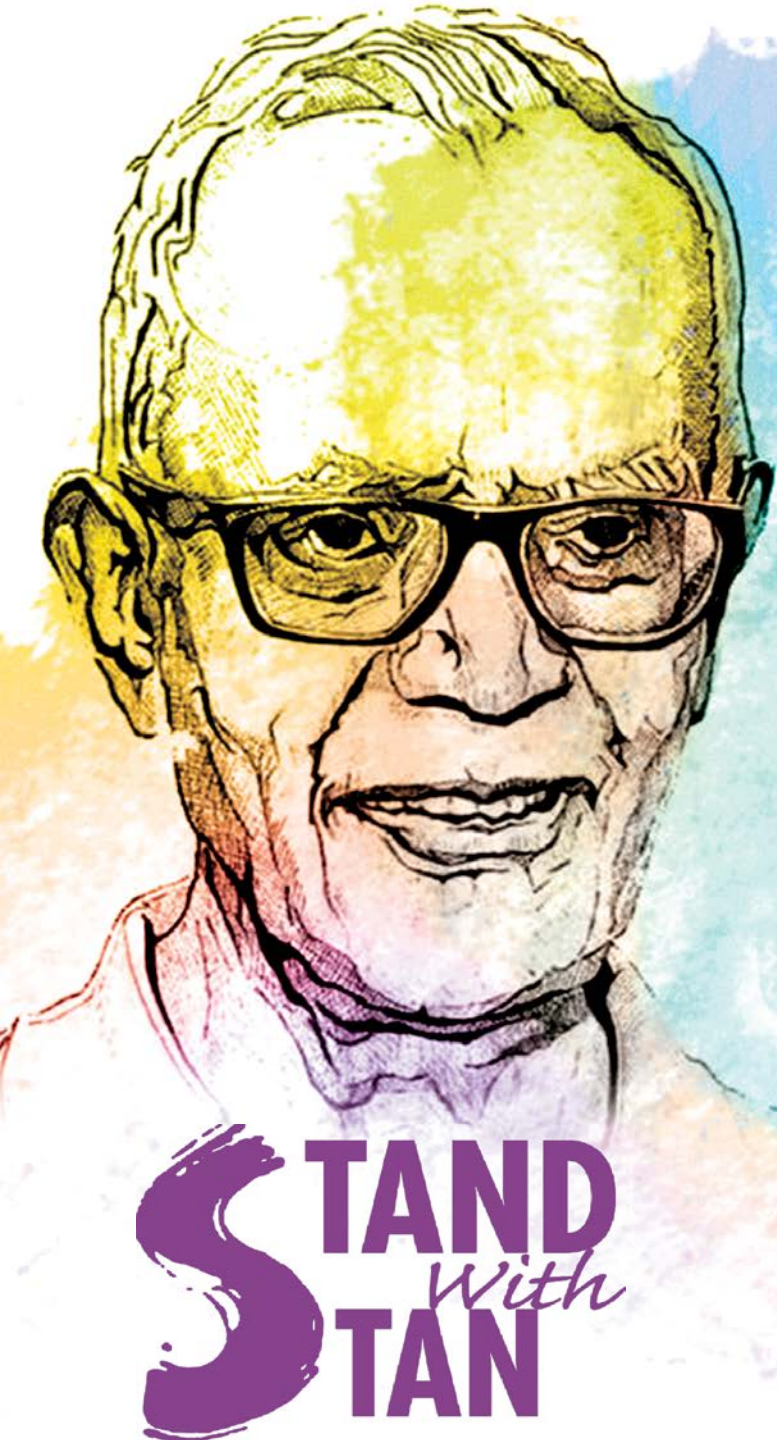


# Indian

# Currents

JOURNALISM WITH A SOUL

www.indiancurrents.org • Vol. XXXII • Issue 43 • 19 - 25 October 2020 • ₹15



## AWAKE ARISE SPEAK OUT

Fr. Stan Swamy following the footprints of his Master, Jesus Christ, stood up for the rights of the deprived, and spoke out against the exploitation of Tribals. The Church must exercise its prophetic responsibility today - visibly and vocally - by throwing its weight behind the modern day prophets

## Hate Shower

Demonising  
Communal Harmony  
Tanishq withdraws Ad depicting  
Hindu Muslim harmony

## TRP Scam

Credibility of  
TV channels at stake

# CATHOLIC SOCIAL TEACHINGS

Towards a Catholic Faith in Action



*"Peace, justice and the preservation of creation are three absolutely interconnected themes which cannot be separated and treated individually ... Everything is related, and we human beings are united as brothers and sisters on a wonderful pilgrimage, woven together by the love God has for each of his creatures and which also unites us in fond affection with brother sun, sister moon, brother river and mother earth" (Laudato Si # 92).*



Rs. 200/-

Human  
Community  
Call Care  
Dignity  
Person  
Rights  
Work  
Poor  
Participation  
Solidarity  
Creation  
Family  
God's Life  
Option  
Responsibilities  
Vulnerable

**Publisher:** Indian Social Institute, New Delhi

**Available at:** Indian Social Institute, 10 Institutional Area,  
Lodi Road, New Delhi - 110003

**Price:** Rs. 200/-, **Subsidised Sale:** Rs. 180/- Discount for bulk orders

Prakash Louis, SJ



# A SMOKESCREEN TO CRUSH DISSENT



**D**issent is anathema to the government; raising the issues of Adivasis is seen as an anti-national activity; helping the oppressed to seek justice is labelled as terrorist activity. The arrest and judicial custody of Fr. Stan Swamy, the 83-year-old Jesuit priest from Ranchi, is the most telling commentary on the highhandedness of the government. “If you dare to challenge us, you will face the music,” seems to be the dreaded message to the people.

The hard-earned freedom is becoming a mirage in the largest democracy in the world. Earlier, a ‘foreign hand’ was seen behind anyone who dissented from the official stand. Under the present regime, the terminology has changed. Anyone who dissents is branded as anti-national, Maoist or Naxalite. It has become the norm to equate the word ‘activist’ with ‘anti-national’. Ironically, many who are holding the reins of the present regime or working behind it were dissenters at one point or other. Hence the government would do well to take a leaf out of the lives of the activists instead of hounding them like terrorists.

Many of them, including Fr Stan Swamy, could have lived a cozy life if they had not decided to take the path of activism. But they decided to speak up for the people who are exploited. Fr. Stan Swamy realized that his call to be a priest would be meaningless if he did not identify with the people among whom he worked. In working for them and siding with them, he saw fulfilment of his prophetic mission; in raising voice for them, he was following the footprints of his Master, Jesus Christ. It is He who guided him to question the exploitation of the Tribals by corporate houses; it is He who prompted him to help hundreds of Tribal young men who were put behind bars for no rhyme or reason. The activist priest considered his work among the afflicted as his greatest badge of honour.

Fr. Stan Swamy is not alone in facing the vindictiveness of the government. There are many others like Varavara Rao, Vernon Gonsalves, Arun Ferreira, Sudha Bharadwaj, Gautam Navlakha, Anand Teltumbde and Hany Babu who too are put behind bars citing their alleged Maoists or similar links. They too, like Fr Stan Swamy, have been working for the entitlement of people whose rights to ‘water, land and forest’ are being snatched away by the government and its cronies. The government seems to be getting nervous that the hitherto suppressed people are coming out seeking their rights. They are no more docile as they used to be; they are choosing aggressive ways to challenge the government which has failed to protect their basic rights. The government sees a big threat in the rights activists as they are conscientizing people; it is probably feeling the sand slipping beneath its feet.

Fr Stan Swamy had said: “When each dissenter is put behind bars, a thorn each is removed from the flesh of the ruling class.” But he has left something unsaid. For each ‘thorn’ removed, many more ‘thorns’ could come up to challenge the oppressive, intolerant and tyrannical government. It is incumbent upon the civil society to offer full support to the rights activists against whom a smokescreen of ‘Maoist-link’ has been created to crush dissent. The Church should throw its weight behind those fighting for the people on the margins.

As always, we would be happy to hear your reviews, comments, and suggestions.

Happy Reading!

**Dr. Suresh Mathew**  
Editor

✉ → [frsureshmathew@gmail.com](mailto:frsureshmathew@gmail.com)

# contents

MEMBER,  
INDIAN NEWSPAPER SOCIETY (INS)  
VOLUME XXXII, ISSUE 43



COVER  
STORY

06

FR. STAN SWAMY SJ

## A NARRATIVE OF A HUMAN RIGHT DEFENDER

BY DR. JOSEPH XAVIER SJ | HARSHITA

### 12 Is the Church in India Prophetic?

BY CEDRIC PRAKASH

### 16 What is the 'crime' I'm supposed to have committed?

BY STAN SWAMY

### 18 Standing with Stan *Politics of Fraternity*

BY JOSE VALLIKATT

### 22 Be Prophetic

*Message from Fr. Stan to  
consecrated women  
and men*

BY JACOB PEENIKAPARAMBIL

### 25 Arrest of Fr Stan

*A call to speak up for  
others*

BY DR J. FELIX RAJ

EDITOR:  
Dr. Suresh Mathew

EDITORIAL BOARD:  
John Dayal, AJ Philip, Marydasan John

ADVISORY BOARD:  
George Plathottam, Skylark George, PJ Joseph,  
T. Dominic, PA Joseph, CJ Baiju

DESIGN & LAYOUT:  
Foxview Media

CIRCULATION:  
Ashish Victor

FINANCE MANAGER:  
Jainamma

#### Indian Current Publications

375 - A, Pocket - 2,  
Mayur Vihar Phase - I,  
New Delhi - 110091  
Tel: 011-45873264, Mob: 7042562963  
Email: icdelhi@gmail.com,  
frsureshmathew@gmail.com,  
indiancurrentsweekly@gmail.com  
Website: www.indiancurrents.org

#### DISCLAIMER

The views expressed by the writers in  
this Magazine do not necessarily reflect  
the views or policies of Indian Currents  
weekly or Editor.

Although all efforts have been made  
to ensure the accuracy of the content,  
neither the editor nor the publisher can  
take responsibility for consequences  
arising from errors or omissions in the  
information provided.

Reproduction in any manner without  
prior permission from the publisher is  
prohibited. All disputes to be settled in  
Delhi Courts only.

This issue of Indian Currents contains  
52 pages including cover.

## 26 A CLOSE LOOK

Hate shower: Tanishq's capitulation

BY A.J. PHILIP

## 30 POLITICS

Criminal Politicians

*Let not lawbreakers be lawmakers*

BY DR. PAULY MATHEW MURICKEN

## 34 HUMAN RIGHTS

Educating for human dignity

*Importance of human rights education in schools*

BY DR. ALBERT P'RAYAN

## 38 TRP SCAM

TRP Scam: Credibility of TV channels at stake

*Viewers opt for over-the-top media*

BY MANOJ VARGHESE

## 41 PORNOGRAPHY

Child Pornography

*Zero tolerance is the key*

BY AARTI

## 44 SPIRITUALITY

Humanism Vs Spirituality

*Covid-19 prefers humanism or spiritual innovations?*

BY DR. BENNY JOSE PALATTY

## 48 BOOK REVIEW

Unpacking Religious Nationalism

BY SUBHASH GATADE

## 50 BOB'S BANTER

The Dreaded 'S' Word..!

BY ROBERT CLEMENTS

## POWER QUOTES



Live as if you were to die tomorrow. Learn as if you were to live forever.

**Mahatma Gandhi**



I learned long ago, never to wrestle with a pig. You get dirty, and besides, the pig likes it.

**George Bernard Shaw**



I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel. Maya Angelou

**Maya Angelou**



He who learns but does not think, is lost! He who thinks but does not learn is in great danger.

**Confucius**



Your most unhappy customers are your greatest source of learning.

**Bill Gates**



He who is not everyday conquering some fear has not learned the secret of life.

**Ralph Waldo Emerson**



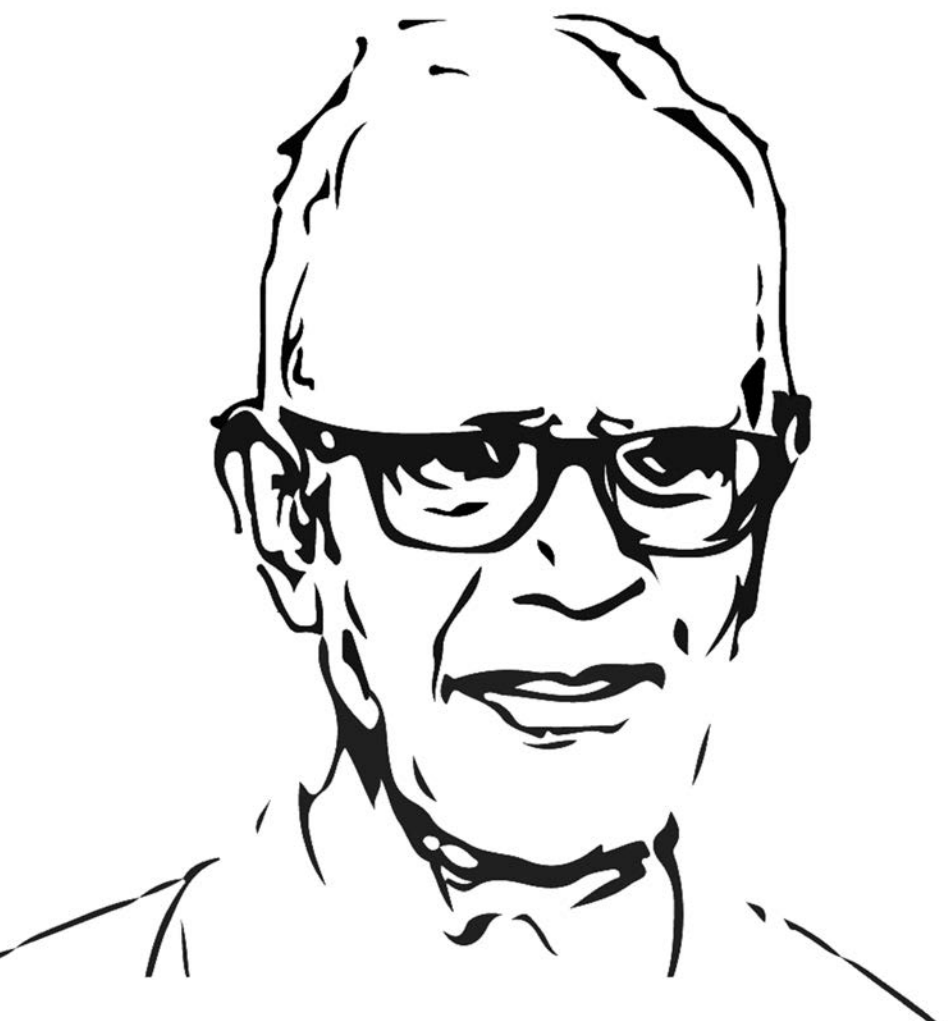
Learn to enjoy every minute of your life. Be happy now. Don't wait for something outside of yourself to make you happy in the future. Think how really precious is the time you have to spend, whether it's at work or with your family. Every minute should be enjoyed and savored.

**Earl Nightingale**



I'm most proud of the blessings that God has bestowed upon me, in my life. He's given me the vision to truly see that you can fall down, but you can still get back up. Hopefully I'll learn from my mistakes and have the opportunity to strengthen and improve the next thing I do.

**Martin Lawrence**



FR. STAN SWAMY SJ



BY DR. JOSEPH  
XAVIER SJ



BY HARSHITA

On 8 October 2020, around 7.20 pm, four officials from the National Investigation Agency (NIA), the counter terrorism taskforce of the country, entered Bagaicha campus, a Jesuit-run social centre, in Ranchi and arrested Fr. Stan Swamy. He was kept in Ranchi NIA campus for the entire night and on the following day was taken to Mumbai. He was produced in the court on 9 October. Fr. Stan respectfully stated in the court, “I neither had any connection with Bhima Koregaon incident nor any links with Maoists. All along I dedicated my life for the development of my poor adivasi sisters and brothers. I wanted justice to be done to them as per the Constitutional provisions and Supreme Court judgements”. However, the judge sent him to judicial custody.

Fr. Stan is an 83-year old Jesuit, hails from a village called Vira-

# A NARRATIVE OF A HUMAN RIGHT DEFENDER

Fr. Stan has laid a legacy for the people of India to follow his footsteps. He was ready to pay the price as a true follower of Jesus

halur, near Trichy, Tamil Nadu. He is a member of Jamshedpur Jesuit Province. He suffers from multiple illnesses, including tremor (Parkinson). After his Jesuit training, he had spent his active life mainly in three places – Indian Social Institute, Bengaluru, JOHAR, a Jesuit Social Centre in Chaibasa, and Bagaicha, Ranchi in Jharkhand.

### Indian Social Institute, Bengaluru

In 1963, Indian Social Institute Bengaluru was established by the Jesuits. Fr. Henry Volken SJ, Founder Director of the Institute, was a man inspired by the legendary book by Paulo Freire, *Pedagogy of the Oppressed*. The kind of critical methodology adopted to train the people was well accepted and acclaimed across various quarters and became a huge success, even among the Government and visitors from South East Asian countries. Following the bequest set forth by Fr. Volken, the baton was then handed over to Fr. Stan Swamy SJ in 1975, the *Dark-est hour in the Indian Democracy*. Fr. Stan, along with his colleagues, not only started to climb up the echelons in offering services to the needy, but also began a series of training programmes using various analytical tools. The biggest strength of Fr. Stan lay in the spirit of the youth, irrespective of their social category, who yearned to gain knowledge about the state of the country. He went ahead to teach socio-cultural analysis and a critical yet innovative way of approaching the situation in those days. Fr. Stan motivated many individuals, religious priests and nuns, university students, Non-governmental organisations and civil society leaders from various social cate-

gories to become aware of the hard realities in which dalits and adivasis live and to question and respond to the unjust socio-economic and systemic oppression with a Jesuit hallmark – Faith that does Justice. Many social activists in South India fondly remember him as a beacon of hope for the marginalized.

Stan served as the Director of ISI Bengaluru for 11 years and as a training staff for 6 years. Once he returned to his Jamshedpur Jesuit province, he used to visit his friends once in three or four years. In 2019, he stayed in Bengaluru

for a few months, due to medical reasons. Even during these months, despite his illnesses, he participated in various protests, to express his solidarity. He continued to share the struggles and aspirations of adivasis and his work for and with them, to whom ever came to see him.

### JOHAR, Chaibasa, Jharkhand

In the late 80's, he was missioned as the Director, Jharkhandi Organization for Human Rightscentre, popularly known as JOHAR (a word used in Jharkhand to wish

**Fr. Stan motivated many individuals, religious priests and nuns, university students, NGOs & civil society leaders from various social categories to become aware of the hard realities in which dalits and adivasis live and to question and respond to the unjust socio-economic and systemic oppression with a Jesuit hallmark – Faith that does Justice**





one another), where he served for 12 years. He was much disturbed by the hard realities of the 'Ho' tribe. Adivasis became his brothers and sisters. Soon, he learnt 'Ho' language and spent his time in educating and strengthening the hopes of the poor adivasis.

In the 90's, as India was opening its economy to neo-liberal paradigm, a number of multi-national companies intruded into mineral rich adivasi lands. Many villagers were displaced from their habitats in the name of development. Fr. Stan rightfully said, "Every mine that is dug, not only destroys the green forests, fertile lands and water bodies but also often displaces entire village habitations".

By mid-90's, discourse on separation of Jharkhand from Bihar was picking up momentum. Considering the new space emerging for the empowerment of the adivasis, Stan was asked to move to Ranchi in 2000. He was staying in a rented house, establishing contacts, talking to different leaders and political parties on how

Jesuits could be at the service of the adivasis in the newly formed Jharkhand state.

### Bagaicha, Ranchi

In 2006, Bagaicha was established as a common venture of the central zone Jesuit provinces of Ranchi, Jamshedpur, Dumka, Hazaribagh and Madhya Pradesh, primarily for training, research, campaign and advocacy works focusing on identity, dignity, justice and empowerment of the adivasis.

### PESA Act and Gram Sabha

Panchayats (Extension in Scheduled Areas) Act, popularly known as PESA Act, 1996 empowers Gram Sabha to take responsibility for the development of villages. It also makes provision for establishment of Tribal Advisory Council, headed by the Governor of the state, which will monitor the implementation of PESA Act and Tribal Sub-plan and report back to the central government every year. Realising that the provisions of PESA Act were not implemented,

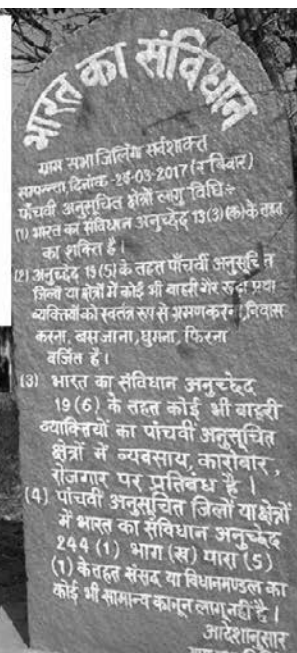
Fr. Stan criticized various governments of Jharkhand and attempted to put pressure on them. He articulated that Jal (water), Jungle (forest) and Jameen (land) belongs to adivasis.

During these years, various multinational corporations were bent upon extracting the minerals from the very rich sources in Jharkhand, Chhattisgarh and Madhya Pradesh and Orissa. This process is generally preceded with a Memorandum of Understanding (MoU) between the government and the industries. The Gram Sabhas were never taken into confidence, as mandated by PESA Act. Fr. Stan actively participated in the movement led by Adivasis, that opposed Netrahat Field Firing project, which was to displace thousands of villagers and a number of adivasi hamlets in Jharkhand. He also opposed large scale Koel Karo dam project, that was to displace many adivasi families. This can be counted as one of the *wrong doings* of the man with steel spine. He wrote on these subjects extensively in print media.

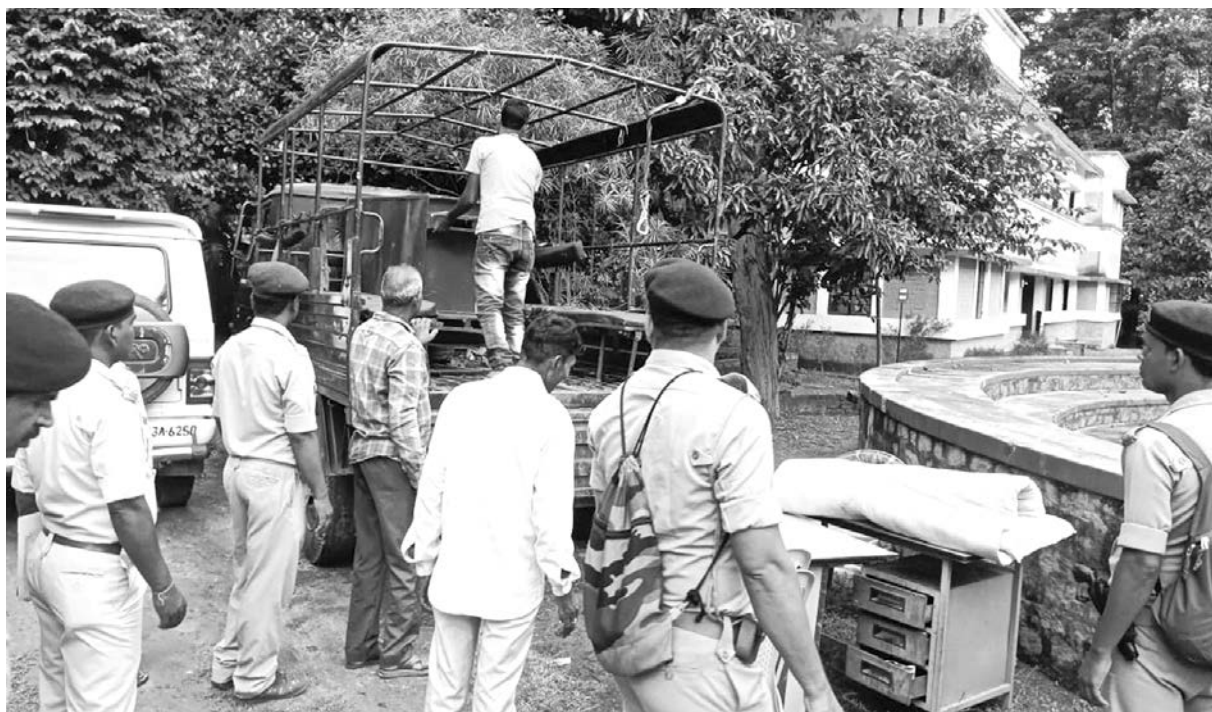


## Pathalgadi: A Tribal Movement in Jharkhand

# PATHALGADI MOVEMENT







Khunti police attach Father Stan Swami's property at Bagicha in Namkum, Ranchi

## Persecuted Prisoners Solidarity Committee (PPSC)

During 2014-15, indiscriminate arrests, of mostly Adivasi and Dalit youth, were taking place. Stan convened a meeting of people of goodwill, so that a group could reflect on the nature of the intervention and even tentative plan details. The response was good, especially from lawyers. Sudha Bharadwaj was also one of the participants. The group decided to form a common forum by the name, 'Persecuted Prisoners Solidarity Committee' (PPSC), so that they could collectively intervene in the court, on behalf of Under-Trial Prisoners (UTPs), seeking immediate bail and speedy trial. Soon thereafter, based on the findings of the study of UTPs in Jharkhand, a PIL was filed in Jharkhand High Court. Stan was the main petitioner. Looking at the veracity of the evidence, the Court ordered the State government

to furnish all the information about UTPs in Jharkhand. It is now more than two years and the State is yet to submit its report. On the other hand, Jharkhand state decided to put Stan out of its way, by implicating him in a case, merely based on his comments on Facebook related to *Pathalgadi* movement.

## Pathalgadi movement

*Pathals* are stones, erected on the village entrance, following the age-old Adivasi tradition. Some adivasi villagers in Khunti district of Jharkhand, inscribed in the *pathals* the Constitutional provisions given to the Gram Sabhas as per Fifth Schedule of the Constitution and PESA Act. Soon *pathals* became rallying points for the adivasis to assert their rights and demand from the state what is due to them as per the Constitution. *Pathalgadi* movement became popular, which was seen as threat

by the government and corporate houses. As the slab inscriptions speak of the events and constitutional provisions, it has lately come under the scanner of the Government and labeled all those supported the *pathalgadi* movement as anti-nationals. Along with 19 others, the then BJP-led Jharkhand government filed an FIR against Fr. Stan for supporting *pathalgadi* movement in 2018. In June 2019, Fr. Stan came down to Bengaluru for medical treatment.

One year after the filing of an FIR, in 2019, the Khunti court declared Stan as 'proclaimed absconder' under Sec. 82 of Criminal Procedural Code and issued orders for attachment of property. In October 2019, the Khunti Police took away two tables, a steel shelf, three plastic chairs, a mattress, and a pillow from Stan's room.

Stan contested the allegations in the High Court of Jharkhand. During the hearing,

the Advocate General referred Stan as a 'dreaded criminal'. The Jharkhand High Court, on 6 December 2019, declared that proper procedures were not followed as per Code of Criminal Procedure. When the non-BJP government in Jharkhand was formed by the end of December 2019, it announced that it was withdrawing all cases relating to Pathalgadi. The procedures for the same have not yet been completed. This was a clear message that *pathalgadi* movement was not an anti-national movement but a pro-*adivasi* movement demanding their due rights from the state.

filed an FIR in the Pune Rural police, which had jurisdiction over Bhima-Koregaon; Another FIR was filed with the Pune city Police which was taken cognizance immediately leading to the raids and arrests of Human right Defenders. (For more on the incident and the case please visit: <https://www.thequint.com/explainers/what-was-bhima-koregaon-battle-explainer>). Only through the media, he came to know about this incident. His name did not appear in the original FIR. In 2019, a quash petition was filed in the court. The public prosecutor argued that Stan was only a suspect and not

been widespread arrests of intellectuals and raids at the homes of top human right activists, professors and lawyers. The NIA has been interrogating more and more committed citizens in various parts of the country.

Fr. Stan was interrogated for 15 hours in a span of 5 days in July and August 2020, by NIA. Despite his age and illness, he fully cooperated with the interrogation. The investigation officer, looking at the condition of Stan, said, "You are severely suffering from tremor (Parkinson)".



### Bhima Koregaon case

To everyone's surprise, in 2018, Stan was implicated by the Pune Police in Bhima Koregaon case. Stan had never been to Bhima Koregaon in his entire life. Bhima-Koregaon is a place in Maharashtra near Pune where the Dalits (former untouchables of India) gathered in big numbers on 1 January 2018 to celebrate the 200th anniversary of a battle in which Dalits fought against the rulers. During this celebration, sudden violence erupted. The instigation of this violence is attributed to the upper caste right-wing forces which wanted to scuttle the celebrations. The Dalits

an accused and the police had no intention to arrest him.

The new non-BJP coalition government in Maharashtra had ordered the Maharashtra police to review and speed up investigation and trial of Bhima-Koregaon riot case. On 1 January 2020, a top leader of the National Congress Party, a coalition partner, commented that the Bhima-Koregaon case was baseless and should be withdrawn. However, the BJP government at the centre intervened and forced the Maharashtra government to handover the case to the National Investigation Agency (NIA). Once the NIA has taken over the case, there has

**We, as citizens of this country, need to realize the importance of the Constitution, continue to uphold its values at all odds and disseminate as responsible citizens**

On 30 September 2020, the Superintendent of Police (SP) of NIA Mumbai called Fr. Solomon, a Jesuit companion of Stan and asked him to bring Stan to Mumbai on 5 October. Solomon explained that Stan suffers from various illnesses and it will not be possible for an 83-year-old person to travel Mumbai, especially when the country is engulfed by pandemic. The SP asked him to handover the medical records. However, on 8 October, four NIA officers came to Bagaicha and arrested him, without summons or warrant. He is in Taloja jail now, amidst many other

prisoners in a covid-19 quarantine barrack, euphemistically called 'jail hospital'.

### What has stan said all along:

Fr. Stan has made statements that act as mirrors of the society:

*In the current system, justice is beyond the means of most of those who have been falsely accused.*

*When the youth stand up against the systemic wrong (forced land dispossession), they are putting themselves at a risk of being arrested and imprisonment for years without trial.*

*Compulsions from the corporate houses outweigh the government's obligation to the citizens of the country.*

*They say, 'Truth will finally prevail'...but how long is it going to take... and how much damage is*



Hemant Soren, CM of Jharkhand

*being done in the process... Questions to ponder:*

### #StandforStan

Various prominent leaders from different fields have extended support through social media and have been standing in solidarity throughout.

Mary Lawlor, the United Nations Special Rapporteur on Human Rights Defenders has tweeted from her official Twitter account: "Hearing worrying reports of #human-rightsdefender Stan Swamy being taken into custody by the @NIA\_India in Ranchi, Jharkhand".

Hemant Soren, Hon'ble Chief Minister of Jharkhand has raised a question by asking what the intention of the Government is trying to convey by arresting 83-year-old Stan Swamy and whether their sole motive is to curb every voice of dissent.

Shri. Shashi Tharoor Member of Parliament tweeted, "Arresting an 83 year old social worker who has brought help to the helpless for decades is a national disgrace. It's also eroding our country's standing as a liberal democracy in the eyes of the world".

## CBCI Demands Immediate Release of Fr Stan Swamy

Four days after he was arrested in the Bhima-Koregaon violence case by the National Investigation Agency (NIA) for allegedly having links with the Maoists, the top body of the Catholics has demanded the immediate release of Father Stan Swamy.

The Catholic Bishops' Conference of India (CBCI) expressed its deep sorrow and anguish on the arrest of Fr Stan Swamy from his residence. The press release issued by Archbp Felix Machado, the Secretary General of the CBCI says,

"Fr Stan Swamy, 83 years old, a Jesuit has spent a major portion of his life giving yeoman service to the tribals and the downtrodden in the state of Jharkhand. According to our reports Fr. Stan has for decades been working to protect the rights of the Adivasis, especially their land rights. This could have worked against the interests of certain people. When questioned during the months of July- August 2020 by authorities, Fr Stan Swamy has fully cooperated with Investigating Agencies and has provided detailed statements, claiming to be innocent in the case. It is difficult to comprehend the plight of an octogenarian with several morbidities, like Fr Stan Swamy to have to undergo such difficulties during this pandemic in which even a normal healthy person would hesitate to travel or would never travel risking one's life."

The CBCI made a strong appeal to the concerned authorities to immediately release Fr Stan Swamy and permit him to go to his residence. The Catholic Community has always been lauded by all as a body of loyal, law-abiding, and service-minded citizens of Mother India, the CBCI said.

### Personal note

I was with Stan, for 3 days, before his arrest, spending time at his place of solace. It is always more than an experience to spend time with him. More than his ailing health, what was more prominent about him, like always, was the fact that he stays strong, and confident. He was ready to pay the price as a true follower of Jesus.

Fr. Stan has laid a legacy for the people of India to follow his footsteps. We, as citizens of this country, need to realize the importance of the Constitution, continue to uphold its values at all odds and disseminate as responsible citizens. By doing so, we pay homage to the founding fathers and stand in solidarity with all the human rights defenders. ©

#### ABOUT THE AUTHORS

**DR. JOSEPH XAVIER SJ** is the Director of Indian Social Institute, Bengaluru (ajoexavier@gmail.com) and **HARSHITA** is studying MSW in St. Clare College, interning with ISI-B.



# Is the Church in India Prophetic?



BY CEDRIC PRAKASH

The Church in India is clearly not prophetic and desperately needs prophets today, endowed with the vision and mission of Jesus, who get out of their comfort zones and are not afraid to speak truth to power!



**O**n 12 March 1977, Jesuit Fr. Rutilio Grande was killed by the regime of El Salvador. Presiding over the funeral Mass of his dear friend, Bishop (today a Saint) Oscar Romero said, “*The government should not consider a priest who takes a stand for social justice as a politician or a subversive element when he is fulfilling his mission in the politics of the*

*common good;” brazenly adding, “Anyone who attacks one of my priests, attacks me. If they killed Rutilio for doing what he did, then I too have to walk the same path”.*

Three years later on Sunday 23 March 1980, in a powerful homily, Romero minced no words as he castigated the Government and the military of his country, “*Brothers, you are part of our own people. You kill your own camp-*

*esino brothers and sisters. No one has to fulfil an immoral law. It is time to recover your consciences and to obey your consciences rather than the orders of sin. The church, defender of the rights of God, of the law of God, of human dignity, the dignity of the person, cannot remain silent before such abomination. We want the government to take seriously that reforms are worth nothing when they come*

*about stained with so much blood. In the name of God, and in the name of this suffering people whose laments rise to heaven each day more tumultuously, I beg you, I ask you, I order you in the name of God: Stop the repression!"* Romero was assassinated the very next day!

Comparisons are always odious; Fr Stan Swamy is different from Fr Rutilio Grande – though both are/were Jesuits with a tremendous passion and commitment to the poor and the excluded. And Romero? There certainly does not seem to be one on the horizon in India. Yes, but there are striking parallels which one should not lose sight of today!

Late night on 8 October, 83-year-old Jesuit Fr Stan Swamy was taken into custody by the National Intelligence Agency (NIA) from his residence in Ranchi and to an undisclosed destination. According to his colleagues, the NIA did not serve a warrant on Fr. Stan and that their behaviour was absolutely arrogant and rude.

The next morning, he was forcibly flown to Mumbai, where he was immediately produced before a special court and then sent to the Talaja Jail just outside the city.

Fr Stan is sickly and feeble; according to reliable inside sources, for more than a week after his incarceration he was not given a cot to sleep on, a chair to sit or even a walking aid; besides he was kept in common barracks together with several other prisoners. This is inhuman besides being totally deplorable.

Fr Stan is charged under the draconian UAPA (Unlawful Activities Prevention Act) for his 'apparent' involvement in the Bhima-Koregaon violence of January 2018 and participating in the Elgar Parishad earlier. Fr Stan vehemently and unequivocally has denied the allegations.



**"The government should not consider a priest who takes a stand for social justice as a politician or a subversive element when he is fulfilling his mission in the politics of the common good"**

**- Saint Oscar Romero**

Recently, the NIA released a 10,000-page charge sheet regarding the incident with fresh names, including that of Fr. Stan who it is alleged conspired to take on the Government of India by means of armed militia, along with him being connected to the banned left-wing terrorist organisation, CPI (Maoist). It makes Fr Stan the oldest person to be charged with terrorism in India.

The others charged under this draconian law without any justi-

fication and are languishing in COVID-ridden jails include Sudha Bharadwaj, (human rights lawyer and activist from Chhattisgarh), Varavara Rao (78-year-old Activist, writer and poet from Andhra Pradesh; he is currently very sick), Anand Teltumbde (70-year-old Dalit scholar and activist), Arun Ferreira (advocate and human rights' activist from Mumbai), Vernon Gonsalves (civil rights activist and former professor at Mumbai University), Sudhir Dhawale (writer and Mumbai-based Dalit rights activist), Shoma Sen (professor at Nagpur University), Suren-dra Gadling (a UAPA expert and lawyer from Nagpur), Mahesh Raut (a young activist on displacement issues from Gadchiroli), Rona Wilson (Delhi-based prisoners' rights activist), Gautam Navlakha (Delhi-based journalist and civil rights activist) and at least five other members of the Kabir Kala Manch troupe.

Fr Stan's arrest and subsequent imprisonment has made national news and has even been covered by some international media. After a long time, several Catholics and other Christians (justifiably so) are out on the streets (there was a massive silent protest in Ranchi on 16 October) and on the web - protesting against the arrest of Fr Stan and the inhuman way he is being treated.

Strangely enough, the CBCI has also issued a very carefully-worded statement condemning the arrest. A lead article in 'The Telegraph' (11 October) entitled '83-year Priest's arrest unlocks Church Voice' in a comment on the Bishops statement said, *"The statement from the Catholic Bishops Conference of India (CBCI), the apex body of the Catholic Church in the country, stood out for two reasons. One, there has been a perception that sections of the Church establishment have*

been somewhat reluctant to speak out of late because of the Narendra Modi government's crackdown on foreign sources of funds. Two, the CBCI statement focused only on the priest, although 15 other rights activists, lawyers, academics and writers have been imprisoned in connection with the probe into the same case". A sad commentary from one of the most respected, secular English dailies of India; its online edition is apparently read by thousands the world over!

Jesus' life, message and mission are clear. He is no 'political' messiah; he is the Saviour who came down to earth to prepare his people for eternal life. Jesus however showed to people that the 'Kingdom of God' is in the here and now! He takes sides with the poor, the marginalized and

the excluded. He invites all to embrace his vision and mission. However, he is not afraid to take a stand against the Herods and Pilates, the scribes and pharisees of his time- they represented an unjust system and all that was wrong in society. Jesus ultimately had to pay the supreme sacrifice. The Prophets before him did the same and so did countless others after him.

Since May 1891, Catholic Social Teaching, with the Encyclical 'Rerum Novarum' has been consistent on being a voice for the voiceless; in speaking truth to power. Vatican II highlights several of these dimensions.

St Pope John XXIII in his 1963 Encyclical 'Pacem in Terris' highlights four non-negotiables for Peace: Truth, Justice, Charity and

Liberty. Over the years, the Church has taken visible and vocal stands against Communism.

It is no state secret of the role St Pope John Paul II played in the dismantling of communism in Eastern Europe. In his social Encyclical Letter 'Caritas in Veritate' (July 2009), Pope Benedict XVI states, "*Charity in truth, to which Jesus Christ bore witness by his earthly life and especially by his death and resurrection, is the principal driving force behind the authentic development of every person and of all humanity. Love — caritas — is an extraordinary force which leads people to opt for courageous and generous engagement in the field of justice and peace.*"

Pope Francis has been consistent with his teachings. He has challenged Bishops and Priests to defend the poor, the excluded and the oppressed; he has spoken bluntly and directly to repressive regimes, which do not respect the dignity and the rights of every human.

In 'Evangelii Gaudium' Pope Francis says, "*I prefer a Church which is bruised, hurting and dirty because it has been out on the streets, rather than a Church which is unhealthy from being confined and from clinging to its own security. I do not want a Church concerned with being at the centre and then ends by being caught up in a web of obsessions and procedures.*" Ultimately saying, "*Peace in society cannot be understood as pacification or the mere absence of violence resulting from the domination of one part of society over others. Nor does true peace act as a pretext for justifying a social structure, which silences or appeases the poor, so that the more affluent can placidly support their lifestyle, which others have to make do as they can. Demands involving the distribution of wealth, concern for*

## Wave of outrage over Swamy case

# Arrest unlocks Church voice

PHEROZE L. VINCENT

New Delhi: The Catholic Church has condemned the arrest of 83-year-old Catholic priest Stanislaus Lourdaswamy on sedition charges and demanded his immediate release.

Chandigarh chief minister Bhupinder Singh Soren, economist Jeeva and several Christian groups have added their voice to the chorus of condemnation.

The statement from the Catholic Bishops Conference of India (CBCI), the apex body of the Catholic Church in the country, stood out for two reasons.

One, there has been a perception that sections of the Church establishment have been somewhat reluctant to speak out of late because of the Narendra Modi government's crackdown on foreign sources of funds.

Two, the CBCI statement



Fr Stan Swamy

focused only on the priest, although 15 other rights activists, lawyers, academics and writers have been imprisoned in connection with the probe into the same case.

The Ranchi-based priest, better known as Fr Stan Swamy, suffers from Parkinson's disease and is known for his documentation of police torture of tribal youths suspected of terrorism and his vocal support for the recognition and codification of the animist Sarna faith.

The National Investigation Agency has arrested and

chargesheeted him in the Elgaar Parishad case — an alleged Maoist plot to incite violence through an Ambedkarite event in 2017 — accusing him of being a member of the banned CPI Maoist and a conduit for its funds. He has been sent to judicial custody in Mumbai till October 23.

On Saturday, Felix Do, archbishop of Vadodra, CBCI secretary-general, said in a statement: "According to our reports, Fr Stan has for decades been working to protect the rights of the Adivasis, especially their land rights. This could have worked against the interests of certain people."

"When questioned during the months of July-August 2020 by authorities, Fr Stan Swamy has fully cooperated with investigating agencies and has provided detailed statements, claiming to be innocent in the case."

The Telegraph



*the poor and human rights cannot be suppressed under the guise of creating a consensus on paper or a transient peace for a contented minority. The dignity of the human person and the common good rank higher than the comfort of those who refuse to renounce their privileges. When these values are threatened, a prophetic voice must be raised.”* A similar chord is struck and re-echoed right through ‘Laudato Si’ and in his latest pathbreaking Encyclical ‘Fratelli Tutti’

In keeping with the prophetic ministry of the Church in India in February 2012, at the 30th CBCI Meet in Bangalore on the theme ‘The Church’s Role for a Better India’, the Bishops said, “*We sensed in our hearts our country’s yearning for a Better India. Our country has been noted for its deep spirituality, its saints and sages, its rich diversity of cultures and religions. People yearn for the ideal enshrined in the Preamble of the Constitution of India of a Sovereign, Socialist, Secular, Democratic Republic which will secure for its citizens Justice, social, economic and political; Liberty of thought, expression, belief, faith and worship; Equality of status and of opportunity; Fraternity assuring the dignity of the individual and the unity and integrity of the Nation. But this yearning has remained largely unfulfilled. Economic development has brought about increasing inequities, an ever-widening gap between the rich and the poor with consequent tensions spilling over into violence. We see around us a betrayal of the poor and marginalized, the tribals, dalits and other backward classes, women and other groups who live in dehumanising and oppressive poverty. We witness rampant exploitation of children. There is disappointment with those in public life for whom*

**“I prefer a Church which is bruised, hurting and dirty because it has been out on the streets, rather than a Church which is unhealthy from being confined and from clinging to its own security. I do not want a Church concerned with being at the centre and then ends by being caught up in a web of obsessions and procedures.”**  
– Pope Francis



*ethical concerns matter little. The Church does not wish to rest on her laurels. She recommits herself to being a prophetic Church, taking a decisive stand in favour of the poor and marginalized “We envision an India with more attributes of the Kingdom of God such as justice and equity with its consequent fruits of love, peace and joy.”*

Eight years later, the scenario today is far worse! One wonders why and how the Church in India has lost the plot; why have our hierarchy been a betrayal to their own lofty words? why has that commitment to Christ and his message been lost in the fear of the fascists who rule our country today? Why does one forget the words of Jesus “*fear no one!*”?

The Church in India is clearly not prophetic and desperately needs prophets today, endowed with the vision and mission of Jesus, who get out of their comfort zones and are not afraid to speak

truth to power! Every disciple of Jesus is not only invited but also challenged to do so! Do we have the faith and courage to respond to that prophetic challenge today?

Grande and Romero paid the price of being prophets in their time. In an interview on 8 April Pope Francis said, “*Let us dare to dream of a better world, and let us go forth, when we are able, to fulfil our mission as a prophetic people – not only with optimism, but with faith, joy, hope and great creativity!*”

Fr. Stan did exactly that; but is today paying the price, languishing in jail because like a true disciple of Jesus, he was courageous and prophetic accompanying the excluded and exploited of our country! May we do so likewise! ©

#### ABOUT THE AUTHOR

**FR. CEDRIC PRAKASH SJ** is a human rights & peace activist/writer. He can be contacted at: [cedricprakash@gmail.com](mailto:cedricprakash@gmail.com)

# What is the 'crime' I'm supposed to have committed?

BY STAN SWAMY, JHARKHAND

During the past three decades I have tried to identify myself with the Adivasi People and their struggle for a life of dignity and self-respect. As a writer I have tried to analyze the different issues they are faced with.

In this process I have clearly expressed dissent with several policies, laws enacted by the government in the light of the Indian Constitution. I have questioned the validity, legality, justness of several steps taken by the government and the ruling class.

1. I have questioned the non-implementation of the 5th Schedule of the Constitution [Indian Constitution, Article 244(1)] which clearly stipulates that a 'Tribes Advisory Council' (TAC) composed solely of members from the Adivasi community who will advise the Governor of the State about any and everything concerning the protection, well-being and development of the Adivasi people in the State.

2. I have asked why the Panchayats (Extension to Scheduled Areas) Act [PESA], 1996 [No:40 of 1996] has been neatly ignored which for the first time recognized the fact the Adivasi communities in India have had a rich social and cultural tradition of self-governance through the Gram Sabha.

3. I have expressed disappointment at the silence of the government on Samatha Judgment, 1997 of the Supreme Court [Civil Appeal Nos:4601-2 of 1997]. The



**I have challenged the indiscriminate arrest of thousands of young Adivasis and Moolvasis under the label of 'naxals' just because they question and resist unjust land-alienation and displacement**

judgment was meant to provide some significant safeguards for the Adivasis to control the excavation of minerals in their lands and to help develop themselves economically.

4. I have cried aloud at the half-hearted action of government on Forest Rights Act, 2006: [Act of Parliament No:2 of 2007] meant to

correct the historic injustice done to the Adivasi and other traditional forest-dwellers.

5. I have queried why the government is unwilling to carry out the SC order 'Owner of the land is also the owner of sub-soil minerals'. [SC: Civil Appeal No 4549 of 2000] and continues auctioning coal-blocks to indus-

trialists without a due share to owners of the land.

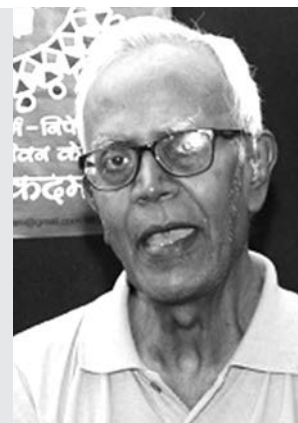
6. I have expressed my apprehension at the recently enacted Amendment to 'Land Acquisition Act 2013' by Jharkhand government which sounds a death-knell for Adivasi Community. This does away with the requirement for "Social Impact Assessment" and allows the government to give away even agricultural and multi-crop land for non-agricultural purposes.

7. I have strongly disagreed with the setting up of 'Land Bank' which I see as the most recent plot to annihilate the Adivasi people because it claims that all 'gair-majurwa' land ('Commons') belong to the government and it is free to allot it to any body (read industrial houses) to set up their small and big industries.

8. I have challenged the indiscriminate arrest of thousands of young Adivasis and Moolvasis under the label of 'naxals' just because they question and resist unjust land-alienation and displacement. I've taken legal action against the Jharkhand State by filing a PIL in the HC praying that (i) all Under-Trial Prisoners (UTP) be released on bail on personal bond, (ii) speed up the trial process which surely will acquit most of them, (iii) appoint a judicial commission to probe the reasons why the trial process is indefinitely being delayed, (iv) the police submit all needed information about all UTPs to the petitioner. It is now more than two years since the case was admitted but the police is yet to provide all needed information about all UTPs.

This, I believe, is the main reason why the State is keen to put me out of the way. The most feasible way is to implicate me in serious cases and stall the judicial process to give justice to the poor innocent Adivasis. 10

## In a video which has gone viral Fr. Stan makes a powerful statement



“ I was interrogated by NIA for 15 hours during a span of 5 days (July 27, 28, 29, 30 Aug. 6). Apart from my bio-data and some factual information, several extracts allegedly taken from computer implicating my connection to Maoist forces were placed before me.

I told them all these are fabrications stealthily put into my computer and I disowned them. The nature of the present NIA investigation of me has nothing to do about Bhima Koregaon case in which I have been booked as a 'Suspected-accused' and consequently raided twice (28 August 2018 and 12 June 2019).

But it had everything to do to somehow establish (i) that I am personally linked to extremist leftist forces, (ii) that through me Bagaicha is also relating to some Maoists. I denied both these allegations in strongest terms. After six weeks of silence, I am being summoned to appear in NIA- office in Mumbai.

I have informed them (i) that I fail to understand the need for interrogating me further given the fact I have been subjected to that for 15 hours already, (ii) that I am not in a position to undertake the long journey given my age (83) and the nature of the epidemic ravaging the country.

Besides Jharkhand State Govt. has given a directive that during the lockdown period elderly persons above the age of 60 may not appear in public, (iii) that if the investigating agency wants to interrogate me further it can be done through video-conference. If NIA refuses to consider my request and insist that I go to Mumbai, I'll tell them that it will not be possible for me to go for the above reasons.

Hoping human sense will prevail. If not, I / we must be ready to face the consequences. I would just add that what is happening to me is not unique. Many activists, lawyers, writers, journalists, student leaders, poets, intellectuals and others who stand for the rights of Adivasis, Dalits and the marginalised and express their dissent to the ruling powers of the country are being targeted. Grateful to all who have stood in solidarity with me all these years." 11





# STANDING with STAN

## POLITICS OF FRATERNITY

Standing with deprived sections of the society was Christ's mission and it is on that foundation the social teachings of the Church is built



BY JOSE  
VALLIKATT

**T**he arrest of Fr. Stan Swami, the octogenarian Jesuit missionary working in Jharkhand by the National Investigation Agency (NIA) is an extremely unfortunate incident both for the Catholic church and the civic society of India. He had been haunted by the NIA for a couple of years for his alleged Maoist relations and the speculated role in Bhima Koregaon case. Stan is the latest among the 16 people arrested including well-known rights defender advocates such as Arun Ferreira and Sudha Bharadwaj, and writers like Vernon Gonsalves and Varavara Rao.

The international Jesuit body condemning the arrest stated that, "Stan professed his commitment to the Constitution of India and peaceful means of expressing dissent while questioning any form of injustice done to the vulnerable adivasis by state and police." The Jesuit statement

lauds his Christian courage "to speak truth to power and expose the large-scale abuse of power using anti-terror and sedition laws and land grabbing without due process of consultation as required."

From various reports we learn that Fr Stan became a prick in the eye of the State for standing for the rights of the earth (our common home) and for the adivasis (our brothers) to save them from the greedy land miners. In that process he has "meticulously documented and published the untold sufferings of hundreds of Adivasi youth, who were falsely implicated and imprisoned for exercising their right to defend their resources" says the JesuitGlobal report.

In a video statement released two days before his arrest, Fr Stan himself spoke about his work on displacement, land alienation, rights of gram sabhas and of Adivasis in jail and so on. He said he challenged the "indiscriminate" arrests of thousands of

**“What is happening to me is not something unique happening to me alone. It is a broader process that is taking place all over the country”**

**- Fr Stan Swamy**

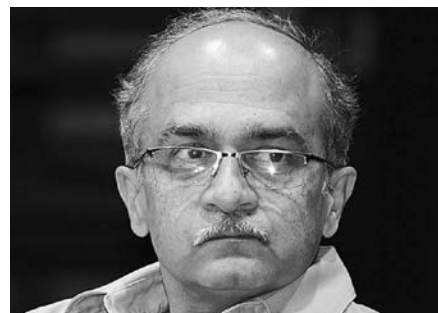
young Adivasis and Moolvasis by labelling them ‘Maoists’, as they “question and resist unjust land-alienation and displacement.” He thinks this to be a possible reason why he was targeted in the Bhima-Koregaon case. Why the arrest of Stan should bother us is not just because he is a Christian; neither is it because he is a Catholic priest. Stan, a zealous missionary himself vindicates this by saying, “What is happening to me is not something unique happening to me alone. It is a broader process that is taking place all over the country.”

Every Indian citizen should be concerned with such detainments precisely because these are attempts to silence the rights and voice of people. It’s because these are steps leading our country into a very autocratic and fascist regime where only the voices of the powerful politicians as well as greedy industrialists, and business tycoons are heard. Moreover, one should be concerned about such acts of silencing and fettering people because this is against the very spirit of our Constitution and its highest values. These are acts through which our hard earned rights and freedom are butchered and our esteemed democracy is choked to death.

The light of hope is not absolutely blown off however, as we see a number of rallies and reactions across the country from various groups ranging from Catholic Bishop Conferences, Chief Ministers, secular democratic activists, journalists, and thousands of common people. Ramchandra Guha tweeted that “Modi regime seeks to suppress and silence them; because for this regime, the profits of mining compa-



*Ramchandra Guha*



*Prasant Bhushan*

nies take precedence over the lives and livelihoods of adivasis.” Prasant Bhushan decried that the “venality of this BJP govt & NIA knows no bounds.” Satish Acharya cautioned us with his brilliant cartoon that the fascist threat is approaching “faster than they appear.”

While the nation was rallying for Fr Stan, many bishops and priests set out to demonstrate on streets and many others put strong worded statements on social media platforms. Bp. Alex Vadakkumthala at a public protest staged in Kannur said that such “blatant human rights violation is a scar on Indian democracy.” Fr. Johnson Kooveli dared to make a single man protest on the highway amidst the pandemic restrictions saying that he is “convinced that even if the work of Fr Stan is considered a crime Christ will be beside him.”



Courtesy: Satish Acharya/FB

While the political motives of the arrest is ambiguous in the instance of Stan's detention, the Church perceives his work and engagement with the adivasis as true Christian witness to the Gospels. Standing with deprived sections of the society was Christ's mission and it is on that foundation the social teachings of the Church is built.

The dignity of the human person is at the core of Church's response to human rights and social justice. Taking care of and protecting the dignity of individuals (our brothers) as well as the earth (our common home) is linked to the common good and it is intrinsic to Church's evangelical mission. The Catechism of the Catholic Church defines common good as creating and providing the right social conditions, so that individuals and communities can reach their full potential and live a full human life (CCC #1906). Defending the

dignity of the fellow humans becomes integral part of the Christian call (CCC#1929), which was what Fr Stan and many other Catholic missionaries are aiming to achieve.

The global Church is committed to this call for the emancipation of the poor and the proletariat. The arrest of Stan is very disappointing for the reason that the evidences are reportedly fabricated. However the Church might not step back from its missionary role of giving voices to the weaker sections. The arrest may slow down the human rights activism in the area temporarily. Nevertheless it's our wish that the Catholic church come forward with increased enthusiasm encouraging its brave and resolute sons and daughters to continue the mission of Christ undertaken by missionaries such as Stan.

Pope Francis has provided the most appropriate context to pursue such activities with greater hope, courage and commitment. The recently released papal encyclical *Fratelli Tutti* (FT) which calls for a "better kind of politics" marks the golden moment in the history of politics which has been degenerating in the recent decades. In the letter which adds to the existing body of Catholic Social Teachings he calls for a renewed form of politics stimulated by the sense of fraternity of people. India which

**Catholic church must come forward with increased enthusiasm encouraging its brave and resolute sons and daughters to continue the mission of Christ undertaken by missionaries such as Stan**





plays on divisive politics requires such a renewal urgently. The Church in India should carry forward these principles in its public engagement especially for defending the rights of the oppressed like adivasis, Dalits and other less privileged sections.

Francis cautions that politics “can degenerate into an unhealthy “populism” when individuals are able to exploit politically a people’s culture, under whatever ideological banner, for their own personal advantage or continuing grip on power.” However, real politics should “become the basis of an enduring vision of transformation and growth that would also include making room for others in the pursuit of the common good (FT #159). Fr. Stan who never wished to become a popular leader, but stood with the deprived adivasis, is a classic example of what Francis says.

While on one hand the Indian political sphere has been blending a cocktail of religious politics (which is a destructive tendency), on the other it is being slowly dominated by disproportionate capitalist motives. We have been witnessing that the plight of the poor in India is growingly desperate both before and after the pandemic due to the pro-industrialist and corporate policies of the government. According to Pope Francis “market freedom” is not the final solution, instead “we must put human dignity back at the centre and on that pillar build the alternative social structures we need” (FT # 168). Indeed what motivated Fr Stan and the people of his ilk to engage in public sphere is the State’s alienation of land and people from their rights.

To the global society which is “suffering from grave structural deficiencies” Pope Francis prescribes the medicine of political love and social friendship which “recognizes all people [as] our brothers and sisters... It demands a decisive commitment to devising effective means to this end. This entails working for a social and political order whose soul is social charity. Francis calls this “political charity” (FT #179-180).

The Church engages in the public sphere motivated by the “commanded” love (as opposed to the love that is “elicited”), which is “expressed in those acts of charity that



spur people to create more sound institutions, more just regulations, more supportive structures.” This is an act of love striving to organize a less discriminate society where there is no poverty and hunger as well as joblessness (FT #186). “Charity is the spiritual heart of politics” and this is what helps the Church as well as good politicians to “combat all that threatens or violates fundamental human rights” (FT #187-88).

Given the context of increasing complexity of Indian politics where large sections of people suffer injustice, and in the wake of the new teachings of Pope Francis, the Church in India should courageously reach out to the realm of politics and public life than shy away from it. Bemoaning the sloth and sluggishness of “the Church unequivocally to condemn slavery and various forms of violence” Pope Francis reminds us that now “with our developed spirituality and theology, we have no excuses” (FT #86). By engaging positively in public sphere Christians may be able to remove the ‘distaste’ of politics contaminated by the mistakes, corruption and inefficiency of some politicians, and replace it with “a politics which is far-sighted and capable of a new, integral and interdisciplinary approach to handling the different aspects of the crisis” (FT #176-77).

True Christian witness requires us to make great sacrifices. We must be proud of it and prepared for that as Fr. Stan’s work and words remind us, “I am not a silent spectator, but part of the game, and ready to pay the price whatever be it.” ©

#### ABOUT THE AUTHOR

#### FR JOSE VALLIKATT MST

is a social critic, specialised in media, religion and culture

# Be Prophetic

## Message from Fr. Stan to consecrated women and men

“If you are neutral in situations of injustice, you have chosen the side of the oppressor”



BY JACOB  
PEENIKAPARAMBIL

**T**he Catholic Church in India expressed its ‘deep sorrow and anguish’ at the arrest and imprisonment of Fr. Stan Swamy and it demanded his immediate release. The statement recalled the work of Fr. Stan Swamy for decades to protect the rights of the tribals of Jharkhand.

The CBCI, Kerala Bishops’ Conference, the Jesuits and some other religious congregations also appealed to the authorities to release Fr. Stan Swamy. Besides Stan Swamy, 15 activists, lawyers and academics are jailed in connection with the violence that broke out in Bhima Koregaon on January 1, 2018.

Some of them are in Jail for more than two years. As advocate Vrinda Grover termed, the case against the activists is ‘criminalization of dissent’, as those arrested had raised their voice on various issues. Stan Swamy has never gone to Bhima Koregaon and he has nothing to do with this case. The government is annoyed with him for exposing the human rights violations of the tribals



**Fr Stan’s efforts to organize the tribals against their land alienation and displacement and to free about 3000 tribal youth who are falsely implicated in criminal cases and languishing in jails made the government angry and as a result he is linked with the Maoists**

in Jharkhand and has used the Bhima Koregaon issue to fix him.

Forum for Justice and Peace held its national convention in Ranchi in February 2018 on the theme, ‘Challenges to Secular Democracy in India Today’ and Fr. Stan Swamy was one of the speakers and he spoke on the topic

“Possible Response by the Church and the Religious Groups”.

In his speech he shared with the participants the opposition, threats and the harassment he and his colleagues were facing from the then BJP state government. It is pertinent to recall some of the points raised by Fr. Stan in his

address to the consecrated women and men.

Local church's top functionaries had openly told him that the Church would not be part of any people's movements' especially, if they question the powers that be. A consolation prize the Church and Religious groups offered was that they allowed a few individual clergy and religious to participate in people's movements and people's organizations, but always with a caution that they don't become too radical or 'political' in their involvements.

Fr. Stan had warned that the institutions of the Church would increasingly become millstones around the neck of the Church. He appealed to the Church and the religious congregations to de-institutionalize the institutions by opening them up to people's movements and offering them logistical support in their actions. He also told them to actively participate/become members of Human Rights Networks. The communities and residences of the Religious should become "open houses" for the people in the neighbourhood, especially the poor and activists involved in taking up justice issues. Above all, he appealed to the consecrated women and men to evolve a spirituality based on the on 'Jesus of Nazareth and not on Jesus of the Christians'. "The historical Jesus of Nazareth was a revolutionary whereas the Jesus of the Christians has been deified and imprisoned inside our churches and tabernacles". Fr. Stan started his speech with a quotation of Bishop Desmond Tutu. If you are neutral in situations of injustice, you have chosen the side of the oppressor.

Fr. Stan took the side of the victims of injustice. His efforts to organize the tribals against their land alienation and displacement

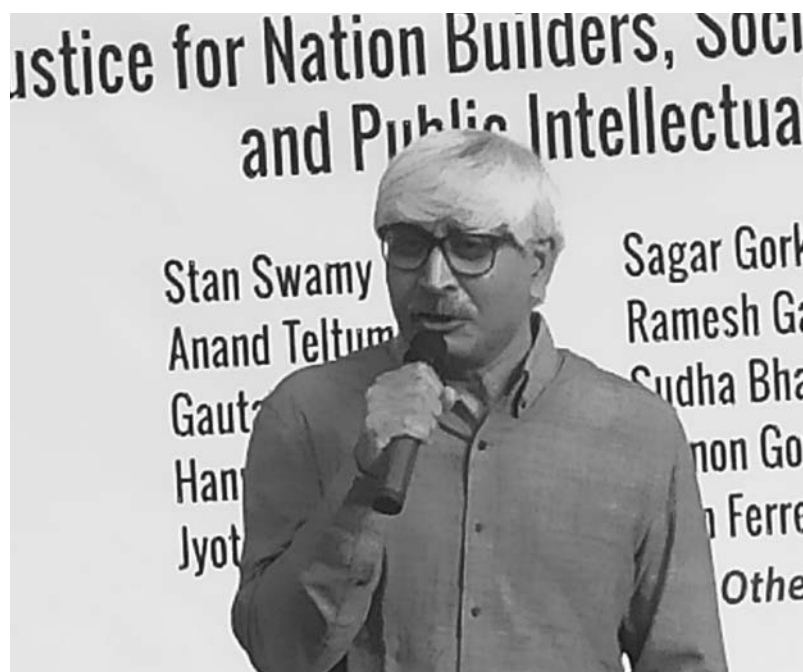
and to free about 3000 tribal youth who are falsely implicated in criminal cases and languishing in jails made the government angry and as a result he is linked with the Maoists. Before his arrest Fr. Stan had said in a statement, "During the past three decades I have tried to identify myself with the Adivasi people and their struggle for a life of dignity and self-respect. As a writer, I have tried to analyze the different issues they are faced with. In this process I have clearly expressed dissent with several policies, laws enacted by the government in the light of the Constitution. I have questioned the validity, legality, justness of several steps taken by the government and the ruling class." While speaking at a protest meeting in Delhi on 13th

October Professor Apoorvanand said Fr. Stan was continuing the work of Jesus, i.e. fighting against injustice which is the 'most sacred task'.

It is heartening to note that a good number of consecrated women and men participated in the protests against the illegal arrest and imprisonment of Fr. Stan in different parts of India. Expression of solidarity with Fr. Stan will become complete only when the consecrated women and men become aware of the socio-political churning taking place in India and stand up against the human rights violations and denial of fundamental freedoms guaranteed by the Indian constitution.

Today, India is witnessing an array of denial of justice and

**"Fr Stan was continuing the work of Jesus, i.e. fighting against injustice which is the most sacred task"**  
- Prof. Apoorvanand





perpetration of unjust acts by the state agencies. Secular democracy, rule of law and the Constitution to India are under threat. Blatant violations of human rights and basic freedoms guaranteed by the constitution of India are taking place. The Indian State has become the greatest violator of the rights of its citizens. While the executive is becoming dictatorial and fascist, the parliament has become a rubber stamp. Laws are being passed without any discussion in the parliament and without giving a chance to the people to express their views. The Judiciary that is entrusted with the task of protecting the rights of the citizens and safeguarding the constitution often looks the other way. The consequence is denial of justice to people especially the underprivileged groups.

Political dissent is treated as a crime. All those who criticize the government and the ruling party or having dissenting views are branded as anti-nationals and they are put behind the bars under the draconian laws like Sedition Law, National Security Act, UAPA and Public Safety Act. From terrorism to dacoity, all kinds of charges are

being made on them. A good doctor in Uttar Pradesh, Kafeel Khan, was in jail for many months because he dared to speak against the Home Minister of India in the context of the Citizenship (Amendment) Act (CAA). The 16 activists, lawyers and academics are put behind the bars linking them with Bhima Koregaon violence because of their dissent.

The investigation agencies like CBI, NIA, NCB, ED, Income Tax Department etc. are being misused and abused by the government to target and persecute the opposition party leaders, critics and human rights activists.

NGOs and Civil Society Organizations are being harassed through filing false cases against them. The latest amendments to the Foreign Contribution Regulation Act are one of the means adopted by the Central government for paralysing the NGOs.

If democracy is a form of government 'of the people, by the people and for the people', the people have to take the responsibility of correcting the huge distortions that are taking place in the political system of the country. Eternal vigilance is the price that the people have to pay for safeguarding democracy.



Consecrated women and men, who have left everything for the sake of the mission of Jesus of empowering the people of God, have a greater responsibility at this crucial juncture to make the people aware of what is happening in the country and to motivate them to respond effectively. The far and wide support and expression of solidarity to Fr. Stan from different sections of the Indian society, especially the activists, academicians, lawyers and intellectuals show that if the consecrated women and men make people as their religion, they will be accepted and supported.

As many consecrated women and men came to the streets and participated in the protests against the arrest and imprisonment of Fr. Stan, they have to do the same whenever the human rights are violated and injustice is done to any citizen or any group of people. It is to be appreciated that a good number of women religious in North India took part in the protests against the gang rape in Hathras, UP. Let the whole world see their prophetic action of standing up and speaking out against the politics of oppression, division, exclusion and hatred and religious nationalism. <sup>10</sup>

## ABOUT THE AUTHOR

**JACOB PEENIKAPARAMBIL** is a trainer and consultant to Non-Profit Organizations and presently a team member of Universal Solidarity Movement (USM) Indore. He can be reached at: jacobpt48@gmail.com



# Arrest of Fr Stan

## A call to speak up for others

The arrest of Fr Stan Lourduswamy, 83, is a violation of human rights. Arrested in Ranchi on October 8 and taken to Mumbai the next morning, he has been sent to judicial custody till October 23



BY DR J. FELIX RAJ

**W**e are distressed and troubled. We express our deep concern over the arrest and demand his immediate release considering his age and Parkinson disease. Fr Stan committed his entire life for the uplift of the tribals and Dalits in India, particularly in Jharkhand.

I have known Fr Stan

Swamy for many years. He is a veteran fearless tribal rights activist who has worked for over five decades in Jharkhand, fighting for the rights of the Adivasi community. He was part of the Jharkhand Organisation against Uranium Radiation (JOAR), a campaign against Uranium Corporation India Ltd in 1996.

Looking at the shameful way this senior Jesuit priest has been arrested, I find myself failing to repeat the words of Christ on the Cross: "Father, forgive them; they do not know what they are doing." The arrest is politically motivated. As a true Jesuit who follows Christ, Fr Stan Swamy is sharing in the sufferings of Christ for the sake of justice and truth.

Fr Stan Swamy has often raised his voice against alleged police excesses in Jharkhand, and what he describes as the government's failure to properly implement the Fifth Schedule of the Constitution in the state.

The Fifth Schedule stipulates that a "Tribes Advisory Council (TAC)", composed solely of members from the Adivasi community, advise governors of tribal-inhabited states on their well-being and development. Fr Stan Swamy has claimed that none of the governors — the discretionary heads of these councils — has ever reached out to the Adivasis to understand and work on their problems.

Fr Stan Swamy has also been a vocal advocate for the release of undertrials. He says they have been



unfairly lodged in jails and labelled Maoists. In 2010, he published a book about this, titled *Jail Mein Band Qaidiyon ka Sach* (The truth of undertrials)."

In the book, he states that the family income of the youths arrested was less than Rs 5,000 in 97 per cent of the cases, and they could not afford lawyers to represent them.

He claimed 98 per cent of those arrested were falsely implicated and had no links to the Naxalite movement. Fr Stan Swamy has sought to represent those who are yet to get rights to land under the Forest Rights Act (FRA), 2006, which seeks to recognise forest-dwelling communities' claim to land they have inhabited for generations.

It is time now for all academicians, thinkers, philosophers, theologians and the like to come out openly and speak out against the arrest of activists and acts of injustice. Our intervention at this juncture will definitely put the wheels of our country on the right track.

What German Bishop Niemöller said about the situation under Hitler might teach us something: "When Nazis put communists in the concentration camp, I did not protest because I was not a communist; when they persecuted the social democrats, I did not protest because I was not a social democrat; when they massacred the Jews, I did not protest because I was not a Jew; When they banned all political parties and trade unions, I did not protest because I was not one of them; when they came for me, there was no one to speak for me." ❧

ABOUT THE AUTHOR

REV. FR. J. FELIX RAJ, SJ, is vice-chancellor of St. Xavier's University

# Hate shower Tanishq's capitulation



BY A.J. PHILIP

Jewellery business in India is one of the worst affected by Coronavirus. Who will buy jewellery when you sit at home with no party or marriage to attend? Its problems began with the ill-conceived and hastily-executed demonetisation

Only once in my life did I buy a piece of gold jewellery to give a surprise to my wife. It was a chain with a pendant. I had to be extra cautious. I did not want to repeat the bitter experience of buying a gift for her from the souvenir shop in Hollywood in Los Angeles.

I chose a cloth bag which had a picture of the cartoon character Betty on it. It cost me \$30, a big sum. My wife found out that a similar bag was available for Rs 10-15 in the Karol Bagh Market in New Delhi.

Once bitten twice shy, I went to the Tanishq showroom in

Connaught Place. I bought a gold chain, more for its novel locking system than for its design, about which I knew little. If I see a woman wearing a gold chain or a necklace, I would see her more than her costume or jewellery.

The Tanishq staff were very courteous, as they told me that the price was the same whether I bought it from Kolkata or Mumbai or anywhere. The chain is now part of my wife's collection, however humble it is.

My friend Mohan Sivanand, who was the editor of the Reader's Digest for more than a decade, says that Tanishq was set up by

the Tatas with the profits they made from the magazine. It is immaterial whether the money came from selling salt or a magazine.

What matters is that Tanishq has credibility. In fact, all Tata products, save Nano, have traditionally enjoyed credibility. This is because the House of Tatas is known for following certain principles while carrying out its business. Small wonder that a Tata employee is proud of saying that he or she is a Tata employee.

True, the Nira Radia tapes, the revelations about the Tatas paying protection money in the North-east and the cheating of the farmers while shifting their Nano car factory almost overnight from





*Baby shower, not hate shower: Tanishq hit upon the idea of producing a short ad film to bring customers back to their showrooms*

West Bengal to Gujarat, have dented to some extent their image as a trustworthy entity.

Jewellery business in India is one of the worst affected by Coronavirus. Who will buy jewellery when you sit at home with no party or marriage to attend? Its problems began with the ill-conceived and hastily-executed demonetisation.

Now that more and more establishments are opening up, including movie theatres, jewellers see a window of opportunity. That Diwali is fast approaching is yet another attraction for them.

Tanishq hit upon the idea of producing a short ad film to bring customers back to their showrooms. They chose Baby Shower as the theme of the film. Baby shower is not a new concept. Its roots can be traced back to the Vedic period.

Baby shower is organised to announce the impending arrival of a new member of the family. Friends and relatives are invited

so that they can shower the baby with gifts. Sometimes, the ceremony is organised after the baby is born. They are organised even in Europe and America. Egyptians also had a similar kind of ceremony. Christians in India use the occasion of child baptism as a baby shower. Tanishq's film is beautifully and aesthetically produced.

It shows a young, fully pregnant woman being ushered into a brightly lit, tastefully decorated hall by a middle-aged woman and allowed to sit on a sofa. She is received with the serving of a traditional glass of sherbet.

Of course, there is gold jewellery all around. There are no dialogues other than between the woman in the family way and the other lady. She wonders why the ceremony was organised when it was not part of their custom.

That is when the viewer gets the hint that she is a Hindu, married to a Muslim boy. The mother-in-law replies to her: "Is

not keeping the daughter-in-law happy the tradition of one and all?"

The moral of the story is that the Muslim mother-in-law is going out of the way to make her Hindu daughter-in-law happy. She is the one who sacrifices. There is no trace of bitterness between the two ladies.

What's more, there is no hint that the soon-to-be mother has forsaken her religion. What the film highlights is that when love unites two persons and two cultures, all the walls of differences and separation will collapse. I thought it was a beautiful theme, beautifully presented, though the subtle aim was to sell Tanishq's jewellery.

Alas, the cyber warriors of Hindutva saw the film as promoting Love Jihad. They unleashed a campaign against Tanishq forcing the company to withdraw the film from circulation.

One good thing is that even after the withdrawal, the film

can still be viewed. In fact, tens of thousands have viewed it, this writer being one of them. The propaganda about Love Jihad is the most illogical and ludicrous.

It supposes that a Hindu woman is dying to fall for the first Muslim man to show interest in her. Are such women so dumb that they cannot think about the consequences of their action?

Why the Sangh Parivar warriors can't stand the film is that it depicts a happily married woman. It negates their propaganda that a Hindu woman can never be happy in a Muslim household. It goes against the grain of human nature. Alas, their whole ideology is built on the foundation of hatred.

It is no surprise that Savarkar was the first to theorise in his little book on Hindutva that Hindus and Muslims could never co-exist happily. Decades later, Mohammed Ali Jinnah merely adopted Savarkar's idea to demand and obtain Pakistan.

Of course, Jinnah fanned the Muslim fear that once the Hindus had a state of their own, they would not treat the Muslims as equal citizens. The likes of Narendra Modi and Amit Shah are willy-nilly proving that Jinnah's theory was not all that baseless. Look at how they destroyed the identity of the only Muslim-majority state in India!

While politics influences life in myriad ways, straitjacketing of

any community is absolutely reprehensible. The mother-in-law in the Tanishq film is not an exception.

Sameena Dalwai is a professor of law. In an article in the Indian Express, she described how her mother, a social activist from Maharashtra fell in love with a Muslim man. In doing so, they defied all the societal norms.

Her mother remained a Hindu and her father remained a Muslim even as they brought up their daughter as an eclectic person. Today, she has an adopted son from Nagaland while her sibling is married to a Chinese. She herself is married to a Reddy from Telangana.

Writing this column has caused a break in my reading of the recently published Devaki Jain's autobiography entitled *The Brass Notebook* with a Foreword by Amartya Sen. She was born a South Indian Brahmin. When she decided to marry a Jain, her family virtually excommunicated her.

Her husband is no more but looking back, she is only happy that she married him and raised a family of their own. Nobody saw it as a case of Love Jihad. Persons of opposite sex have been getting attracted to each other since, to use a Biblical idiom, Adam and Eve were placed in the garden of Eden.

If anything really unites two human beings, it is love. No Hindu or Christian or Muslim marriage will survive if the bond of love disappears from the marriage. We had a Malayali Christian friend in Patna who was married to a famous Hindu Bengali doctor.

Their son and his wife, who was from the Northeast, served India as ambassadors. The tallest BJP leader in Bihar is Sushil Kumar Modi, whose wife is a Syrian Christian from Kerala. A senior BJP leader whose daughter is married to a Muslim is Subramaniam Swamy. Nobody described these

---

**It is utterly idiotic even to suggest that Muslims who constitute less than 15 per cent of the population can wage a love jihad against Hindus in a nation, where they constitute about 80 per cent of the population and also control all the levers of power**



*Tanishq withdrew an Ad showing interfaith harmony after rightwing rant*

marriages as Love Jihad or Love Conquest. In the tinsel world, I can mention innumerable cases of Muslim actors and Hindu actors living in successful inter-religious marriages. Shah Rukh Khan and Aamir Khan are classic examples in this regard.

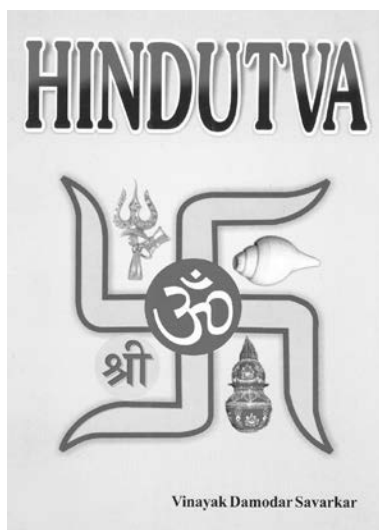
Sharmila Tagore remains the quintessential Bengali Hindu, although her husband was a Muslim with a royal lineage. True, some such marriages ended in divorce. For every inter-religious marriage that ended in divorce, there are hundreds, if not thousands, of “customary” marriages that ended in divorce.

It is utterly idiotic even to suggest that Muslims who constitute less than 15 per cent of the population can wage a love jihad against Hindus in a nation, where they constitute about 80 per cent of the population and also control all the levers of power.

Those who campaigned against the Tanishq film are the ones who find a danger in the diversity of the country. Actually, diversity should be seen as the greatest strength of the country. It is for this reason that leaders like Gandhi and Nehru eulogised the unity-in-diversity slogan.

The beauty of a garden is that it has different plants that produce different types of flowers. There is a Rose Garden in Chandigarh. It is worth visiting because it has rose plants that produce rose flowers in different colours and sizes. There, too, diversity is what makes the garden attractive to the visitor.

Yet, in countless villages and slums in India, people see themselves as people, not as Hindus or Muslims. For them, Diwali or Eid or Christmas is an occasion to celebrate the essential goodness of man. Alas, an effort is being made to disrupt the harmony that exists among them.



*Savarkar was the first to theorise in his little book on Hindutva that Hindus and Muslims could never co-exist happily*

Take the case of Congress leader Sonia Gandhi. She is more Indian than Indian. Yet, the Sangh Parivar leaders are never tired of calling her an Italian. She is a Hindu as she is married to a Hindu but in their perception she is still an Italian Catholic. They are the ones who cannot visualise a Hindu woman finding herself happy in her husband's parental home.

Tatas are Parsis, not Hindus. It is one community that has been showing a negative growth rate. Why is it so? It is because of certain restrictions they follow. A Parsi woman loses her right to call herself a Parsi, if she marries a non-Parsi.

Studies in genetics have shown that any community which prohibits marriage outside of their limited clan promotes its own extinction. The Jews were large in number in Kerala but today there are not even a dozen of them. Their synagogues attract tourists, not worshippers.

It is no secret in America that children born of mixed marriage have better skin colour and are, therefore, more handsome and beautiful. In India, who can speak better about secularism than the likes of Sameena Dalwai, I quoted earlier?

Inter-caste and inter-religious marriages would actually break caste-based and religion-based divisions. That is why they were promoted by social reformers and political thinkers. Recently, when a Dalit MLA in Tamil Nadu married an upper caste girl, her father threatened to commit suicide.

The Constitution allows adult men and women to marry anyone of their choice. No political party or their fake cyber warriors have any right to disrupt their marriages. Nor have they any right to disrupt the screening of a film that showcases a happy marriage. Tanishq did a great disservice to the nation by withdrawing the film.

Bullies need to be treated as bullies. They are the ones who chicken out when they are resisted. Tanishq would have won the hearts of tens of millions of people who believe in inclusiveness if they had not compromised and, instead, stood firm against those who think that baby shower is hate shower. ☹

#### ABOUT THE AUTHOR

**AJ PHILIP** is a citizen journalist and social worker. He can be reached at [ajphilip@gmail.com](mailto:ajphilip@gmail.com)





BY DR. PAULY  
MATHEW MURICKEN

The recent direction of the Madras High Court to the Central Government requiring it to explain why it should not enact a law prohibiting people with criminal background from contesting in Parliamentary, Assembly and Local Body elections, has once again alerted and kept alive the most troubling issue of criminalization of politics. An analysis of the 2019 Lok Sabha election winners by the Association for Democratic Reforms, a non-governmental organisation, revealed that 43% (233 out of 539 Members of Parliament) had declared criminal cases pending against them and 29% of the legislators were facing serious criminal indictments.

This is an indication of the absence of a comprehensive legislation regulating this endangering political and social phenomenon. Evidently, Court cannot legislate or play the role of Parliament and that legislation should always emanate from the legislature. However, the 'little man' cannot be made to suffer on account of the lethargy, indifference and slackness of the lawmakers and policymakers in attending to this serious cause, which has now blown to such disastrous levels offending the very foundation of the democratic system.

### **The Politics of Crime Syndicates**

A criminal generally begins the journey at local level with petty crimes. In big cities, he begins with country liquor, gambling, betting and so on. The politicians use criminals for their selfish ends and in turn the criminals

# CRIMINAL POLITICIANS LET NOT LAWBREAKERS BE LAWMAKERS

Politics cannot become the safest haven for criminals

and their syndicates seek their protection and patronage from politicians to carry on criminal and anti-social activities. The Vohra Committee (1993) categorically found that all over India crime syndicates have become a law unto themselves. The Report says: "The various crime syndicate major organizations have developed significant muscle and money power and established linkage with governmental functionaries, political leaders and others to be able to operate with impunity."

The use of money or muscle power and the totally unacceptable practices of intimidating voters and capturing booths offend the very foundations of our socio-economic order. In the past, criminals usually worked behind the scene, but now apart from extending indirect help, they themselves contest the elections. This is nothing but derailment of the democratic polity train.

The criminalization of politics has poisonous effect on the governance of law and order and criminal justice. The chances of procuring conviction of criminals in major offences have become increasingly difficult and often they get away with their sins of commission and omission. The political interference in the investigation process appears to crumble the criminal justice delivery system. Acquittals and lighter sentences in cases where the accused is found guilty of the offence equally make mockery of the system.

Dinesh Goswami Committee suggested that legislative measures must be taken to check booth capturing, rigging and intimidation of voters. In its 170th Report, the Law Commission of India recommended that in electoral offences and certain other serious offences, framing of charge by the Court should itself be a ground

of disqualification, in addition to conviction.

### Supreme Court as the Guardian of Democracy

While we are justifiably proud of our democracy, much needs to be done by the political parties from the stage of selection of candidates. The Supreme Court has been stern in its approach in preventing criminalization of politics so as to cleanse the system. Very recently in February 2020, the Court ordered political parties to publish the entire criminal history of the contesting candidates for Assembly and Lok Sabha elections, along with reasons that made them to choose those with criminal records over other candidates. In

K.Prabhakaran case (2005), Court pointed out that the purpose of enacting disqualification under Section 8(3) of the Representation of the People Act is to prevent criminalization of politics.

Chief Justice R.C. Lahoti speaking for the majority observed: "Those who break the law should not make the law. Generally speaking, the purpose sought to be achieved by enacting disqualification on conviction for certain offences is to prevent persons with criminal background from entering into politics and the House – a powerful wing of governance. Persons with criminal background do pollute the process of election as they do not have many holds barred and have no reservation

**The Supreme Court Judgment in Lily Thomas Case (2013) has not only set the standards for lawmakers and rulers but has also curbed the menace of criminalization of politics to a considerable extent, though not eternally resolved**



Courtesy: Debashish Deb

from indulging into criminality to win success at an election.”

### Convictional Disqualification

The Supreme Court Judgment in Lily Thomas Case (2013) has not only set the standards for lawmakers and rulers but has also curbed the menace of criminalization of politics to a considerable extent, though not eternally resolved. Judgment of the apex court came at a stage when criminalization of



## Political parties out of their craving for political power and consequential benefits do not hesitate in giving tickets to those with criminal background and do not object to their help in winning the elections

politics had become an obnoxious cancerous growth proving lethal to electoral politics and democratic polity. Purity and sanctity of electoral process, *sine qua non* for a sound system of governance, appears to have become a forgotten thing these days with the entry of large number of persons with criminal antecedents in the supreme legislative bodies.

Political parties out of their craving for political power and consequential benefits do not hesitate in giving tickets to those with criminal background and do not object to their help in winning the elections. Thus, politicization of criminals and criminalization of politics needs to be checked at any cost for the democracy to thrive. With the Judgment in Lily Thomas case, the Court through a purposive and constructive interpretation of the provisions of the Representation of the People Act, 1951 recognized

convictional disqualification as a powerful mechanism restricting entry of persons with criminal antecedents in the electoral scenario. It also derecognized the continuance of such disqualified persons as legislators.

Convictional disqualification for candidature appears to be an effective remedy. An order of remission also does not wipe out the conviction. For actual disqualification, what is necessary is the actual sentence by the court. It is not within the power of the appellate court to suspend the sentence; it can only suspend the execution of the sentence pending the appeal. The suspension of the execution of the sentence (imprisonment of not less than two year) does not remove the disqualification. When a lower court convicts an accused and sentences him, the presumption that accused is innocent comes to an end. The Court

has also considered the question of the effect of acquittal by the appellate court on disqualification. It has now become the law with the decision in Prabhakaran's case that the question whether a candidate is qualified or not or disqualified for being chosen to fill the seat has to be determined by reference to the date for the scrutiny of nomination. The returning officer cannot postpone his decision nor make it conditional upon what may happen subsequent to that date. Court has now taken the view that post-convictional disqualification would take into effect immediately and no additional layer of protection can be extended to sitting MPs and MLAs in this regard. These verdicts in the form of 'temporary patchwork' have filled the yawning gap in legislation and have helped in checking the criminalization of politics.

### Inadequacies of Legislative Controls

The courts in the country are well aware of the problem of criminalization of politics and have been making a call to the legislature to intervene and legislate, but politics is an area where even angels fear to tread and the courts do not want to overreach. There are provisions in the Indian Penal Code envisaged to check election evils but only nominal punishments have been provided and required interest is not taken in prosecution of election offenders. Once the election is over, usual thinking is to forget everything. Hence, legislative measures have failed to check meaningfully the criminalization of politics.

### Way Forward

Criminalization of politics is deeply disturbing and it closely concerns the entire nation. Politics cannot become the safest haven for criminals. Equally, rule of law



cannot be replaced by the rule of politics. True, political parties are at the heart of parliamentary democracy. But the entry of criminals in election politics must be restricted at any cost. It is the silent form of emergency. It is described as 'termite to the citadel of democracy'. If not checked, it will erode the foundations of democracy. The dearth of talented persons in supreme legislative bodies and politics may virtually collapse the country internally as well as externally. A number of Commissions and Committees such as, the Law Commission of India, Election Commission, and Vohra Committee etc. have examined the issue of criminalization of politics. But the problem is aggravating without any tangible solutions to resolve this crisis confronted by the political system.

The Parliament has taken efforts by amending the Penal Code and the Representation of the People Act, but the exercise has proved futile. The Supreme Court has also shown activism to check the evil but the problem remains unabated. It is a fact that the Court has in unequivocal terms signaled to prevent criminalization of politics. It is not the last of the first or the first of the last. It has emphasized the higher political principle that those who break the law should not be allowed to make the law.

The roots of the problem lie in the political system of the country. There is lack of political will and consensus to combat the problem. The political parties also do not believe in higher ethical norms placed over them. They seldom stand united to address the issue of criminalization of politics. They also forget the proclaimed truth that 'Be you ever so high, the law is above you'. The way forward is to suitably amend the electoral laws. For every electoral offence,



## The use of money or muscle power and the totally unacceptable practices of intimidating voters and capturing booths offend the very foundations of our socio-economic order

the minimum punishment should be not less than two years. In the Representation of the People Act, provisions should be incorporated to ensure that even suspects should not make entry into politics. The requirement of filing affidavit disclosing information in respect of pending criminal cases should be rigorously enforced, so that the voters would get a fair chance to learn about the antecedents of the candidates, and take an informed decision. Selection of candidates by the political parties requires review; must be based on qualifications, achievements and merit; and not merely looking at winnability at the polls.

In the midst of ever-deteriorating standards of politics, there is the need for setting up Special Courts for trying all categories of cases of criminalization of politics. Such a desirable step

would definitely help to maintain sanctity and purity of elections and ensure free and fair elections. It is for the Parliament to legislate on electoral matters. Parliament is the radar of socio-economic growth of the nation. Parliament should consider enacting a strong and comprehensive law, making it mandatory for political parties to revoke the membership of persons against whom charges are framed in heinous offences and not to permit them from contesting in the elections. Indian politics should reinforce its 'culture of integrity' and 'climate of social service'. Political parties should envision that what the country needs is lawmakers and not lawbreakers. ©

### ABOUT THE AUTHOR

**DR. PAULY MATHEW MURICKEN** is a prominent lawyer, an acclaimed writer and a distinguished academician and researcher based in Kochi.



# Educating for human dignity

## Importance of human rights education in schools

Human rights education can incorporate human rights values into students' attitudes and behaviours and help them develop empathy, tolerance and respect for the rights of others

**I**nstances of human rights violations across the globe have been on the rise for the past few years. The practice of prosecuting and persecuting rights activists and honest journalists seems to have become the new normal in some countries. In India, human rights defenders are



BY **DR. ALBERT P'RAYAN**

targeted, arrested and tortured. False charges are framed against those who fight for the rights of tribals, Dalits, religious minority communities, the poor and the disadvantaged.

Voices of dissent are suppressed and critics are silenced. Rights groups and international communities have raised concerns over the growing

instances of rights abuses in India in various international forums.

Let's look at some recent human rights violations in the country and ask ourselves what we can do to stop such violations in the future.

In August 2019, before Article 370 granting special autonomy status to the state of Jammu & Kashmir was revoked, thousands of Kashmiris, mainly politicians, activists, lawyers and journalists were detained without charge. The Internet was shut down. There were several serious allegations of human rights violations by armed forces. Kashmiris feel that as they are Muslims they are treated as second class citizens in India.

In December 2019, the Indian parliament passed the Citizenship Amendment Act (CAA) and legalized discrimination on the basis of religion. As the CAA violates the Constitution of India, people across the country raised their voice against it. Sedition charge has been slapped against some anti-CAA protesters.

Violent attacks against minorities by extremist Hindu groups have resulted in many deaths. Cow vigilantes have killed Muslims based on rumours that they traded and killed cows for beef. Quite shockingly, some lynching cases have not been condemned by those who are in power.

Amnesty International India that demands governments to protect and uphold human rights was forced to halt its work in the country as the Indian government has frozen the organization's bank accounts with the sole aim of silencing human rights defenders.

Recently, the body of a 19-year-old Dalit woman, who died after she was allegedly gang-raped by four upper-caste men, was cremated without her family's consent. The inhumane incident

took place in the Hathras district of Uttar Pradesh.

Prime Minister Modi did not even condemn the alleged rape and murder of the Dalit woman. Even before the investigation was over, a senior police officer concluded that the victim was not raped. This is a clear case of poor Dalit women being raped and stripped of their rights. The court asked the District Magistrate - 'What if it was a girl from a rich family? Would you have cremated her the same way?'

Very recently, Tanishq Jewellery, a division of Tata Group's Titan company, had to withdraw

a 43-second advertisement that featured a Muslim woman throwing a baby shower for her Hindu daughter-in-law as some fanatics demanded a ban on the commercial and a boycott of the Tanishq brand. The fact that the commercial celebrating an inter-faith marriage was branded as 'love jihad' and was considered 'controversial' proves that there is growing intolerance in the country. Though the Advertising Standards Council of India (ASCI) stated that there was no breach of any code, Tanishq had to pull down the ad fearing violence.

Eighty-three-year-old Jesuit priest Fr Stan Swamy, a well-known activist working for the rights of Adivasis (tribals) in Jharkhand, India, has been arrested by the National Investigation Agency (NIA) on fabricated charges as Fr Swamy was highly critical of the previous BJP government in Jharkhand. The activist alleges that fake evidence was planted in his computer before he was arrested. Many other activists like Fr Swamy have been unjustly detained by the police.

The Universal Declaration of Human Rights, a landmark docu-

**It is important to incorporate human rights education (HRE) in the school curriculum in order to promote peace, democracy and social order**





ment in human rights history, states that basic human rights require protection. It is the prime responsibility of the judiciary to protect the rights of citizens but certain recent court verdicts were favourable to the perpetrators of human rights violations. For example, the verdict in the Babri Masjid demolition case made justice-loving people question the integrity of judges and ask whether we are ruled by power or by rule of law. Though there were sufficient documentary evidence and witness testimonies, all the 32 perpetrators of the crime were acquitted by the court.

This verdict has sent a signal that issues of rights are no more relevant in the country.

### What should be done to stop human rights violations?

The recent human rights violations in the country have made right-thinking people ask why those who are in power violate the Constitution of India and go against the Universal Declaration of Human Rights and what should be done to stop human rights abuses in the country.

I think it is important to incorporate human rights education

(HRE) in the school curriculum in order to promote peace, democracy and social order. The World Conference on Human Rights held in 1993 declared HRE as "essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace." In 1994, the UN General Assembly declared the UN Decade of Human Rights Education (1995-2004) and urged all the member countries to promote and include HRE in their school systems.

### Human rights education in the school curriculum

A few years ago, while interacting with students at the tertiary level, I tried to assess their knowledge of human rights and find out whether they valued human rights. During the session I raised these questions: What are human rights? Why is it important for us to have knowledge of human rights? Do we value human rights? Do we have a "human rights respecting culture" in India? What are human rights violations? Are we able to recognize human rights violations? What should be our response to various human rights violations that take place across India? What steps should we take to stop human rights violations? Are you familiar with the term "the Universal Declaration of Human Rights"?

I was rather disappointed as most students did not have adequate knowledge of human rights and some of them did not seem to value the concepts such as freedom of expression, justice, non-discrimination, human dignity, etc. As an educator I felt that it is my responsibility to create awareness among students about the Universal Declaration of

**It is important for educators to sensitize students to various human rights concerns and enable them to become critical thinkers who analyze rights issues objectively and critically and ask right questions**



Courtesy: thehimalayantimes.com



## It is the moral responsibility of educators to motivate students to move from the state of being passive spectators to the state of becoming active defenders of human rights

Human Rights and discussed it in the class.

### Why human rights education?

The Article 26(2) of the Universal Declaration of Human Rights states “Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.”

Human rights education (HRE) helps students become aware of

human rights issues, acquire the skills that are necessary to understand human rights concepts and have the right attitude to value the concepts such as democracy, freedom of speech, justice, equality, human dignity, solidarity and peace. It also helps students to incorporate the concepts into their personal values and decision-making processes; recognize human rights violations and enables them to stand up for human rights. The main objective is to help students develop an acceptable human rights culture.

It is important for educators to sensitize students to various human rights concerns and enable them to become critical thinkers who analyze rights issues objec-

tively and critically and ask right questions.

### Last word

In a country where human rights are violated often and there is not much done to stop such violations by those who are in power, it is necessary to educate students for peace, justice and human rights. HRE can incorporate human rights values into students’ attitudes and behaviours and help them develop empathy, tolerance and respect for the rights of others. It can play a key role in sensitizing students to fight for their rights and on the need for making governments accountable.

It will be great if school administrators and educators encourage teachers to get trained in human rights and promote human rights education in their institutions. It is the social responsibility of educators to make every student understand and accept “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” (Article 1, UDHR). It is the moral responsibility of educators to motivate students to move from the state of being passive spectators to the state of becoming active defenders of human rights.

If our education encourages us to be mere spectators of injustice and human rights abuses and doesn’t allow us to think critically and act appropriately, better not call it education. ©

#### ABOUT THE AUTHOR

**DR. ALBERT P'RAYAN** is an academic, education columnist and teacher educator. He can be reached at [rayanal@yahoo.co.uk](mailto:rayanal@yahoo.co.uk)

# TRP Scam: Credibility of TV channels at stake

## Viewers opt for over-the-top media

TRP ratings have not only favoured a few channels, but have corrupted the content of news, which is not in the interest of public or democracy



BY **MANOJ VARGHESE**



**M**umbai Police busted a “racket” of “fraudulent” manipulation of Television Rating Points (TRPs) involving three channels; Republic, Fakt Marathi, and Box Cinema. Four persons – the owners of the Fakt Marathi and Box Cinema channels, and two former employees of the market research agency that collects the TRP data were arrested on October 9, 2020. In India, it is estimated that approximately 20 crore TV sets are operational with over 84 crore viewers, and around 45,000 house TRP metres are set up to record the ratings.

The TV advertisement industry is estimated to be worth around Rs 32,000 crore. As per the records, overall, on an average Rs 1000 crore advertisements is routed through the DAVP, Rs 3000 crore by corporates, and Rs 25,000 crore by Union and state governments in a year. Manipulated TRP ratings result in the miscalculated targeted audience for the advertisers which results in losses of hundreds of crores of rupees. It was revealed that these persons had manipulated the sampling metering services by inducing the barometer users through periodical payments to watch particular TV channels.

TRPs claim to show how many people, from which socio-economic categories, watched which channels and for how long over a particular time period. TRP data are usually released weekly, and form the basis of claims by channels to being the “most watched” over that period. The data is used by the Broadcast Audience Research Council (BARC), an industry body owned by advertisers, ad agencies, and broadcasting companies, to calculate the TRP of each channel. BARC is an industry body set up to design, commission, supervise and own an accurate, reliable, and timely TV audi-



ence measurement system and is guided by recommendations of the Telecom Regulatory Authority of India and the Ministry of Information and Broadcasting.

In the recent past, a series of charges were leveled by the Republic TV against the Mumbai Police in the Sushant Singh Rajput case and in the lynching of two sadhus and their driver in Palghar. Republic had alleged – wrongly, as it turned out – a communal angle in the attack, and accused the government of failing to protect the Hindu holy men. Republic TV owner and chief Anchor Arnab Goswami's screaming, "The Nation wants to know", "Mumbai kisi ke baap ki nahi", "Antonia Maino (Sonia Gandhi) can't remain silent over lynching" and portraying Mumbai police inefficiency, sounded having crossed the ethical limits of a TV reporter. Earlier, the TV channel had lost its credibility, once its connections with the ruling party were revealed. "I don't want my child to inherit an India built on hate," says Rajiv Bajaj and pulled out ads from three TV channels, including Republic, because they promoted toxic content, and Parle-G followed. Top film production houses have moved the Delhi High Court against Republic and Times Now channels for their "irresponsible, derogatory and defamatory remarks" and media trial against the film industry.

On the similar lines of TRP, Audit Bureau of Circulations (ABC) develops audit procedures to certify the circulation figures of various newspapers and periodicals. The ABC report enables an Advertiser to know how many people buy a publication and in which area. It enables the publishers to set their advertisement charter, the advertisers to know the worth of their investments



Courtesy: Satish Acharya/FB

**TRPs claim to show how many people, from which socio-economic categories, watched which channels and for how long over a particular time period. TRP data are usually released weekly, and form the basis of claims by channels to being the “most watched” over that period**

and the readers to identify the quantity of publication.

With the advent of Over the Top (OTT) media, online streaming apps and websites are taking over the television industry by storm. OTT is an emerging media service to enhance digital content related to entertainment, knowledge, sports, games, news etc. This technology bypasses cable, broadcast, satellite television platforms that traditionally act as a controller or distributor of such content. Some of the OTT streaming platforms

include (i) Video Platforms: Netflix, Amazon Prime, Hot Star etc. (ii) Audio Streaming: Spotify, Apple Music etc. (iii) Messaging platforms: Facebook, Skype, WhatsApp etc. OTT content can be accessed on any device that has internet connectivity - laptop, desktop, smartphones (Android / iOS), smart TV etc. Many of the readers and viewers have switched over to OTT for news feeds and credible viewpoints. Now, with the advent of OTT, the TV viewership and newspaper readership is at stake.

With the exposure of TRP “fraudulent”, TV channels have started leveling allegations against each other on various fronts. The TRP raking started in 1983 by a company named IMRP, where diaries were kept in each homes to measure the viewed channels. With the introduction of several private channels, INTAM was introduced in 1993, which showcased Doordarshan in a bad light, despite the fact that it had a vast coverage area. Then, in 2003, TAM India was assigned the task of noting the TRP, but it too came under fire for installing a very less number of metres and lack of transparency. Under its cleaning act, later the advertising companies consented to form BARC.

TRP ratings have not only favoured a few channels, but have corrupted the content of news, which is not in the interest of public or democracy. The Editor’s news room framework is such that it has all praises for the government. Distortion of news, presenting it in a dramatic form, bringing in the aliens, hate speeches, and media trial has become the routine



of the news rooms. Readers have become consumers and are being mentally brainwashed, creating the market for particular brands.

The matter has been brought before the notice of the Cabinet Committee for discussion. The Government and market will be interested in continuing this system as long as it favours them. A reporter or an editor in the news room does not have a say on the policy matters. A regulatory body is required without Government’s interference which has power to monitor and punish the culprits. Removing TRP rating system and bringing in a credible rating mech-

anism is the way out. Quality over quantity is need of the hour to overcome the propaganda model. Several channels are operating in a loss or on a bad loan from illegal sources. Character of media channels is at stake and the viewers need to develop the intelligence to identify the good and the bad.

According to S Y Qureshi, former member of News Broadcasting Standards Authority (NBSA), a house metre is connected to a TV set by opening its backside and soldering it inside. Once the TV set is opened for soldering, it loses its guarantee or warranty. Which fool will allow the TV to be tinkered, at no cost? He opined to introduce a new setup box technology or install software in the DTH to know the ratings.

The present day TRP follows the Business model of provoking higher ratings by hook or crook for more business. The basic element of any news story is its truth and credibility, but TRP is silent on it. It is well under the Government agenda and as per the propaganda mission planned for those “favoured media”. Several countries have adopted the Subscription model, where the viewer’s pay and use their desired channels. World over the subscription and advertisers ratio is 60:40, whereas in India almost the entire revenue is from advertisers.

As per the experts, qualitative assessment is required along with the quantitative analysis. Credibility based rating may be a better option. The sample size is too low with 700 metres to know English news channels of 20 crore TV sets. 45,000 boxes cannot decide the taste of 84 crore viewers. We need to develop a ranking system to measure the quality and credibility of the channel. ©

## Parle Products, the maker of the Parle-G biscuits, said that “they will not advertise their products on toxic and aggressive Indian media channels”



### ABOUT THE AUTHOR

**MANOJ VARGHESE** is a Media and Health Communication Expert



# Child Pornography

## Zero tolerance is the key

Child pornography is a growing global menace and India is no exception

BY AARTI

**I**t is rather quite disturbing that an “industry” by itself, exploiting the innocence of children for perverse sexual gratification, not only appears to exist but is also thriving.

The cause of serious concern is that world over millions of pedophiles, child rapists and child pornography addicts seem to have migrated online, making the Internet extremely unsafe for children.

Yes, the issue of child pornography is a growing global menace and India is no exception.

The recent crackdown in Kerala and the arrest of 41 people for allegedly dealing (seeking, collecting, browsing and downloading) in child pornography earlier this week may be just a tip of the ice berg. The arrested include IT-savvy youth and those working in professional jobs.

A total of 268 cases have been registered in raids conducted at 362 locations and 285 electronic devices such as computers, mobile phones/hard disks seized in the operation are said to contain vide-

os and pictures that appear to be of local children in the 6-15 age group. Some of those nabbed were found to be part of global child porn rackets and had been creating and supplying obscene content.

A similar operation in June had also resulted in the arrest of 47 people and such arrests have been in news in other Cities as well.

Apart from district police chiefs, assisted by shadow teams, women personnel, specially trained cyber team in coordination with the Countering Child Sexual Ex-



exploitation team headed by an Additional Director General of Police which carried out the operations in Kerala, it was found that specialised groups used the “darknet” platform for posting, harvesting and disseminating such child sexual abuse material (CSAM).

Investigators also identified some upon WhatsApp and Instagram groups, with names such as Corona Life and Gold Garden that specialised in sharing images and videos of children.

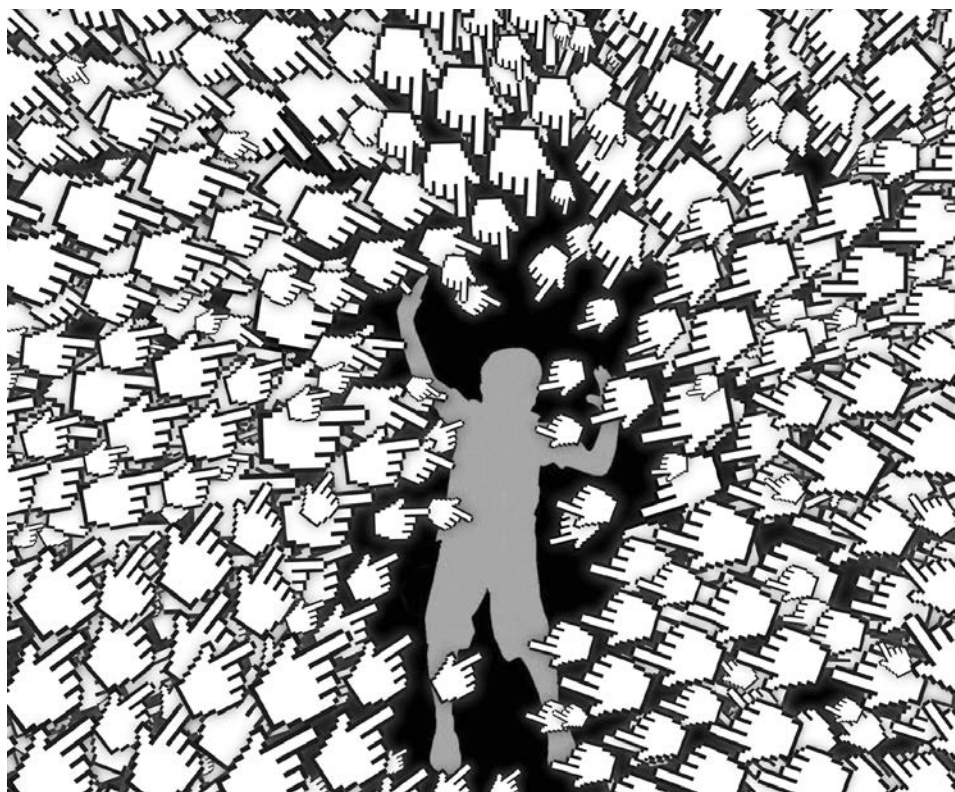
The offenders who obsessively downloaded, disseminated or traded CSAM over social media platforms were found to use a mix of surveillance software, social engineering techniques and deceptive social media identities to insinuate themselves into the clandestine child porn sharing circles.

The confiscated content which included videos and images captured furtively were mostly on mobile phones, in the domestic environment during the COVID-19 lockdown period in the State.

The police also found CSAM content sourced from security cameras at homes and in flats and images and videos of children harvested from webcams.

Vast caches of videos and pictures of minors found stored on mobile phones, pen drives, hard discs, tablets and laptop computers which were seized from the suspects only goes to show the magnitude of their operations.

In so far as checking the digital exploitation of children, India has taken several steps. According to Section 67 (B) of the Information Technology Act (IT), 2000 it is an offence to publish or transmit any material depicting children in sexually explicit act, etc. in electronic form. The punishment for the first conviction is imprisonment of either description for



**Given the widespread consumption of child porn, across age groups and geographical locations, the fight against the deep-rooted evil must continue in the right earnest**

a term which may extend to five years and with fine which may extend to Rs 10 Lakh. In the event of second or subsequent conviction, imprisonment of either description for a term may extend to seven years and also with fine which may extend to Rs 10 Lakh.

Under the Protection of Children from Sexual Offences Act, 2012 (POCSO), the use of child for pornographic purposes is an offence under Section 13 which states that whoever, uses a child in any form of media (including programme or advertisement telecast by television channels or

internet or any other electronic form or printed form, whether or not such programme or advertisement is intended for personal use or for distribution), for the purposes of sexual gratification, which includes - (a) representation of the sexual organs of a child; (b) usage of a child engaged in real or simulated sexual acts (with or without penetration); (c) the indecent or obscene representation of a child, shall be guilty of the offence of using a child for pornographic purposes.

The punishment for using a child for pornographic purposes

under Section 14 will include a 5 year imprisonment along with a fine. Second or subsequent conviction will invite a 7 year prison term along with fine.

Further, any person who stores or possesses pornographic material in any form involving a child (Section 15), but fails to delete or destroy or report the same to the designated authority, as may be prescribed, with an intention to share or transmit child pornography, shall be fined upto Rs 5000/- and in the event of second or subsequent offence, the fine would be Rs 10,000/-. Similarly any person, who stores or possesses pornographic material in any form involving a child for transmitting or propagating or displaying or distributing in any manner at any time except for the purpose of reporting, as may be prescribed, or for use as evidence in court, shall be punished with an imprisonment up to three years, or with a fine, or with both. Also any person, who stores or possesses pornographic material in any form involving a child for commercial purpose shall be punished on the first conviction with an imprisonment ranging from 3 to 5 years or with a fine, or with both and in the event of second or subsequent conviction, the impris-

onment could range between 5 to 7 years along with a fine.

In April this year, media reports had quoted extracts from a study undertaken by the India Child Protection Fund, an NGO. It said that a research on child pornography found that there was a high demand for such pornographic material amongst many cities in the country thereby posing grave risks to its children during the Covid induced lockdown. According to the said ICPF report, the overall demand for child pornography was an average of 5 million per month in 100 cities on the public web during December 2019, which had spiked during lockdown.

The issue of child porn has seen several debates in the Parliament and ultimately resulting in changes in laws concerning children. More recently, Mr Jairam Ramesh led-Adhoc Committee of the Rajya Sabha, set up by the Vice President Mr Venkaiah Naidu last year, had addressed two main issues, namely the access of children to pornographic material as also its circulation thereof on the social media in which children were being abused. In its report submitted this January, according to media reports the Committee had made nearly 40 far reaching recommendations.

Even as the POCSO defines child pornography as any visual depiction (such as photographs or videos) of sexually explicit conduct involving a child, or appearing to depict a child, the Committee is said to have recommended that the definition of child pornography should be expanded to include written material and audio recordings that advocate for or depict sexual activity with a minor. It suggested that using a misleading domain name to deceive a minor into viewing obscene material should be considered an offence besides penalties should be included in the IT Act for those who give children access to pornography and those who access, produce or transmit child sexual abuse material. Apart from regulating online payments used to buy child pornography material, the Committee has proposed that the National Crime Records Bureau must mandatorily record and report all cases of child pornography.

Even though it is satisfying that Kerala's covert online surveillance operation, code-named P-Hunt, in place for a year to track down and nab paedophiles lurking in the cyberspace, is beginning to pay rich dividends and merits emulation across the country, severity of punishment will deter such crimes.

Given the widespread consumption of child porn, across age groups and geographical locations, the fight against the deep-rooted evil must continue in the right earnest. Besides the use of modern tracking and monitoring systems, awareness campaigns must be initiated to guide the public at large to identify as well as report digital child abuse.

Zero tolerance against crimes concerning children is the need of the hour. ©





# Humanism Vs Spirituality

Covid-19 prefers humanism or spiritual innovations?



BY DR. BENNY JOSE PALATTY

Spirituality is not just wellness and psychological fitness, it is also principles for daily actions and relations emerging from faith in God

**S**piritual practices emerge from personal and individual beliefs, but they have a very strong connection with social and public life. In this critical pandemic time, it is necessary to find linkages between humanism – the centrality of human experience and manmade institutions – and spirituality.

Covid-19 has not only affected public movements and institutions, but it has also brought new challenges that the current generation had never thought of or imagined. It is not just fear and loneliness, but also about food, life, confidence, future, social life and everything related to life. The principles and guarantees of



institutions have been challenged; science and medical innovations are grappling; business and money are hard to come by; leaders who need to find solutions are all in a great silence (which they may not accept). There are many leadership concerns and strategies evolving at this time.

“Crisis does not build character, it reveals it,” goes an old adage. All are trying to overcome and answer to the situation; but no one is bringing a reasonable answer to the table. The traditional assumptions of leadership, such as assertiveness, competitiveness and independence, are not working. And we hear noises from every corner trying to silence thought and meaningful internal reflections. In China, authorities tried to cover up the viral outbreak and punish doctors; in the U.S., President Donald Trump downplayed the seriousness of the coronavirus pandemic and identified it as “hoax” by political rivals; in Brazil, President Jair Bolsonaro dismissed the illness as a fantasy and “a little flu”; Mexican President Andres Manuel Lopez Obrador held rallies, kissed his supporters and urged the citizens “to live life as normal,” and in India, ‘lighting (dijas) and beating (plates)’ were the steps taken to eliminate this devastating pandemic.

What is spirituality in the here and now? How does it open a new attitude towards life? How does it deal with social concerns and protection of humanity? Spirituality is to be understood as the happiness of human beings, emerging from their faith and relation with God. Spirituality is not just wellness and psychological fitness, it is also principles for daily actions and relations emerging from faith in God. The value and agency of human beings in



## Initial “lighting and beating” practices directed by Prime Minister Narendra Modi, shutdowns, migration of the poor and the economic steps taken show the incompetency and ignorance of the government

trusting and moving as per faith is the focus here.

Politics uses religion to divide and control. The idea is to group the people in order to feed the support system. Government is unable to motivate people to live, to serve, to stay within responsibilities – what governments and business institutions do is exercise power and the principle of punishment. The business field is trying to reap benefits from the crisis; still, it is doubtful about its own existence. Professionalism and expertise don’t work; the number of Covid cases are increasing. Humans are being challenged and no one is strong enough to encourage resilience.

Each culture is an expert in its own areas of human flourishing. But, the ecology of emancipation is at the trial-and-error stage. Businesses take new shapes in this time of critical necessity and they develop new products. Politicians try to hold on to power and utilise the time to secure their positions for long. Internationally, United Nations Secretary-General Antó-

nio Guterres said, “We are facing a game-changer for international peace, security. The world has entered a volatile and unstable new phase in terms of the impact of Covid”. Global politics proceed with experiments and trial. But the answer to social unrest, the pain of the vulnerable, exploitation, economic crisis, medicine for the sick etc. are all a distant dream. And it takes its own time.

Guterres issued an urgent appeal calling on politicians to ‘forget political games.’ “The world is facing an unprecedented test. And this is the moment of truth,” he added. Pain, loneliness, fear, financial crunch, health, educational crisis are part of the constant and living reality faced by people. Who can answer to these issues? Where can people trust? No solution is workable and proper. Power politics, governments’ agendas, business experiments are executed even at this time of great confusion. Though everyone hopes that things will change for the better, there are many who

consider this crisis a bed of roses for personal gain and profit.

Market, government and medicine are important areas. But, these areas cannot satisfy the essential preferences or safety of humans now. Human beings have to think of a nonmarket, non-political and non-medical allocation. It is here that religion and the spiritual meanings of life take the primary stage. They help people to reflect on the meaning-making process and the reality of this unprecedented time. This reflection leads to finding meaning, helping people and becoming Covid-19 warriors.

The absence of religion and spiritual reflections can worsen the situation. Acts like feeding

ied the Spanish flu, said, "It's been disappointing in many countries – too many. It's been outright reprehensible – some leaders' actions will unnecessarily kill many of their citizens".

What is next? There is a new spirit of human oneness that has emerged. It is not a political and national spirit; it is a spiritual contribution to the humanity. This has to be used for national development and betterment of individual lives. The terroristic and divisive usage of religion should be stopped by increasing our focus on the positive sides. Moral and ethical depository for a peaceful social life is the aim of the Indian Constitution. It is for all the people and protects everyone. But the

uality. This path should be properly administered into the governance, business and medical fields for the proper existence and flourishing of humanity. It is a gift of God for humanity.

The relevance of God should not be related to just belief and faith. It has to be included in the experiments conducted for medicine, care administered to the poor and the vulnerable, treating others with respect and justice by the government. Spiritual life should lead towards social transformation.

Human flourishing is not possible by government and is not in the vicinity of the secular missions in this situation. Their attempts have proved to be null and void. At this time of a great depression and economic upheaval, human beings should depend on love, support, mutual respect to maintain its flourishing. Eudaimonia can be attained by practical and ethical wisdom. The way towards it is faith and spirituality. It is the hope to exist.

Governments and all associations need proper principles to move further. The basic values taught by religion are to be respected and followed by the decision-making bodies. There is a long way to normalcy. These principles are not ideological and sectarian dividends. In order to have existence and future, routes of competitive business and divisive power tricks should be replaced with moral principles and spiritual orientation even among decision-making officials and professionals. The principles of spirituality should be of prime importance in all areas. Only this can accommodate the poor, the vulnerable, the suffering and fix targets beyond profit and power. ©

## Relevance of God should not be related to just belief and faith. It has to be included in the experiments conducted for medicine, care administered to the poor and the vulnerable, treating others with respect and justice by the government

the poor, devoting oneself in the medical field, finding motivation for existence and dreaming of a future are built on spiritual foundations and reflections. In many of these areas, the government and its machinery have shown themselves as sheer nonsense. The initial "lighting and beating" practices directed by Prime Minister Narendra Modi, shutdowns, migration of the poor and the economic steps taken show the incompetency and ignorance of the government. Speaking about the inadequate responses from several countries in the face of the Covid-19 pandemic, historian John M. Barry, who stud-

principles of the Constitution are not followed by many, especially those who are there to protect and safeguard it. The abuse of Constitution with communal intentions is on the rise in this post-truth era. The freedom and rights of the people are encroached mostly by those in power than by violent and sudden usurpations. Here we need spiritual principles and attitudes to accept the Constitution.

Due to terrorism and unwanted communal vicious engagements, religion and spirituality are labelled as 'menial.' The Covid-19 pandemic has revealed the truth of religion and the path of spirit-

ABOUT THE AUTHOR

**DR. BENNY JOSE PALATTY**  
(Palattybenny@yahoo.com)

## Bishop Emeritus Appointed Parish priest

BY MATHEW JOHN



**M**ost Rev. Bishop John Vadakel, Bishop Emeritus of the diocese of Bijnor, is appointed as the Parish Priest of St. Thomas Church,

Khatauli, of the diocese of Meerut in Uttar Pradesh. Bishop John belongs to Carmelite of Mary Immaculate (CMI). According to the Oriental Canon Law, if the emeritus bishop is a religious he is free to go back to his religious congregation if he so desires. He can have an active and passive voice if the typicon or statutes of his order/congregation permit it (can. 431 § 2, 2°). It was the desire of Bishop John to continue his pastoral ministry after his retirement. He is appointed as the Director of San Thom Ashram and parish priest of St. Thomas Church, Khatauli, Uttar Pradesh. ©



## Rome appoints apostolic visitor for MCBS congregation

**T**he Vatican Congregation for the Oriental Churches has appointed an apostolic visitor for the Kerala-based Missionary Congregation of the Blessed Sacrament (MCBS).

An October 13 letter from the Apostolic Nunciature in Delhi to MCBS superior general Father Joseph Maleparampil said Rome has appointed Carmelites of Mary Immaculate Father Paul Achandy as the apostolic visitor to the 87-year-old congregation.

The appointment, done with Pope Francis' knowledge, is "Ad Nutum Sanctae Sedis," a Latin term meaning "at the disposition

of the Holy See." It refers to any circumstance involving a conflict of ecclesiastical jurisdiction, where Rome decides to take the matter under its own jurisdiction and reserves to itself the right to make a final judgment on the matter. Father Achandy is currently the chancellor of the Bengaluru-Based Christ University. He is also the rector of the Dharmaram College, a major seminary managed by his congregation adjacent to the university.

The 57-year-old priest took over as the vice chancellor on September 21. ©

## Supreme Court rejects plea to ban Halal slaughter

**T**he Supreme Court of India has rejected a plea seeking ban on Halal form of slaughtering of animals adhered by Muslims.

A bench headed by Justice Sanjay Kishan Kaul October 12 questioned the intention of the petitioner and also said that court cannot interfere with the food habits of people.

"Court cannot determine who can be a vegetarian or non-vegetarian. Those who want to eat Halal meat can eat Halal meat. Those who want to eat Jhatka meat can eat Jhatka meat," said the bench which also comprised Justice Dinesh Maheshwari.



The petitioner argued that killing of animals by Halal method is extremely painful for the animal and such exemptions under Section 28 in a secular country should not be allowed. "Halal is extremely painful. Inhuman slaughter of animals in the name of Halal should not be permitted," it was submitted. It was also pointed out that Jhatka does not cause suffering for animals since it dies instantaneously in such method of slaughter while in Halal, the animal dies a painful death.

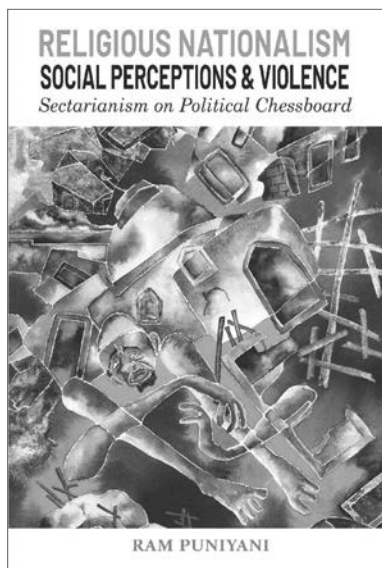
The bench, however, declined to entertain the plea.

"Your petition is mischievous in character," the top court said. ©  
(Source: The Hindustan Times)



# UNPACKING RELIGIOUS NATIONALISM

BY SUBHASH GATADE



## Religious Nationalism Social Perceptions and Violence: Sectarianism on Political Chessboard

Author: Ram Puniyani

Published by: Media House, Delhi

Price: Rs 495/-

“**B**latant dictatorship – in the form of fascism, communism, or military rule – has disappeared across much of the world. Military coups and other violent seizures of power are rare. Most countries hold regular elections. Democracies still die, but by different means.

Since the end of the Cold War, most democratic breakdowns have been caused not by generals and soldiers but by elected governments themselves.”

(“How Democracies Die,” by Steven Levitsky and Daniel Ziblatt)

The book is an attempt to “look at the divisive politics, and its role in creating the social common sense, the demonisation of minorities and the agenda of religious nationalism. The overt part of the agenda is to marginalise the religious minorities, at a deeper level the victims of this agenda are Dalits, women and Adivasis as well” (P. 36). The “Introduction” makes it clear that the book will focus mainly on the “social aspects of the politics” and how it paves the way towards religious nationalism.

The book begins by unpacking social common sense, which it sees as a “set of ideas which majority in the society comes to believe” (P. 41). These ideas need not be true but they impact the people’s orientation towards other issues and communities. Beginning with medieval times and traversing through the anti-colonial period, the introductory chapter focuses on the shaping of social ideas in India. One point the book emphasises on is how the “rise of the

freedom movement” led to three versions of nationalism: “Indian Nationalism, Muslim Nationalism and Hindu Nationalism,” thereby giving rise to three versions of history.

A few of the early chapters are devoted to Ancient India and the origin of Aryas, caste system, roots of science, medieval Indian kingdoms and the emergence of a shared heritage.

The chapter on Ancient India reveals that Modi government has appointed a committee to “put a seal on this ‘Hindu first’ version of history” – something that is yet to be reported widely.

The basic idea of the said panel, referred to as the committee for “holistic study of origin and evolution of Indian culture since 12,000 years before present and its interface with other countries of the world” (P. 63), is to question the “long taught version that people from central Asia arrived in India much more recently, some 3,000 to 4,000 years ago” (P. 63).

A closer look at the committee exposes what the panel means by an Indian. There are 16 members – two ex-officio and 14 non-ex-officio representatives. The latter comprises North Indian, Hindi-speaking men with surnames that suggest they are Brahmins or upper-caste Hindus. There is not a single woman in it, nor any participants from other religions, the Dalit or Adivasi communities, and the Northeast and South India.

One can easily see that the whole idea behind the formation of this “expert committee” seems to be that the government is solely focused on furthering its Hindu triumphalist agenda.

In a chapter titled “Shared Heritage,” Puniyani discusses the emergence of syncretism in medieval India, which according to author J.J. Roy Burman “conveys the fusion or blending of religions of identification of gods, taking other observances or selection of whatever seems best in each other” (P. 144) and the celebration of religious diversity and pluralism. It is worth noting that Mughal Prince Dara Shikoh in his book “Majma-ul-Bahrain” (“The Confluence of the Two Seas”) had described India as the “meeting ground of Hinduism and Islam.”

After delineating the features of Indian society during the medie-

It is interesting to note that in his continuing discussion on Hindu and Muslim communalism, he compares “RSS and Muslim Brotherhood” (P. 231) – something normally not attempted. The author adds that for both these organisations “charity is the superficial part of their work as the core agenda is to impose particular type of social relations, those of inequality in the society” (P. 233). Further, both are exclusively male organisations that harp on the past golden era, oppose modern values and use religion to enhance their agenda.

Puniyani also shares his understanding on communal violence in


on the other hand “this politics is making cultural manipulation-social engineering by creating SC/ST icons in the mould of Hindutva politics.”

Women’s rights is explored in one of the chapters and it is emphasised that “the politics in the name of religion, the politics of RSS combine here in India or that of Taliban’s in Afghanistan, Islamic fundamentalists, or even Christian fundamentalists all operate on the same wavelength as far rights of women is concerned” (P. 341). In the postscript the author takes up the issue of NRC-CAA and explains how it violates plural democratic ethos.

Overall, the book is suffused with many references, makes for an easy reading and conveys the dangers posed by Hindu nationalism to the values of Indian Constitution and democratic freedom.

On rereading the book one gets the feeling that it could have been edited further and made tighter. For example, the last chapter, “Politics, Religion and Terrorism,” seems superfluous in the overall context of the book.

That said, the author’s celebration of composite heritage and syncretism can be appreciated more positively in the present ambience when the hatred of the “other” is common and we are witnessing normalisation of the secondary status accorded to religious minorities. It is quite refreshing to read about a past where there was more bonhomie between the people.

It is important to probe/investigate why this syncretism or this compositeness crumbled at the time of partition and how this part of South Asia became a gory site of mutual bloodletting. A more penetrating and wide-ranging analysis of what can be called as “lure of composite culture” seems to be the need of the hour. 

## The politics in the name of religion, the politics of RSS combine here in India or that of Taliban’s in Afghanistan, Islamic fundamentalists, or even Christian fundamentalists all operate on the same wavelength as far rights of women is concerned

val period, Puniyani moves to the colonial period and describes not only the changes brought in by the British, but also the emergence of various political formations and the growing assertion of communal forces – Hindu nationalism and Muslim nationalism.

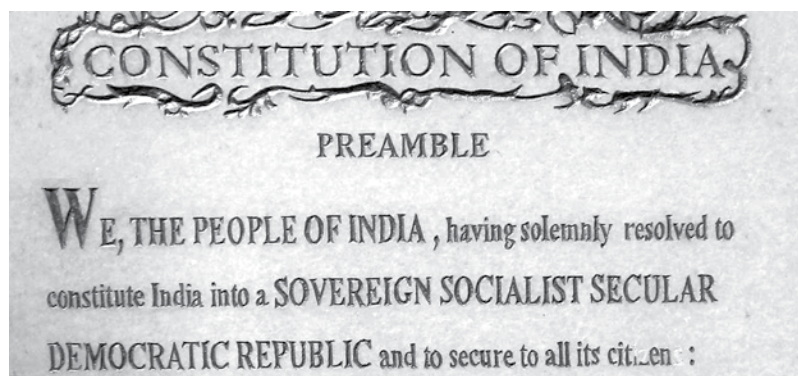
He is of the opinion that the country’s partition was caused by three major factors: “First was the British policy of divide and rule, second was the Muslim Communalism representing interests of the Muslim Jamindars, Nawabs, and the third was the Hindu Communalism which similarly represented interests of the Hindu elite” (P. 173).

post-independent India and calls it “a colonial modern phenomenon.” He also deals with the oft-repeated perception that “violence is a spontaneous clash between two communities” (P. 270).

The author also takes up the issue of Dalits and contemporary politics and explains the challenges posed by Hindu nationalist politics to the Constitution in general and Dalit rights in particular. He discusses how this “politics is in total contrast and opposition to Ambedkar’s goals and it is trying to co-opt SC/ST through organisations like Samajik Samarasta Manch-Vanvasi Kalyan Ashram” (P. 320) and how



# The Dreaded 'S' Word..!



As the nation with a sense of shock finds a state governor deriding a chief minister, calling him 'secular' I foresee a situation like this arising: "Ma," cries a little fellow, as he returns home from school, "Today a boy in class uttered a bad word!"

"Bad word!" screams the mother, "and did the teacher punish him?"

"She made him wash his mouth with soap!"

"Very good," says the mother, satisfied, "And what exactly did he say? Was it the 'B' word?"

"No ma the 'S' word!"

"The 'S' word!" screams the mother, and marches her son back to school and confronts the teacher, "You think washing a student's mouth with soap is enough for someone using the 'S' word?"

The teacher nods miserably, "I did not want to spoil the boy's future!" she whispers. "Anyone who utters the 'S' word, has no

right for a future in this country!" shouts the mother, "I am going to the police!"

"Ma'am before you do anything drastic, please meet the boy who used the dreaded 'S' word?" pleads the teacher, as a little boy walks into the classroom, "I am sorry to have made you so angry!" says the small fellow.

"How dare you utter the 'S' word?" shouts the mother, taking a few steps to the little boy, but restrained by the teacher.

"Like I said," says the little boy, "I am sorry to see you angry, but not sorry for what I said!"

"Call the police!" shouts the mother.

"The police," says the little fellow showing surprise, "would be arrested for arresting me!"

"This boy should be brought before a court of law!" shrieks the mother.

"The courts of law," the little fellow tells the two with his arms

akimbo, "would be dismantled immediately if they dared punish me!"

"How dare you?" shout the teacher and the mother, "On what authority do you say such nonsense?"

"On the authority of this book," says the little fellow, opening his schoolbag and taking out the Constitution of India. "The same book which describes India as a Secular, Democratic Republic, which means ma'am that if you call yourself Indian..."

"Of course I am!" says the mother.

"In that case, you have to be what this book describes an Indian to be, 'secular and democratic!'"

"How dare you say the 'S' word!" shouts the teacher and the mother together.

"I didn't" says the little fellow walking away, "Your Constitution just did! And the next time you put soap in my mouth ma'am, it is you who will face the police and the courts, not me, do you know why?"

"Why?" ask the two.

"Because our Constitution is bigger than the police, the courts, your elected representatives and even your governors!" yells the little fellow cocking a snook at the two of them. ©

#### ABOUT THE AUTHOR

**ROBERT CLEMENTS** is an author and newspaper columnist



WAVES is a bouquet of stories gathered from a wide variety of narratives from the ancient times to the present. They pass on the culture, history and values that unite people with each other, with Creation and with God. They spark wisdom to care for people, protect Creation and adore God, the mystery beyond all wisdom.

— Dr. John Romus

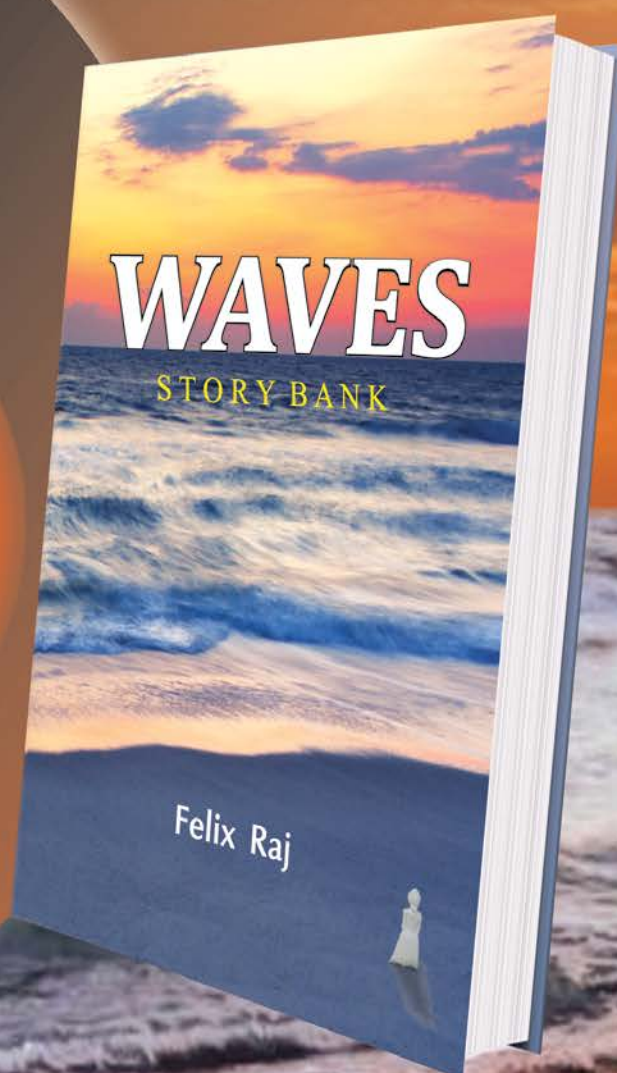
## PRE-PUBLICATION OFFER UP TO

# 50%

## DISCOUNT

1 to 20 Copies = 30%  
21 to 100 Copies = 50%  
Offer valid till Nov. 30, 2020

Foreword by Prof. Suranjan Das



### Place your order :

St. Xavier's University Kolkata Alumni Association  
St. Xavier's University, Kolkata  
Action Area : III B, New Town  
Kolkata - 700 160, India  
Email : [sxukaa@sxuk.edu.in](mailto:sxukaa@sxuk.edu.in)  
[vcoffice@sxuk.edu.in](mailto:vcoffice@sxuk.edu.in)  
Phone : 033 6624 9812  
Mobile : 96741 87772

Pages : 220 / Paperback  
Price : ₹ 400/-  
\$ 20/-

#### Bank Account Details

Name of the A/c : ST. XAVIER'S UNIVERSITY KOLKATA  
ALUMNI ASSOCIATION  
Bank : Canara Bank  
Branch : St. Xavier's University, New Town  
Saving A/c No. : 97212010001155  
IFSC Code : SYNB0009721



**ICPA AWARD WINNER**

**Indian Currents** JOURNALISM WITH A SOUL



**Uninterrupted publication of unbiased views**  
**Analysis of social and political issues**  
**Without Fear or Favour**



Normal Post	Registered Post
1 Year : Rs. 780	1 Year : Rs. 1500.00
2 Years : Rs. 1560	2 Years : Rs. 3000.00
3 Years : Rs. 2340	3 Years : Rs. 4500.00

Bank Transfer Details	
Bank Name	: <b>FEDERAL BANK</b>
Branch Name	: <b>MAYUR VIHAR-I</b>
Account Name	: <b>INDIAN CURRENTS</b>
Account Number	: <b>14780200001353</b>
IFSC Code	: <b>FDRL0001478</b>

**Indian Currents, 375-A, Pocket-2, Mayur Vihar Phase-I, Delhi-110091**  
**Tel: 011 - 45873264 | Email: icdelhi@gmail.com, frsureshmathew@gmail.com**  
**DD/MO/Cheque in favour of Indian Currents, Delhi**

**NOTE**

**After making the remittances please write to us giving the details**  
(name of the bank, date of remittance, amount, payment reference number)