authoritarianism”.

In India’s freedom struggle, which was based on democratic principles and aimed at democratic institutions; very tall Islamic scholar Maulana Abul Kalam Azad and a dedicated Muslim leader Khan Abdal Gaffar Khan (to name the few) strove for the values and institutions of democratic secular country. Just a few years ago the Muslim women through the Shaheen baug movement showed their democratic strength in protecting the community from the fear of disenfranchisement.

What is needed in contemporary times? In India as Muslims are being targeted by Hindutva politics, they have become a besieged community. The conservatism among Muslim community is rising. The major issue confronting them is to save their rights as citizens using modern institutions.

Even in Islam there are various streams of laws and systems of jurisprudence. Since this is part of Sharia, in that case what Sharia recommends will be another contentious issue. Since Muslims are a minority in this country, they already have Personal laws, which are again under opposition.

Today Hindu right wing is the dominant retrograde tendency trying to bring to fore the values of Manu smriti. Such assertions which want to bring inequality in the garb of religion are not welcome. We need to also look to some European countries where religion is on the backfoot.

We are living in contradictory times. On one side human society has developed the principles of dignity and equality as represented in the UN charter and on the other religious rightwing has become stronger during the last few decades. While Mufti is knowledgeable in concepts of Islam, we also need to know what are the trends of contemporary society and values of democratic institutions. 

# MOBOCRACY OVERTAKES WISDOM

**Sandeep Pandey and Mir Shahid Saleem**

Shri Vaishno Devi Sangharsh Samiti, a conglomerate of Hindutva groups, has been successful in closing down the MBBS programme of Shri Mata Vaishno Devi Institute of Medical Excellence based in Katra merely because 42 of the 50 students admitted to the programme based on their NEET performance happened to be Muslims. Although, the interference of Hindutva ideology in subtler forms has been happening in academic institutions since the Modi government came to power but this is by far the most crude example of it.

The argument of Hindutva groups that it was the donations from Mata Vaishno Devi devotees which were used to set up the institute and hence it is a disrespect to the sentiments of the donors if a majority of Muslim students avail the benefit of this institute, is only partly true. Chief Minister Omar Abdullah has clarified that the J&K government had allocated around 80 kanals of land to this institute and has given regular annual grants for its functioning. During the last year it got Rs. 24 crore and in the current year Rs. 28 crore have been allotted to this institute by the Union Territory government.

The National Medical Commission which had given approval to the institute to offer a MBBS programme merely four months back, conducted a surprise inspection at a 15 minutes notice on January 2 and decided to revoke its own approval more under the pressure of ongoing protests by Hindutva groups than the farcical report it has produced after inspection. The students were asked to return to their homes and will be adjusted in supernumerary seats elsewhere but the faculty members will have to start searching for jobs afresh. As an afterthought the BJP leader of opposition in J&K Assembly Sunil Kumar Sharma said the devotees wanted their donations to be used for propagation of Sanatana Dharma. It would be interesting to actually enquire from the

donors whether they would like their donations to support the medical institution which their children can attend to become doctors or set up a Vedic Research Centre or Gurukul according to claims made by Sharma.

The Hindutva organisations are setting a very dangerous precedent. They are saying Muslim students cannot study in an institution which has received part of the funding from Hindu devotees. Were these medicine students after becoming doctors going to treat only Muslim patients? The next thing these communal organisations might say is Hindu doctors will treat only Hindu patients and Muslims should look for Muslim doctors. If a situation arises that one of these Hindutva activists needed blood for himself or any of his family members admitted in a hospital, will he ensure that only blood from a Hindu is used for transfusion? Things can be stretched to ludicrous extents the way these Hindutva organisations have been appeased by the ruling dispensation.

And how can we segregate Hindu and Muslim donations? In a mixed society and a syncretic culture it will be a hair splitting exercise. Let us consider the case of the lone Hindu family who live in the Manjakote tehsil of Rajori district of J&K. They run a general store and all their customers are Muslims because there are no other families in the neighbourhood. Will the income of this Hindu family from its Muslim clients be described as Hindu or Muslim?

Pilgrims going to the Vaishno Devi cave shrine themselves receive help from Muslim porters who provide all kinds of services from carrying people and luggage to providing ponies and palanquins, without whom the 13 km climb would prove to be an uphill task. Imagine if a demand similar to one being raised at present by Ganga Sabha in Haridwar to ban non-Hindus from the Kumbh area were to be enforced in Vaishno Devi trek area. The devotees will find it insurmountable

without the help, both physical and moral, of Muslim porters.

Consider the psychological impact this incident is going to have on the 42 students who'll go on to become doctors from some other institutions but it will be etched in their minds that some people could not tolerate their admission to MBBS programme merely because of their religion. They will have to make an extra-human effort to remain above the religious divide in their lives in situations which will provoke them to be religiously biased.

What purpose the success of the Hindutva groups in forcing the government to shut the institute, obviously with the tacit approval of the RSS-BJP combine, will serve one doesn't know, one thing is certain - the mob culture has acquired legitimacy. In 2019 when Feroze Khan was appointed as Assistant Professor in the Sanskrit Vidya Dharma Vijnan of Banaras Hindu University, students protested saying how could a Muslim teach Sanskrit? But he was allowed to change his department and chose to teach Sanskrit in the Arts Faculty of BHU. Even though religion should not have mattered so long as the professor was competent, which he was as he got appointment in another department of the same university, students should not have been allowed to have a say in his appointment. Again the authorities gave in, with a cue from RSS-BJP. If the government had chosen to be strict this would not have happened. In 2024 when there was a lathi charge by police on Akhil Bhartiya Vidyarthi Parishad backed students' protest against Shri Ramswaroop University in Barabanki, U.P., for admitting students in LLB programme even after Bar Council of India recognition had lapsed in 2021, the Yogi Adityanath government suspended four policemen and bulldozed an illegal structure on university campus to assuage the hurt feelings of ABVP. But what has happened in Jammu is worse. People on the street have decided the fate of an entire institution. We can expect more interference by the Hindutva brigade in the running of academic institutions henceforth,

Matters such as recognition of institutions, admission of students, curricula, appointment of faculty and vice-chancellors may now be decided on streets. We are approaching a Taliban model which doesn't allow girls to attend schools beyond primary and books by female authors in libraries in Afghanistan.

Once we're done with religion then the next obvious categories will be caste, gender and ethnicity. The people opposed to the policy of reservation, who dominate the RSS, are often heard asking mockingly whether you would like to be treated by a doctor who got admission to study medicine through the reserved category? The doors may soon be closed for students from SC/ST and OBC in professional courses and the matter will be decided on street. Of course, the backwards, tribals and dalits will protest, but their demonstration will be quelled. The judges, instead of standing by the constitutional rights of deprived segments of the society, will be secretly happy to see the reservation system go away. Women too could be barred from attaining certain positions like the head of institutions. In Iran no woman can become the President of the country. Again the decision will be taken in streets by Hindutva men. Spaces, such as hostel accommodation and residential areas, may shut for citizens from Northeast and Kashmir.

We can say goodbye to things like wisdom, knowledge, merit, etc. No examinations, interviews, selection committees will be required. Decisions will be taken in RSS offices and executed by Bajrang Dals and ABVPs on street. Rest of the society will be expected to go along with them.

**Sandeep Pandey and Mir Shahid Saleem**

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Note: Sandeep Pandey is Secretary General and Mir Shahid Saleem is Vice President of Socialist Party (India). 

# Swami Vivekananda's views on the Hindu caste system and its Ambedkarite / Dalit-Bahujan Critique

SR Darapuri

Swami Vivekananda's views on the Hindu caste system were complex, internally contradictory, and evolved over time. He criticised caste-based discrimination and untouchability, yet defended the theoretical framework of Varna and stopped short of advocating the annihilation of caste as later demanded by Dr. B.R. Ambedkar.

Below is a clear, structured, and academically balanced account of his position.

## 1. Vivekananda's Basic Position: Varna vs. Caste

Swami Vivekananda consistently distinguished between: Varna – which he described as a functional division of labour and Jāti (caste by birth) – which he admitted had become degenerate and oppressive. His Claim was that the original Varna system was based on guna (qualities) and karma (work), not on birth. He believed that Varna was socially useful in ancient times and the problem was hereditary fixation and ritual hierarchy, not Varna itself.

## 2. Critique of Caste-Based Discrimination

Vivekananda strongly condemned Untouchability, Social exclusion, denial of education to Shudras and Brahminical arrogance and priestly monopoly. He called untouchability a “great national sin”, he blamed upper-caste Hindus for India’s weakness and decline and He insisted Shudras must be educated and uplifted. He said: “So long as the millions live like brutes, no number of politics will save this country.”

## 3. Defence of Varna Order

Despite his social criticism, Vivekananda did not reject caste altogether. He argued that society naturally produces different types of people, VarGa represented psychological and occupational diversity and complete social

equality was neither possible nor desirable. He even said that all societies have caste-like divisions and modern class systems are merely new forms of caste.

This defence places him closer to reformist Hinduism than to radical social democracy.

## 4. His View on Shudras and “Lower Castes”

The progressive aspects of Swami Vivekanand are: He declared Shudras were oppressed historically, asserted that education and power must reach them and he predicted the rise of Shudras as inevitable. His prophecy was that “The next Buddha will be born among the Shudras.” He also said that the next raj will be of Shudras.

His limitations were that he did not call for destruction of the caste system, he saw uplift as moral-spiritual, not structural-legal and he never demanded political power or constitutional safeguards for Dalits.

## 5. Vivekananda vs. Ambedkar (Brief Contrast)

Vivekananda criticised Birth-based caste as degenerated Varna but Dr. Ambedkar

Saw it as a structural system of graded inequality.

Vivekananda defended the Varna system whereas Dr. Ambedkar completely rejected it.

Vivekananda treated Untouchability as a moral sin whereas Dr. Ambedkar saw it as a crime requiring law.

Vivekananda saw spiritual reform as its solution whereas Dr. Ambedkar stood for Annihilation of caste and law.

Vivekanand said that Hindu scriptures required to be reinterpreted whereas Dr. Ambedkar rejected them as creators of the caste system.

Ambedkar famously argued that reformers like Vivekananda underestimated the structural violence of caste.

## 6. Why Vivekananda Did Not Reject Caste Entirely

Three key reasons were: Vedantic framework as he believed Hindu philosophy could be morally purified without social rupture. His fear of social chaos as he saw caste abolition as potentially destabilising Indian society. His elite reform perspective which made his approach top-down and moral, not subaltern or political.

## 7. Scholarly Assessment

Most historians agree that Vivekananda was progressive for his time but not radical enough to challenge caste as an institution. His ideas helped Hindu reform, not Dalit emancipation

From a Dalit–Bahujan or Ambedkarite perspective, his approach is seen as: Ethically sympathetic but structurally inadequate. Swami Vivekananda: Condemned caste oppression, opposed untouchability and supported Shudra uplift. But he: defended Varna, did not call for annihilation of caste and prioritised spiritual reform over social justice. Thus, he remains a reformist within Hinduism, not a revolutionary against caste.

## Swami Vivekananda's Thought from an Ambedkarite and Dalit–Bahujan Perspective

### (Sympathetic yet Structurally Weak)

From an Ambedkarite and Dalit–Bahujan perspective, Swami Vivekananda's engagement with the question of caste can be described as sympathetic reformism, but one that fails to challenge the foundational structure of the caste system. According to Dr. B.R. Ambedkar, caste is not merely a moral aberration or social evil; rather, it is a system of division of labourers, rooted in the division of labour itself. It is an institutional arrangement that determines and restricts an individual's social, economic, and intellectual possibilities from birth.

## 8. Ambedkarite / Dalit–Bahujan Critique

### (a) The Fundamental Problem of Defending Varna

From an Ambedkarite standpoint, Vivekananda's greatest limitation lies in his theoretical defence of the Varna system. Ambedkar unequivocally argues: "There is no fundamental difference between Varna and caste; Varna is the philosophical justification of caste."

From this perspective, Vivekananda's claim that Varna was originally based on *guna* (qualities) and *karma* (work) is regarded as historically and sociologically untenable. Dalit–Bahujan thinkers argue that any social system which determines occupation, status, and social worth across generations on the basis of birth is inherently oppressive.

### (b) Moral Critique versus Structural Critique

Swami Vivekananda viewed untouchability as a "sin" and a form of "immorality," whereas Dr. Ambedkar understood it as a form of crime and institutionalized social violence. This marks the fundamental divergence between the two approaches: Vivekananda sought solutions in moral purification, compassion, and spiritual awakening whereas Ambedkar located solutions in law, political power, social rights, and structural transformation.

From a Dalit–Bahujan standpoint, moral exhortations without structural change amount to little more than consolation for the oppressed.

### (c) The Shudra Question and the Question of Power

Vivekananda expressed sympathy for the Shudras and spoke of their uplift, but: He did not raise the issue of political representation, he did not demand redistribution of resources and power and he did not propose dismantling Brahmanical monopoly over knowledge

For Ambedkar, the liberation of Shudras and Ati-Shudras meant education, organization, and power. Vivekananda's thought does not reach

this level of political and institutional clarity.

#### **(d) Scriptures, Religion, and Caste**

While Vivekananda attempted to portray caste as a “distortion” through reinterpretation of Hindu scriptures, Ambedkar arrived at a far more radical conclusion that “Caste is the soul of Hinduism; unless the religion itself is transformed, caste cannot be annihilated.”

According to Dalit–Bahujan critique, Vivekananda’s approach seeks to preserve the Brahmanical religious structure while merely reforming its moral surface.

#### **(e) Evaluation from a Buddhist–Navayana Perspective**

In the light of Ambedkar’s Navayana Buddhism, Vivekananda’s thought: prioritizes *harmony* over *equality*, detaches compassion from social justice and places concern for nation and religion above liberation (*nirvāGa*)

From the Navayana perspective, caste is not

a spiritual problem but a question of human rights, democracy, and social equality.

#### **Conclusion**

From an Ambedkarite / Dalit–Bahujan perspective, Swami Vivekananda: Was a sensitive reformer with regard to caste oppression yet remained a theoretical defender of the Varna system and proposed moral solutions rather than revolutionary transformation.

Therefore, he may be regarded as an internal moral critic of Hindu society, but not as a caste-annihilating emancipatory thinker. The historical and philosophical credit for the annihilation of caste ultimately belongs to Dr. B.R. Ambedkar and the Buddhist Navayana tradition.

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**Contd. from page - (22)**

## **In Favour of Humanity, Against the Silence of Power**

Any country that violates international law deserves condemnation, regardless of who it is.

And if our government remains silent out of fear or self-interest, that silence cannot be taken as our consent.

India is not an estate.

It is not the private property of any individual, party, or corporate group.

India’s global standing is built on moral clarity, not on a silence born of fear.

#### **The Role of the Indian People**

The celebrations seen on the streets of Venezuela show how much relief a people crushed under repression can feel. But it must also be remembered that external military intervention often brings new instability and new forms of subjugation.

Therefore, the message for the citizens of India is clear:

Oppose dictatorship,  
but within the framework of international law and human values.

Question those in power.

Do not mistake silence for patriotism.

And understand moral courage not as weakness, but as strength.

At a time when the world is dividing into two poles, the people of India must decide whether they will stand with the silence of fear or find the courage to speak in favour of humanity and democracy.

This post is not hatred against any government. It is a clear and firm civic message

in favour of democracy,  
in favour of humanity,  
and in favour of the soul of India.

<https://www.facebook.com/share/p/182cqyeBjm/?mibextid=wwXIfr> 

# Two Fundamental Criteria: Man and Reason

*(.....continued from the last issue)*

Along with the formation of the completely reasonablize of society, that is, the realization of the all-fairism's society, human science and technology will also surely usher in a fully maximized development. Now this stage, which can barely be called half-reasonablize, can only be said to have brought out the talents of a small number of people, while the potential of most people has not been developed. That is to say, only a small part of the people have received the corresponding high-quality education, so that their individual talents have been fully displayed, while the vast majority of people are still struggling there to be able to so-so eat, so human energy is very far from bursting out. However, under such circumstances, human beings has still made considerable scientific research results, especially with the advent of genetic science and artificial intelligence, the course of life is about to be rewritten. But if it had been in a full-reasonablize environment, these pioneering undertakings would have been realized long ago, so that too many people in history would not become resentful spirits. Yes, with the full advancement of science and technology, not only will material things be greatly enriched, everyone will have food and drink and no longer need to do the routine work day in and day out year after year, but also will be able to spend their time enjoying the spiritual life and on creative work, be free from the pain of disease and even eternal life. Thus it can be conceivable that even in the life of the most ordinary people at this time, who will still be envied of the emperor's life that everyone yearned for in the past? Therefore, from now on, everyone should have a far-sighted ideology, so as to realize the ultimate real knowledge's ideal of being good for you, for me and for everyone!

At that time, you will more find that man is

**He Wan**

the true god of noumenon of all things in the universe, the laws of nature will be broken, divine law and heavenly law will naturally give way to human law, and man is so magical. As long as you do not bind yourself in a cocoon (play divine law), as long as you do not submit to the will of heaven (believe in natural law), there will be no difficulties that people cannot overcome. In short, as the saying goes, man's greatest enemy is himself!

In fact, I also have to sigh like this, so far, I don't know how many people are living in lies, so how can this world not be chaotic, and my philosophy is just to expose these false things, so as to bring the tangible real happiness to mankind. At this moment, I also have to think of the words of wisdom of Chief Designer Deng: Emancipate the mind and seek truth from facts. Since the Glorious Revolution, especially in the past 100 years, science and technology have advanced by leaps and bounds, but philosophy has stagnated. As a result, a critical situation has emerged in which the material life of man is improving more and more, but the internal contradictions are becoming more and more intense, or the society is increasingly torn apart. The modern bourgeois revolution seems to have achieved great success on the superficial level of the system, but on the inner ideological level, it can only be said to be a kind of fooling around after compromising with religion, which has not done into reality. Regarding the major religions and other beliefs that have existed in history and at present, it can be said that none of them are not illusory things of height, greatness and supremacy, and the fundamental problem with them lies in the fact that many people are to overtly agree but covertly oppose with them, which have become a tool for them to grab extreme interests. In

other words, if these people really followed the doctrines of goodness, love and virtue that would be preached by any religion as they said, there would be no wars and struggles in this world, and it would have been peaceful for a long time early. To put it bluntly, the existence of major religions is not because what they say is how right, but because they bring huge benefits to certain people, otherwise they would not exist, or be worthless. However, in all fairness, the words of height, greatness and supremacy spoken from the founders and true believers of religions are not necessarily lies, and the words of height, greatness and supremacy spoken from the mouths of those who overtly agree but covertly oppose are certainly lies. But, how to solve the most core problem about this human society? I think it's impossible for you to find out those who overtly agree but covertly oppose (the rights of these people are very great). It's better to build another religion that seeks truth from facts, and doesn't leave room for any of them to lie. In other words, not only let people profess to convinced but also be genuinely convinced. In short, the most urgent task at the moment is to create a correct philosophical theory and religion, so that people can no longer live in the wonderful lies of height, greatness and supremacy, so as to emancipate the mind and seek truth from facts! If there are no religions, the world will be a heap of loose sand, but if religions only use false propaganda to serve the interests of a small number of people, it will inevitably bring paralysis and strife, which is not as good as no religions. Therefore, creating a religion for the common interests of all mankind will undoubtedly be the only way to lead the next step of social development!

Today, here I have to mention a far-famed figure in modern western philosophical circle, Rawls, the author of "A Theory of Justice". Compared with my book "The Theory of Humanism", his book may be said to be nothing, or that his understanding only knew one but not

the other. It is undeniable that the starting point of his whole theory is worthy of affirmation, he believed that whether a society was fair was the most fundamental issue. Similarly, I have also said, "The seemingly chaotic and complex human society is in fact that all changes do not depart from their substance, everything lies in the word fair, and only fairness is the eternal bond that can unite everyone." In this way, the ethics of the two of us can be said to be highly consistent, and we regard the maintenance of fairness and justice (that is, the reasonable righteousness in my words) as the greatest goodness and the fundamental way to solve all problems. And those so-called freedom, equality and fraternity, as well as love, virtue and benevolence, etc. are just empty imaginary slogans without any practical effect.

Of course, Rawls and I are quite different in our specific understanding of fairness, and his theory can only be said to be a bunch of shallow superficial articles. Good lord! Looking at the rules and regulations he had compiled, you know that he is a complete academism, especially "Rawls used a purely abstract social contract to deduce his theory of 'justice as fairness', which belongs to a pure theoretical argumentation." (from Baidu baike) And these empty rationalist concept games have indeed added gimmicks for those experts, professors and students. It is said that more than 5,000 papers around the world have studied and reviewed on the book of his later. But the question is if the theory of yours has also touched the bigwigs in the political and business circles, thus bringing substantial changes to this society? Here I am afraid it will become a pile of waste paper!

However, my "The Theory of Humanism" is on the contrary. It always considers how to implement the idea of fairness as a top priority to think, and not only proposes practical measures to eliminate organizations that hinder fairness, such as state, nation and party, to

create the fair idea's corresponding external form, the all-fairism's society's formation, but also wants to build the implementing organizations, such as Righteous Religion and Righteous Party, to escort the realization of the new social formation, otherwise everything is empty talk. In addition, the ins and outs of the fair idea must be very particular, it can not be as simple as Rawls imagined, that he just took the social contract theory of Locke, Rousseau and Kant as the basis for theory generation. Because in this regard we can still ask, where does the social contract theory come from? And this undoubtedly involves epistemology (if the lack of epistemological research, it will be easy to fall into the vicious circle of opinionated rationalism), ontology (with the understanding of ontology, it is possible to see whether the society should follow human law or divine law and heavenly law. obviously, what is compatible with fairness and justice can only be human law) and the theory of human nature (the characteristics of human nature can be attributed to it that everything is for desire, so the key point to solving all problems lies in how to curb extreme desires and maintaining fairness and justice is the best way), which are the most basic philosophical principles, thus to find out a clear context and not be those purely subjective logical weaving there. For example, Rawls eventually fell to egalitarianism. Besides, there is a key question, that is, how to make the general public accept your thoughts, so as to change their previous misconceptions, otherwise you will not be able to bring order out of chaos, remove all obstacles and rebuild the new world, so your theory must be simple but profound. Finally, I want to emphasize that learning philosophy cannot be based on profound book knowledge, but also a wealth of practical knowledge. Locke, for example, sniffed at the scholasticism of his day, but through his extensive practical activities he mastered the laws of human nature (in fact my whole theory is derived from my theory of

human nature), or what the human heart was, so that whatever he did was sure to be in his bag. In short, if you want to become a top philosopher, it is far from enough to only study hard those theoretical knowledge and you will even be misled. Therefore, you must carry out profound social practice to discover the truth (this is a course that too many philosophers have lacked from ancient to modern times) and use it to verify the reliability of the knowledge of those books, so as to become an all-rounder who can not only speak but also do!

Now that we have talked about Rawls, we might as well also make a concise but in-depth analysis of philosophy today, and this is just the foundation of forming all my papers. I also mentioned the day before yesterday that philosophy is very simple. And if philosophy is simple, the whole social science will be naturally simple. In fact, the main philosophical problem that needs to be solved urgently now can be said to be the unaccomplished matter left over by Locke at that time. As long as this problem is solved also, philosophy will be perfect. However, if the problem is not solved, you will not be able to solve all other social problems, let alone solve them well. Therefore, whenever I see the research contents of the papers published in the current journals of philosophy, political science and sociology, I feel funny, or that they are all useless rubbish — it's just that no one is working hard on the right issue — in other words, there is a lack of a unified correct direction, and also therefore it gives me the feeling that philosophy is dead.

It is undeniable that Locke's separation of powers is truly the sunday punch for governing society, and has achieved huge practical results, almost dominating the world. However, perhaps people's material life has been greatly improved as a result, but human beings are still full of contradictions, crises and disasters continuous, especially in the early capitalist era, when it was beaten into pitch darkness and the masses had

no means to live. That is to say, it seems that people's superficial material living standard has been greatly improved, but there is not much change in their essential ideological level.

The root cause of this phenomenon is undoubtedly that people's thinking has not been unified, and even if you think that your system is perfect, it will be full of loopholes and impossible to defend effectively. It can also be said that a single leaf before the eye blacks out the view of a mountain. From ancient times to the present, religion has always been accompanied by human beings, and its actual function is to comfort the soul or imprison the heart ever? In fact, this topic is clear at a glance to people with discerning eyes. What I merely want to say here is that human beings need a kind of belief to unite people's hearts, but this belief must not be a false conjecture, it must be the real knowledge of empirical evidence. Only in this way can human beings be unified, instead of holding different opinions with ulterior motives there. This is also the most fundamental reason why the world has not been unified so far. Only

when the human thoughts are unified, and the endless chaos, struggles and wars that have accompanied human society for thousands of years can be fundamentally governed, so as to make human beings move towards the final right track!

**Conflict of Interest:** The article has no conflict of interest.

#### Notes

1. Quoted from Doubao AI's intelligent response.
2. Ibid.

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## **Legal Article:**

# **While Bail Is Not To Be Refused Mechanically, It Must Not Be Granted On Irrelevant Considerations Or By Ignoring Material Evidence: SC**

**Sanjeev Sirohi**

It is of immense significance to note that none other than the Apex Court itself while ruling on the granting of bail in the exercise of its criminal appellate jurisdiction in a most learned, laudable, landmark, logical and latest judgment titled X v. The State of Uttar Pradesh & Another in Criminal Appeal No. 164 of 2026 [Arising out of SLP (Crl.) No. 8173 of 2025] and cited in Neutral Citation No.: 2026 INSC 44 that was pronounced as recently as on January 9, 2026 has set aside the Allahabad High Court's order granting bail to an accused in a case under the Protection of Children from Sexual Offences (POCSO) Act holding that the bail order was perverse, unreasonable and ignored relevant material on record. We thus see that the top court cancelled the bail that was granted by the Allahabad High Court while allowing an appeal that had been filed by the complainant/victim. Most commendably, it was made indubitably clear by the top court that while bail is not to be refused mechanically, it must not be granted on irrelevant considerations or by ignoring material evidence. No denying or disputing it!

At the very outset, this brief, brilliant, bold and balanced judgment authored by Hon'ble Mr Justice R Mahadevan for a Bench of the Apex Court comprising of Hon'ble Ms Justice BV Nagarathna and himself sets the ball in motion by first and foremost putting forth in para 2 that, "The present criminal appeal has been filed challenging the final judgment and order dated 09.04.2025 passed by the High Court of Judicature at Allahabad (Hereinafter referred to as "the High Court") in Criminal

Miscellaneous Bail Application No. 9829 of 2025, whereby the High Court granted bail to Respondent No. 2 – accused in connection with FIR No. 426/2024 registered with Police Station Kandhla, District Shamli, Uttar Pradesh for offences punishable under Sections 65(1), 74, 137(2) 352 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short, "BNSS") and Sections 5(1), 6, 9(g) and 10 of the Protection of Children from Sexual Offences Act, 2012 (For short, "POCSO Act")."

To put things in perspective, the Bench envisages in para 3 while elaborating on the appellant's case stating that, "The case of the appellant as projected in this appeal is as follows:

3.1. Respondent No. 2 by name Arjun – accused was known to the minor victim for about six months prior to the incident. As per the statement of the minor victim, Respondent No. 2 repeatedly established physical relations with her by threatening her and pointing a locally made firearm (katta) at her. It is further stated that along with Respondent No. 2, his friends namely Goldi, Amit, Rupak and Vedansh used to abuse and molest the minor victim and also attempted to establish physical relations with her.

3.2. On 01.12.2024 at around 05.30 p.m., when the minor victim was walking near her residence, the accused persons Arjun and Amit abducted her on their motorcycle, again molested her and ultimately abandoned her at Baraut Bus Stand, from where she contacted her uncle using a stranger's mobile phone. Thereafter, the minor victim narrated the entire

incident including the sexual assault committed by the accused persons over the past six months to her family members. Immediately, the family members of the minor victim rushed to the police station to lodge a complaint. However, the police failed to register the FIR on 01.12.2024 and instead advised the minor victim and her family members to compromise and settle the matter with the accused persons. Ultimately, FIR No. 426/2024 came to be registered on 02.12.2024 under Sections 75(2), 79 and 137(2) of the BNSS and Sections 9(g) and 10 of the POCSO Act against five accused persons including Respondent No. 2.

3.3. During the course of investigation, on 03.12.2024, the statements of the minor victim and her uncle were recorded under Section 180 of the BNSS (corresponding to Section 161 of the Code of Criminal Procedure, 1973 (For short, "Cr.P.C"). The investigating officer obtained a certificate from Inter College, Ailum, District Shamli, certifying the date of birth of the minor victim as 18.07.2010, which established that she was around 14 years of age at the time of the commission of the offence. On 05.12.2024, the statement of the minor victim was recorded under Section 183 of the BNSS (corresponding to Section 164 Cr.P.C.) before the learned Magistrate, District Shamli, Uttar Pradesh. Thereafter, on 08.12.2024 the minor victim was medically examined and a medico-legal examination report was obtained, which revealed the gravity of the sexual offence committed against her.

3.4. Due to the influence exerted by the family members of the accused, Respondent No. 2 was not arrested immediately after registration of the FIR dated 02.12.2024 and was arrested only on 03.01.2025. Subsequently, he filed bail application which came to be dismissed by the learned District and Sessions Judge, Shamli on 13.02.2025.

3.5. Upon completion of investigation, the investigating officer filed chargesheet on

19.02.2025 for offences punishable under Sections 65(1), 74, 137(2) and 352 of the BNSS and 5(l), 6, 9(g) and 10 of the POCSO Act. Thereafter, Respondent No. 2 approached the High Court by filing Criminal Misc. Bail Application No. 9829 of 2025. By the impugned judgment dated 09.04.2025, the High Court allowed the said application and enlarged Respondent No. 2 on bail, subject to certain conditions. Feeling aggrieved, the appellant has preferred the present appeal seeking cancellation of the bail granted to Respondent No. 2."

While citing the relevant case laws, the Bench points out in para 5.6 that, "Reliance was placed on the judgments of this Court in State of U.P. v. Sonu Kushwaha (Criminal Appeal No. 1633 of 2023 dated 05.07.2023) wherein it was observed that the POCSO Act was enacted to provide stringent punishment for offences involving child abuse and to safeguard children from sexual exploitation and in Ramji Lal Bairwa and another v. State of Rajasthan and others 2024 INSC 846 wherein it was reiterated that offences under the POCSO Act cannot be treated as private disputes and must be regarded as serious offences against society at large."

Be it noted, the Bench then notes in para 8 that, "The record reveals that the prosecution was instituted against Respondent No. 2 – accused on the basis of a complaint lodged by the uncle of the minor victim inter alia alleging commission of gang-rape, sexual assault and recording of the incident on a mobile phone for the purpose of blackmail. Initially, FIR No. 426/2024 was registered against five accused persons namely Respondent No. 2 Arjun (A1), Amit (A2), Goldi (A3), Rupak (A4) and Vedansh (A5). After investigation, chargesheet no. 38/2025 came to be filed on 19.02.2025 against Respondent No. 2 (A1) under Sections 65(1), 74, 137(2) and 352 of the BNSS and Sections 5(l), 6, 9(g) and 10 of the POCSO

Act and against A2 to A4, excluding A5 under Sections 74 and 352 of the BNSS and Sections 9(g) and 10 of the POCSO Act. The present case pertains to Respondent No.2 (A1) alone.

8.1. It further discloses that the date of birth of the victim was ascertained from her educational records as 18.07.2010 and the medical officer assessed her age to be between 16-17 years. Though the FIR came to be registered on 02.12.2024, Respondent No. 2 was arrested only on 03.01.2025. His bail application was rejected by the District and Sessions Judge, Shamli upon consideration of the victim's statement under Section 183 of the BNSS. However, by the impugned judgement, Respondent No. 2 came to be released on bail. Hence, the present criminal appeal has been filed by the appellant."

Most significantly, the Bench then encapsulates in para 16 what constitutes the real cornerstone of this notable judgment postulating precisely that, "It is equally well settled that while bail is not to be refused mechanically, it must not be granted on irrelevant considerations or by ignoring material evidence. Where an order granting bail is founded on an incorrect appreciation of facts or suffers from material omissions or where it results in miscarriage of justice, this Court is empowered to interfere. In the present case, the grant of bail by the High Court is vitiated by material misdirection and non-consideration of relevant factors rendering the same manifestly perverse."

As a corollary, the Bench then directs and holds in para 17 that, "In such view of the matter, the impugned judgment dated 09.04.2025 passed by the High Court cannot be sustained in law

and is accordingly set aside. Consequently, the bail granted to Respondent No. 2 – accused is cancelled. Respondent No. 2 – accused is directed to surrender before the jurisdictional Court within a period of two weeks from today. In the event of his failure to do so, the trial Court shall take appropriate steps in accordance with law to secure his custody."

It would be instructive to note that the Bench hastens to add in para 18 noting that, "This Court is conscious of the fact that the POCSO Act is a beneficial legislation enacted to protect children from sexual offences and that proceedings under the said Act warrant prompt and sensitive handling. This Court has consistently emphasized the need for expeditious disposal of POCSO cases. At the same time, it is equally imperative that prosecutions must be subjected to careful judicial scrutiny so as to ensure that the process of law is not rendered oppressive. Accordingly, the trial Court is directed to give priority to the present case, conclude the trial and pass appropriate orders on its own merits and in accordance with law, as expeditiously as possible."

In addition, the Bench then further directs and holds in para 19 that, "With the aforesaid directions, this criminal appeal is allowed."

Finally, the Bench then concludes precisely by directing and holding in para 20 that, "Pending application(s), if any, shall stand disposed of."

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– Mahi Pal Singh

# Marxism Applied to India from Abroad

G.P. Bhattacharjee

(....continued from the last issue)

Like Gandhiji, Roy also believed that a successful struggle against Imperialism could be launched only with the active participation of the masses of the Indian people. But according to him, the only way to inspire the masses and bring them actively in the field of politics was to place before them an economic programme embodying their immediate material interests.<sup>53</sup> The simple idea of national independence, he thought, could not inspire the masses to political activity, Secondly, a struggle, he believed, must be launched first to realise the programme of the immediate economic interest of the people and this struggle which would at first be directed against the native vested interests would ultimately be linked up with the anti-imperialist struggle for national independence.<sup>54</sup> Thirdly, the isolated struggles against the native exploiters and the foreign imperialism would ultimately culminate in an armed insurrection throughout the country. This armed insurrection would synchronise with the convocation of a Constituent Assembly elected by the Indian people challenging the authority of the British Imperialists to rule the country. The idea of the Constituent Assembly as the way to achieve national independence was first suggested by Roy during the time of the boycott movement directed against the Simon Commission in 1928.<sup>55</sup> To conduct this struggle local committees of deputies elected by workers and peasants, artisans and employees, poor intellectuals and small traders, even of soldiers<sup>56</sup> should be set up throughout the country. Under the leadership of these Committees the masses would take recourse to direct action, such as strikes, non-payment of rent etc. to enforce their political demands. These Committees would develop as basic units of the future revolutionary state and would

take over practically the function of the local government. The whole process would ultimately result in an armed insurrection in which the forces of the imperialist state would be overwhelmed and destroyed.<sup>57</sup> In Roy's scheme the oppressed and exploited people of the entire nation should be organised in local Committees and the net work of these Committees throughout the country should elect a Constituent Assembly of their own, challenging the right of the British Government to rule the country. The insurrection and the election of the Constituent Assembly are two aspects of the self-same revolutionary process—one is destructive and the other constructive. This was Roy's scheme of organised insurrection. Roy felt that the Gandhian technique of mass mobilisation was completely inadequate for an all out anti-imperialist struggle. He was opposed to the programme of the Gandhian economy. The removal of British Imperialism was necessary, Roy argued, for the economic and social development of the country but the Gandhian economic doctrine with its emphasis on the charkha opposition to industrialisation and the programme of the voluntary restriction of human wants was itself an obstacle in the way of the economic progress of the country.<sup>58</sup> Gandhi's Constructive Programme of spinning and weaving, wearing of khadi, organisation of national schools, removal of untouchability etc. was condemned by him as "purely reformist and non-revolutionary".<sup>59</sup>

Another major fallacy of Gandhism, in Roy's Marxist analysis, was the obstinate and futile desire to unite all the Indian people, landlords and peasants, capitalists and proletariat, in a common struggle for an undefined goal.<sup>60</sup> A votary of class struggle,

Roy believed that such a scheme was absolutely incapable of mobilizing the Indian masses in the struggle against foreign imperialism. Roy's strategy was in fact an application of the principle of Non Cooperation on a large scale. He was convinced of the revolutionary significance of the technique of Non-Cooperation but the leadership of the Congress, he felt, could not wield the weapon properly. The Gandhian ideas, according to him, made Non-Cooperation Movement ineffective. He wrote: "Non-Cooperation as a tactics in our political struggle has not failed, it has not been tried..... In the hands of the revolutionaries who will know how to wield it, the methods of mass strikes organised on a nation-wide scale, are sure to develop as powerful onslaughts against the citadel of State power".<sup>61</sup> In order to apply the principle of Non-Cooperation for revolutionary purposes it must, Roy maintained, be dissociated from the Gandhian cult of non-violence. According to him revolution through non-violence was impossible. He observed: "It is ridiculous to say that we are 'non-violent revolutionaries'. Such a breed cannot grow even on the soil of India. The expropriator will never give in without resistance; nor will the British leave India out of respect for our ability to suffer."<sup>62</sup> "The Government maintained by violence and brute force", Roy asserted, "cannot be overthrown without violence and brute force".<sup>63</sup> The revolutionary movement, in Roy's scheme, would take a violent form after the revolutionary forces were fully prepared and organised throughout the country. He asked his followers to avoid all acts of violence or terrorism before the revolutionary forces were prepared for the final showdown. "Premature violence", he said, "is worse than non-violence and sporadic terrorism has as much to do with revolution as the cult of 'ahimsa'.<sup>64</sup> But the tactical necessity of refraining from premature violence did not impose on the movement the

cult of pacifism. On tactical grounds, he said, the best way was to leave out of the propaganda the controversy between violence and non violence. "That will be the best tactical move we can make," he advised his followers, "without giving the lie to our propaganda."<sup>65</sup> During this period Roy wrote little on the philosophical aspect of Marxism or on the ideology of the Indian Revolution. An orthodox Marxist, he believed in economic determinism and thought that a change in the economic basis would inevitably be followed by a corresponding change in the ideological superstructure. Therefore, he was concerned more with the economic than with the ideological aspect of the movement. In so far as the Indian Revolution was led by the working class it was necessarily guided, according to Roy, by the philosophy of Dialectical Materialism. He wrote: "Dialectical Materialism is the philosophy of the proletariat..... The leader of the Indian proletariat, that is, the Communist Party, therefore, stands firmly on the ground of historical materialism. It will carry on a vigorous ideological fight against all beliefs, traditions, and prejudices which will have great hold upon the young Indian proletariat. The economic development during the transition period will undermine religious beliefs and social institutions (caste system etc.). But the Communist Party as the organ of the revolutionary proletariat consciousness will expedite the objective process so as to quicken the ideological growth of the class."<sup>66</sup> Marxism was the ideology of the proletariat, but in so far as the Indian revolution represented the peasantry and the petty bourgeoisie, its ideology was what Roy termed Revolutionary Nationalism. He did not explain it anywhere though what he meant by it was evident. Revolutionary Nationalism was the ideology of those classes who in their own economic interest stood for the complete independence of the country absolutely free from the control

of British Imperialism. In other words, it was the ideology of the Indian masses and only the big bourgeoisie and the feudal landlords were excluded from it. Though Roy was concerned mainly with the objective forces, he had to combat a rival ideology in order to clear the ground for the development of his movement. The rise of Gandhism almost synchronised with the advent of Bolshevism in India. Roy considered the former as the ideology of reaction and therefore fought it with all the vehemence and fury of the class war. Roy's Marxist outlook did not enable him to realise the significance of Gandhism in Indian politics. Gandhiji became the acknowledged leader of Indian nationalism not because of his philosophical views or economic doctrines but owing to a political necessity. For an unarmed nation fighting against British imperialism Gandhism was the most effective weapon. He was able to mobilise the large majority of the people irrespective of classes (though not of communities) to a struggle against the foreign rule in India. Had the British followed the ruthless methods of the Fascists or the Communists, Gandhism would have been crushed, and had there been any chance of a successful armed struggle being waged by India, Gandhism would have been brushed aside. Considering the conditions of India and the nature of the British rule, Gandhism appeared to be the most appropriate banner under which to launch the national struggle for independence. For a dependent people struggling for independence the call of nationalism was irresistible and all talks of economic programme and class struggle appeared either as putting the cart before the horse or a betrayal of the nation. Whatever might be the economic value of Gandhiji's Constructive Programme, it had a great organisational significance. Roy analysed Gandhism but he ignored its political necessity for India. His concept of organised insurrection

was theoretically ill-conceived and practically untenable. His strategy based on an economic programme of class interest and an ultimate application of violence was most inappropriate for India. After the First World War secret political activities lost all prospects in India and under those conditions Roy's programme of a secret communist party organising the people on a large scale with the ultimate objective of challenging violently the British authorities in India appeared to be unpractical and futile.

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**References:**

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53. *M. N. Roy, Reason Romanticism and Revolution II*, p. 127.
54. *M. N. Roy, Cultural Requisites of Freedom*, p. 181.
55. *Ibid.*, p. 191.
56. *Principle No. 2*
57. *M. N. Roy, Reason Romanticism and Revolution*, I. p. 32.
58. *In the Jail Volumes* Roy once referred to 'the urges of life' compelling man to undertake ceaseless struggle against nature. He wrote: "The urges of life compel man to take up the endless struggle with nature. In course of this struggle the man penetrates deeper and deeper into the mysteries of nature, and progressively these mysteries cease to be mysteries." *Jail Volumes*, II, p. 107(b) contd. The idea underlying this passage bears close resemblance with his concept of the human quest for freedom and search for truth.
59. *M. N. Roy, Radical Humanism*, p. 18.
60. *M. N. Roy, New Humanism*, p. 35.
61. *M. N. Roy, Reason Romanticism and Revolution* I, p. 28.
62. *M. N. Roy, Radical Humanism*, p. 18.
63. *M. N. Roy, New Humanism*, p. 103.
64. *Principle No. 13*.
65. *The Marxian Way* I, p. 180.
66. *Ibid.*, II p. 277. 

# The Humanist Frame

## Sociology And Public Policy

Michael Young

(Summarized by : Vinod Jain)

In the following part I shall be concerned with the relevance of sociology to some aspects of world development, and especially to the structure of social classes.

If sociology became the eyes and ears of public administration, a great deal of detailed information would be accumulated. It would soon become unmanageable unless it was blended into a general picture of human society, not just in one country like Britain but in all countries undergoing to some extent similar development. This is one of the main concerns of sociologists. They are attempting to build up a differentiated yet global view of social change, especially in industrial societies.

Anthropologists have studied (and compared) pre-industrial societies in great depth. The surprising thing about their research is that they can generalize so little. All societies have some sort of family, all have some economic, religious and political institutions, but after that, there is not a great deal more to say about the things they have in common. One cannot show that, say, matrilineal kinship systems usually go with a particular type of economy or religious institution, for they do not. The variety to be found in pre-industrial societies is immense.

All that is changed by industrialization. Once machines appear, societies everywhere converge. They become more complex internally; at any rate the occupational system becomes a great deal more diverse even if what people do in their leisure seems to become more standardized. At the same time industrial societies

everywhere become more like each other. One of the jobs of the researcher is to discover the consistencies between them. This can be done in two complementary ways, by the historical method and by the comparative method.

Each of the more advanced countries is to some extent a microcosm of all, and if you could find out enough about the social history of any one of them, many of the secrets of the whole world would probably be revealed. Although countries coming later to industrialization can skip some of the stages passed through by Britain, as the first with the new powers, it is still true that the newer countries have to pass through many of the same stages. In the eighteenth century Britain had by means of enclosures to increase the size and capitalisation of farms, and to improve agricultural methods generally; it had to produce more food 'before' it could support industrial workers in towns and cities. So did Russia. So does India. In the nineteenth century the early industrial operatives of Lancashire had little sense of time or acquisitiveness. To become efficient, they had to be dragooned into obedience to the clock so that they at least started work together, and persuaded to want more than their accustomed standard of life. So it was in Russia. So it is in India.

The other method, which belonged more to economics and sociology than to history, is to compare contemporary societies which are in different stages of development. In this way we may be able to throw further light on the regularities observed in historical

change. Eventually, we can hope it will be in time to be of some use to the societies just embarking on industrialization—a comprehensive description, historical, sociological, economic, psychological and technical, will be pieced together. To show the kind of thing that should become more and more practicable I shall draw, for an example, upon the studies that have been made of social mobility. By this term sociologists refer not to movement of people between societies but to movement of people between social classes within societies.

In pre-industrial societies it seems that there is relatively little movement between 'classes'. A person's class, and often occupation within it, is usually determined by his parent's class. The squire's son becomes a squire too; the cultivator's son a cultivator. With the coming of industry this pattern is changed. Class, although to some extent ascribed by birth, becomes to a greater extent achievable on merit. More able children from the bottom classes get a chance to rise to the top, and more of the stupid children from the top classes fall to the bottom. This type of movement up and down has for long been the concern of sociologists, and since 1945 they have attempted to measure its rate. Individuals drawn from random samples in various countries have been asked about jobs held during their lifetimes and about their parent's jobs too. The results have been compared in a recent book by two American Professors of Sociology, who have themselves been active in the research for many years. Many of the sociologists who have taken part in this work have wanted to highlight the social obstacles to mobility and, maybe, to show how low mobility was in their own countries compared to those industrially more advanced. The results do

not bear out their hopes; they are all the more interesting for that.

Upward 'social mobility' is measured by the proportion of the sons of manual workers who became non-manual workers. International research shows that as many do so in Germany and France, in Britain and Japan as in the United States. In each country something like a third of all sons make this jump up. In each country, too, the same kind of proportions—around about a quarter — fall in their occupational class. These are all comparisons between countries which are in various degrees industrialized. The rates of mobility in most predominantly agricultural countries taken as a whole are less, but even in them there is the same sort of mobility in their cities as in cities elsewhere. Studies show that Poona is in this respect much the same as Tokyo, São Paulo much the same as Kansas City, Aarhus much the same as Indianapolis.

The conclusion, that in this vital respect societies all converge, rests on comparisons between two generations of the same family. Another kind of comparison is possible, of the amount of social mobility achieved in one generation. How many people whose first job is manual get white collar jobs later? Once again there is a startling likeness between the countries where the relevant facts have been collected—the United States, Britain and Japan. Most people not only change their jobs very frequently, but in all three countries the proportions of manual workers who move upwards during their lifetimes are roughly similar. The same goes for marriages. As many daughters of manual workers marry upwards in Britain or Germany as in United States.

Some historical comparisons can also be made, though more tentatively. It seems that social mobility in the United States may be no greater or less than it was a century ago,

and the same goes for Britain too over the last fifty years. Whether the approach is historical or not, the story always seems to be the same. Despite their differing levels of productivity, their differing rates of economic expansion, their differing ideologies, in their social mobility countries turn out to be not different but similar.

Now that so many facts have been assembled, the next step is to try to explain them, and this will not be adequately done without drawing on other disciplines besides sociology, particularly genetics. What is now needed is more evidence about the mode of inheritance of the innate factor in 'intelligence' and of such human qualities as are partly innate and also relevant to social mobility. What proportion of the sons of fathers with more (or less) than average intelligence are less (or more) intelligent than their father's? It may be that the pattern of inheritance is one of the chief reasons why there is a more or less constant amount of occupational mobility, from jobs requiring relatively less to jobs requiring relatively more intelligence. But a full explanation obviously cannot be cast merely in terms of genetics. Social and economic factors must also be taken into account — notably, the ratio between non-manual and manual jobs in any given society, all the educational and other social barriers to mobility, and the strength of motivation to rise in the occupational hierarchy. I should point out that the facts cited are about mobility at a low level in the occupational hierarchy, at the junction of manual and non-manual work. Different countries would not necessarily show the same amount of mobility into professional and managerial jobs. My guess is that at this level a society, in trying to concentrate its intelligence in its 'head' as it were, will only bump against the limits set by the supply of

intellectual ability when it has become highly industrialized. The more economically developed a society is, the more it tends to become a 'meritocracy'. Whatever the explanation of social mobility may turn out to be, there is no doubt about the importance of the subject for public policy, particularly in education. All countries embarked on industrialization are short of talent; all are making some effort to mobilize it.

The new knowledge could be used to open up new human possibilities. The knowledge which sociology is trying to build up is 'self-knowledge', self-knowledge of ourselves in the social groups to which all of us belong. Although man is the creature of these social groups, he is not absolutely so: he also creates new kinds of groups and constantly changes those he inherits. As knowledge grows of the conditions under which groups of different sorts are formed, maintained and dissolved, man will be able more and more to choose between them with a full knowledge of the implications of doing so.

What social research can do is to throw more light not only on the many great benefits conferred by family and school but also on the neglected subject of the harm they do, of the situations in which they contribute not to human fulfilment but to human stultification. The hope is that in time more people will remain more malleable to experience right into their adult lives. In so far as they do, the limits of choice will be widened, both for them as individuals and for the society which is their collective expression. Eventually man should be able to choose not just the house and the hospital but the society which will make possible human fulfilment on a higher level than ever before. He should be able to choose his social destiny, instead of accepting it. 

*(To be continued.....)*

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