

Quarterly MINO-VIEW

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Voice of Minorities & Oppressed People in South Asian Societies

NCRB Report Shows Rise in Atrocities Towards Dalits and Adivasis

p. 7



Sir Ganga Ram Heritage Foundation www.sgrhf.org.pk

MINO-VIEW

Quarterly Magazine

Voice of Minorities & Oppressed People in
South Asian Societies



Objectives

The Mino-View, a quarterly magazine, is a humble attempt to cover all dimensions of minority's life and culture not only in Pakistan but in all states of South Asia. It will act as a mirror reflector, reflecting the issues related to the identified minorities and other oppressed classes in the region. The magazine seeks to serve the objective of shedding light on the darkest issues of our social system by voicing the concerns of minorities and other oppressed sections of the South Asian societies. We will welcome feedback from our respected readers and concerned quarter. We invite social forces from all over the region to join hands for adopting a way towards egalitarianism.

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Editorial

We welcome you to the new issue of Mino-View. The world is flourishing as a global village but still there are probably less people and more castes around the world. The caste system that emerged from India has gripped the entire world. History says that caste-based discrimination was banned in India in 1948, but this ban has been limited only to the extent of papers. Caste division and caste-based discrimination is continuing and spreading in the world today even more. It is shown by the effects that are being observed in the major institutions of developed countries like United Kingdom's National Health Services and its Army, where recently issued guidelines about how Hindus should be treated, have raised many questions. According to these guidelines, the untouchables or menstruating women cannot touch a Brahmin patient. There is no clear law in UK like India to deal with such cases that is why caste is now being given importance in legislations both in UK and US. Earlier in 2018, the UK government denied its promise to include caste in the 2010 Equality Act as a specific category of discrimination, because it argued that, there was no need to legally distinguish between race and caste. Obviously, it was that Hindu lobby behind this argument which has pure Hindutva thinking, which enforced British government politically to condemn this point. This is the reason why it is becoming difficult to raise a voice on caste at the international level, then how can caste-based discriminations be eradicated in India and other South-Asian countries by derogatory names in Nepal, the abolishing of reservation policy for backward classes only on the recommendations of single commission in Nepal, vandalism of Hindu temples and houses by raging mobs in Bangladesh are the outcomes of the same mindset based on caste system that is prevailing everywhere due to which man seems unable to establish a just society. The recent economic decline and bankruptcy of Sri Lanka in the same region was not less than a lesson for India and similar countries. According to experts, the main reasons for Sri Lanka's downfall were the authoritarian nature of the government, the violent targeting of minorities and backward classes and the brutal methods adopted to suppress freedom of the press. How can an unequal society thrive where injustices are done on each step on the basis of caste, color, race, gender, social status and religion? Due to this reason, the US Ambassador for Religious Freedom has also expressed concern over the exploitation and mistreatment of religious communities in India. He says that the religious extremism in India put all the religious minorities living there in an uncertain and unsafe state. Even the US Holocaust Museum's Early Warning Project designated India as the world's number two country at risk of mass murder. It again comes to the international human rights organizations especially United Nations, to speak out and take serious practical steps on the protection of basic human rights in India and other parts of the world so that a dream of just society could be fulfilled.

Editor

In Bangladesh, Hindu temple, homes vandalised over Facebook post: Reports



A mob reportedly attacked a Hindu temple and vandalised several houses belonging to the Hindu community in Bangladesh's Narail district. The violence in Dighalia Upazila took place over a young Hindu boy's Facebook post, local media reported. Dhaka Tribune reported that the mob has grocery stores and several homes of the Hindu community. The angry villagers alleged that the boy hurt their religious sentiments with his social media post.

Reports indicate as tension mounted over the post after Jum'a prayers, a group of Muslims demonstrated outside their home. They attacked the homes later. The mob also broke into Sahapara temple and broke the furniture inside and vandalized several shops.

Lohagarh police station inspector Naran Chandra Pal said the incident had caused extreme tension

in the area. The police had to fire warning shots to disperse the mob, said police inspector Haran Chandra Paul.

Narail superintendent of police Prabir Kumar Roy said the law enforcers were working to keep the situation under control. "We're investigating the incident. Those responsible for the violence will face action. The situation is normal for now," he said. Attacks on religious minorities in Muslim-majority Bangladesh are increasingly taking place and many of them happened after rumours or fake posts spread through social media.

According to a report by legal rights group Ain O Salish Kendra, 3,679 attacks were carried out on the Hindu community in Bangladesh between January 2013 and September 2021.

Source: Hindustan Times

Wither India's secularism?

Amjad Javed



Florets International School in Kanpur's Gandhinagar area is owned by Hindu owners. It is viewed as a paragon of quality education and interfaith harmony. According to the school's principal Ankita Yadav, the school has a long established tradition of beginning its morning session by reciting prayers of four religious faiths (Hindu, Muslim, Sikh and Christian) since the school opened in 2003. After closure due to COVID19, the interfaith prayers were recited to the morning assembly.

No-one ever objected to the practice. But some extremist Hindu outfits (Bajrang Dal and the Vishwa Hindu Parishad) and BJP's leaders got inkling of the practice. On August 2, they forced a few parents to register a First Information Report against the school's administration.

The FIR inter alia accused school's managing director, Sumeet Makhija of 'sowing the seeds of conversion' and indulging in "shiksha jihad" (jihad teaching). He has been booked under Section 295A (outraging religious feelings and infringing Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021). The police hastily sealed the school. The complainants said that it was never their intention to get the school closed down. They have no intention to move their wards to any other school.

The façade of secularism

The Preamble to the Indian Constitution turned India into a secular state through the Constitution (42nd Amendment) Act, 1976. The underlying objective was to provide for the unity of the people of India, professing numerous faiths. The state was bound to protect all religions equally and did not itself uphold any religion as the state religion. The secular objective of the state was specifically expressed by inserting the

word 'secular' in the Preamble. Besides, the liberty of 'belief, faith and worship' promised in the Preamble was censured by incorporating the fundamental rights of all citizens relating to 'freedom of religion' in Articles. 25-29. These articles guarantee to each individual freedom to profess, practice and propagate religion, assure strict impartiality on the part of the state and its institutions towards all religions.

Religious persecution caricatures India's constitution

Not only Muslims but also the other minorities have a miserable plight. Article 25-A of India's Constitution provides for religious freedom. Yet, the US Commission on International Religious Freedom called for putting it on religious freedom blacklist. The report noticed: 'In 2019, religious freedom conditions in India experienced a drastic turn downward, with religious minorities under increasing assault'. Not only Muslims but also Christians, Dalit (downtrodden) and other minorities are persecuted communities.

US Senators' letters to Secretary of State

Fourteen U.S. Senators sent a letter to Secretary of State reminding him of the recommendation by US Commission for International Religious Freedom (USCIRF) to designate India a country of particular concern. The Senators went on to demand that "targeted sanctions" be imposed against Indian agencies and officials responsible for escalating religious intolerance and violence.

According to USCIRF, violations of the religious freedom rights of minorities have reached a point where India should be considered amongst the world's worst violators. The Senators went on to request the Secretary of State to provide Congress with reasoning as to why the USCIRF recommendations are not being



followed and why India is not designated “a country of particular concern”.

Manifestation of persecution

A Christian preacher was burnt alive right in front of his two minor kids in Orissa by a serial killer Dara Singh. Several Indian states have passed anti-conversion laws. They are aimed at restricting the right to propagate religion, which is guaranteed by Article 25 of the Indian Constitution.

India claims to be a secular country but unfortunately, the country's legislative history, relating to the issue of conversion underscores the reality that the government always harbored a grudge against conversion. Orissa, Madhya Pradesh, Rajasthan, Arunachal Pradesh and Tamil Nadu have passed Freedom of Religion Acts. A common feature of these anti-conversion laws is that they made so-called 'forced conversion' a cognizable offence under sections 295 A and 298 of the Indian Penal Code. Several Indian states have passed anti-conversion laws.

Cognisability of the offence licensed police to harass missionaries and converts under the influence of Hindu fanatics or government functionaries. Some Indian courts intervened to stop the persecution of converts or Christian preachers. For instance, Chief Justice A.N. Ray in *Reverend Stanislaus v. State of Madhya Pradesh* (AIR 1977 SC 908) and *Yulitha v. State of Orissa* and others, ruled that propagation is different from conversion. Ray observed adoption of a new religion is freedom of conscience, while conversion would impinge on 'freedom of choice' granted to all citizens alike. But the state governments remained nonchalant to the courts' observations.

To discourage Dalits from converting to Christianity, not only the center but also the Indian states have deprived 'Dalit Christians' of minority-status

privileges. The courts' decisions being declaratory (*certiorari*), not mandatory (*mandamus*), remained un-implemented. Interestingly, India's Ministry of Home Affairs (February 1981) advised the state government and union territories to enact laws to regulate change of religion on the lines of the existing Acts in Madhya Pradesh, Orissa and Arunachal Pradesh. Such legislations violate the UN Charter of Human Rights which gives a person right to change his or her religion. Since the Bharatiya Janata Party (BJP) took power in 2014, religious intolerance and anti-Christian violence has surged across India. Six women at Kilipala village in Jagatsinghpur district (Orissa) had their heads tonsured by influential Hindus. Their offence was abandoning Hindu faith at their own free will. Christian missionaries are harassed, deported and even killed. Indian government ordered 'deportation of three American preachers from Church of Christ in North Carolina on the first available flight to the US.' To insult them even further, the preachers were even attacked by Hindu fanatics.

Indian courts often act as kangaroo.

A few years back, Hindus attacked Christians as a response to a book which allegedly insulted Hindu deities. Investigations revealed that the book was not written by any Christian. But it happened to be displayed on one of the Emmanuel Mission's bookshops for sale. The mission is a Christian organization that runs a chain of schools in various Indian states.

Hindus ignore the fact that Christian missionaries started coming to India, particularly the North-East, in the late 19th century. They promoted education and socio-economic developmental work in the region. In Rajasthan, the Emmanuel Mission, alone, runs over 50 schools.

Surge in persecution under BJP

Since the Bharatiya Janata Party (BJP) took power in

2014, religious intolerance and anti-minority violence surged across India. In 2014, the Evangelical Fellowship of India (EFI) documented 144 violent attacks on Indian Christians. In 2019, the latest data available, the number of attacks has more than doubled with EFI documenting 366 violent attacks.

The plight of Muslims is no less miserable. They join Muslim munch, a component of Rashtriya Swayamsevak Sangh to escape persecution. Indian courts ruled that a mosque was not necessary for the Muslim mode of worship. Muslims offering prayers in open space were brutally eaten. Some Muslims, wearing prayer caps, were also beaten. Beef sellers or eaters are lynched. A Goa legislator complained that cow vigilantes (gau rakhshak) intercept beef trucks into Karnataka and put phenyl on it to make it unfit for eating.

Judge Mahesh Chandra Sharma of the Rajasthan High Court, in his 193-page judgment, stunned people by mentioning the mythical benefits of cow milk, urine and dung. His judgment, a mélange of scriptures and law, glistens with claims like 'cow is a surgeon', 'a complete pharmacy' and cow is a 'national animal'. While lynching the beef eaters, Hindus ignore that, according to the National Sample Survey Office, more than 80 million Indians consume beef, of whom Hindus account for 12.5 million, the rest belonging to various other communities, including Muslims and Christians. Moreover, according to 2015 figures, India has been the largest exporter of beef since 2014 and has been outpacing Brazil in that realm steadily over the past few years. India's Al-Dua is a leading exporter of halal/kosher meat to Arab nations.

BJP legislator Sangeet Som is a beef exporter. Goa allows beef consumption as does the Northeast. Both, Union Minister of State for Home Affairs Kiren Rijiju and Arunachal Pradesh Chief Minister openly admitted being beef eaters.

Indian authorities linked dozens of cases of COVID-19 to a Muslim missionary group (tableghi, preachers) that held its annual conference in Delhi in early March and health officials raced to track down anyone who had contact with the participants. Videos falsely claiming to show members of the missionary group spitting on police and others quickly went viral on social media, exacerbating an already dangerous atmosphere for Muslims.

Tweets with the hashtag #Coronajihad appeared over 300,000 times and were potentially seen by 165

million people on Twitter. The social posts were mostly fake. For instance, one post purported to show a person spitting on a Hindu. The graphic post was fabricated in Thailand.

On the heels of the propaganda came religious pogroms conducted by Hindu nationalists leaving 36 Muslims dead, their houses and shops burnt, including some mosques where they took refuge, in Delhi. The pogroms were rooted in anti-Muslim hatred, dating back to pre-partition of the sub-continent. Subconsciously, Hindus believe that Muslims are untouchable. They are treated as a malaise.

The Indian Supreme Court validated the demolition of the Babri masjid. The Supreme Court judge Ranjan Gogoi was inducted, shortly after his retirement as a member of the Rajya Sabha (council of states) as *quid pro quo* for his pro-government decisions.

He took no action on the abolition of Kashmir's special status. The serving Supreme Court judges rejected a petition for inquiry into Gogoi's in-service conduct. The National Crime Records Bureau withheld collected data on murders; burning Muslims alive, cow-related lynching and offences committed for religious reason.

Hindu-monk chief minister Yogi Adityanath of India's Uttar Pradesh state equated cows with human beings. He directed that cow-related offences be registered under India's national Security Act. He jailed people for social posts 'Love jihad' and Pakistan zindabad. He declared that only the pandemic prevented him from allowing the whole India to make pilgrimage (Ram dashing) at the under-construction Ram temple at Babri mosque. Anyone differing with ruling BJP's policies is prosecuted for sedition.

Concluding remarks

Persecution of minorities caricatures India's secular face. The fanatic Hindus view Muslims as "anti-national, terrorists, or an enemy of Hindu nation. Love jihad, "ghar wapsi" (reconversion) and cow vigilantism are tools to persecute Muslims. Indian prime minister refused to condemn lynching of the 55-year old Muhammad Akhlaq at Dadri in Uttar Pradesh by a mob about a hundred guards. Muslims are treated as second-class citizens. Sikhs are treated, legally, as Hindus. They have petitioned the British parliament against this juggernaut.

Source: Modern Diplomacy



U. S. Ambassador for religious freedom concerned over the treatment of religious communities in India

on churches. We have had a ban on the hijab. We've had demolitions of homes," the Indian-American diplomat said.

"We've got rhetoric that's openly being used that's dehumanising towards people, to the extent that one Minister referred to Muslims as termites," he said, apparently referring to Union Home Minister Amit Shah's comments. In one of his speeches, he referred to Bangladeshi migrants as "termites".

"So you have these ingredients..so it's important that we take note and work towards the challenges we face," he said, adding that it is the "responsibility" of the United States to speak out on human rights and religious freedoms not just in India, but across the world. India has repeatedly rejected the criticism against it in the U. S. State Department reports on religious freedom and statements by senior officials, saying it is unfortunate that "vote bank politics" is being practised in international relations. In its reaction, India has expressed concern over racially and ethnically motivated attacks, hate crimes and gun violence in the U.S.

In his remarks, Mr. Hussain also said that he had met with Indian Christians, Sikhs, Dalits and the indigenous people. He recalled that the Early Warning Project of the U. S. Holocaust Museum had "designated India as the number two country in the world at risk of mass killings." "For any society to live up to its potential, we have to secure the rights of all people. Our job is to protect the religious freedom of all people everywhere in the world" he said.

The U. S. Ambassador at large for international religious freedom Rashad Hussain has voiced concern over the treatment of a number of religious communities in India and said Washington was dealing directly with Indian officials to address the "challenges." Addressing the International Religious Freedom (IRF) Summit in Washington on June 30, Mr. Hussain said his father came from India to the U. S. in 1969.

"This country gave him everything but he loves India and follows what happens every day. My parents and we have a conversation about that, as do so many of you who reach out to us and are looking at what's going on in India and love the country and want to see it live up to its values," he said.

The U. S. was "concerned" about a number of religious communities in India and was "dealing directly" with Indian officials to address the challenges, Mr. Hussain said. "India now has a citizenship law that's on the books. We've had open calls for genocide in India. We've had attacks



"It is important that we work together and fight for the rights of all people. If there is anyone who is attacked - there was an attack, it was despicable we have to condemn that too," he said, apparently referring to the killing of a tailor in Udaipur.

Two men, identified as Riaz Akhtari and Ghouse Mohammad, with a cleaver hacked Lal to death in Udaipur city and posted videos online that said they are avenging an insult to Islam, triggering stray cases of violence in the Rajasthan city. Referring to U. S. Secretary of State Antony Blinken's remarks "about [the] attacks on places and people of worship... in India," made while releasing the U. S. Department of State's 2021 International Religious Freedom Report on June 2, he rejected the view that the U. S. had no locus standi in assessing global religious freedoms. "Some people ask... 'Who are you as an Ambassador for international religious freedom' or 'who are you as the United States to make these assessments about other countries in the world?'," he said.

"The fairly persuasive answer to this was that the U. S. was founded on religious freedom: many of our founders were fleeing religious persecution themselves. The first amendment in our Constitution protects the freedom of religion," he said. India had rejected the criticism against it in the U. S. State Department report on religious freedom last month, saying it is unfortunate that "vote bank politics" is being practised in international relations.

External Affairs Ministry Spokesperson Arindam



Bagchi said the observation on India in the report is based on "motivated inputs and biased views".

The annual report on international religious freedom, released by Secretary of State Blinken alleged that attacks on members of the minority communities, including killings, assaults and intimidation, took place throughout 2021 in India."We have noted the release of the U. S. State Department 2021 Report on International Religious Freedom and ill-informed comments by senior US officials," Mr. Bagchi said.

"It is unfortunate that vote bank politics is being practised in international relations. We would urge that assessments based on motivated inputs and biased views be avoided," Mr. Bagchi said.

"As a naturally pluralistic society, India values religious freedom and human rights. In our discussions with the U. S., we have regularly highlighted issues of concern there, including racially and ethnically motivated attacks, hate crimes and gun violence," he said.

The IRF Summit 2022, which ended on Thursday, was the second annual gathering of international freedom advocates and activists from around the world. The organisers ahead of the summit said the 3-day meeting will highlight increasing threats to freedom of religion, conscience and belief and it will once again offer the IRF community a chance to come together to advance shared goals for extending these fundamental freedoms to people and faith communities across the globe.

Source: The Hindu

NCRB Report Shows Rise in Atrocities Towards Dalits and Adivasis



A new edition of 'Crime in India', the annual report of the National Crime Records Bureau (NCRB), was released on August 29, for crime-related statistics in 2021. NCRB reports have been a valuable compilation of statistics over the years on offences ranging from crimes against women to economic and financial crimes. The National Coalition for Strengthening SCs and STs (PoA) Act (NCSPA) has analysed the NCRB 2021 Report. NCSPA is a platform of more than 500 dalits and Adivasis civil society organisations, communities, leaders and activists.

NCSPA believes that despite explicit constitutional provisions and guidelines, the suffering of dalits and Adivasi communities across India remains the worst. This community is not only the victim of this scourge caste system but also faces institutional discrimination and social exclusion. It is evident because a dalit minor girl got gang-raped and murdered when she went to defecate and never returned. A small dalit boy lost his life, merely because he touched the pot of the school principal, to quench his thirst.

The organisation believes that these are the cases that got the attention of mainstream media. However, the number is huge and even the 2021 Crime data shows a similar trend of an upsurge in violence; with a large proportion of crimes against dalits and Adivasi women and children.

The report revealed that atrocities or crimes against Scheduled Castes (SCs) have increased by 1.2% in 2021 with Uttar Pradesh reporting the highest number of cases of atrocities against SCs accounting for 25.82% followed by Rajasthan with 14.7% and Madhya Pradesh with 14.1% during 2021. Further, the report reveals that atrocities against Scheduled Tribes (ST) have increased by 6.4% in 2021 with Madhya Pradesh reporting the highest number of cases accounting for 29.8% followed by Rajasthan with 24% and Odisha with 7.6% in 2021.

Violence against dalit and Adivasi women has also risen. Cases of Rape against SC women, (including

minors) account for 7.64% and ST women account for 15% out of the total cases reported. The report has also tabled detailed numbers for cases of rape against dalit Women cases of minor rape, attempt to rape, assault on women to outrage her modesty and Kidnapping of women and minors which cumulatively stood at 16.8% in SC women and 26.8% in ST women.

The report showed that a total of 70,818 cases of atrocities against SCs were pending investigation at the end of the year 2021, including the previous year's cases. Similarly, 12,159 Cases of atrocities against STs were pending investigation and a total of 2,63,512 cases of atrocities against SCs and 42,512 cases of atrocities against STs came for trial in court. Conviction percentage under the SCs and STs (PoA) Act in conjunction with the Indian Penal Code (IPC) remained at 36.0% for SCs and 28.1% for STs. At the end of the year, 96.0% of cases of atrocities against SCs were pending trial whereas, for STs, the percentage stood at 95.4%.

The NCPSA believes that even after the amendments came into force in the year 2016, which generated hope for the dalit and Adivasi victims in accessing speedy justice, the implementation of the amended SCs and STs (PoA) Amended Act 2015 remains a challenge.

The organisation has called upon the Government of India to robustly, enforce and implement the new provisions of the amended Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 (2015) and take swift and robust action against the dominant caste perpetrators violating the human rights of dalits and Adivasis, conduct an open and transparent investigation under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and prosecute those Government and police officials who are found to have aided and abetted criminals. The organisation has also demanded that the GOI robustly implement the Exclusive Special Courts mandated in the amended act for speedy trials.

Source: Newslick



नेपाल सरकार
गृह मन्त्रालय
सिंहदरबार, काठमाडौं, नेपाल

GOVERNMENT OF NEPAL
MINISTRY OF HOME AFFAIRS
SINGHADURBAR, KATHMANDU, NEPAL



Derogatory names of Dalits in citizenship papers kick up a row

National Assembly member Bhuvan Bahadur Sunar, who represents the CPN-Maoist Centre, demanded that the Ministry of Home Affairs immediately correct the derogatory names of the members of the Dalit community in their citizenship certificates. Speaking during the special hour in the Upper House of the Parliament, Sunar said the derogatory names okayed by citizenship issuing authority in citizenship certificates reflected the feudal mindset and caste discrimination rampant in society. He said citizenship bearers' names were written as Kukur Kami, Kukurni Kami, Fyauro Badi, Kutta Badi and Singane Kami.

In Nepali society, kukur or kutta (dog), kukurni (bitch), fyauro (fox) and singane (unclean) are used as derogatory terms. He said there were many Dalit members of western and far western Nepal who had derogatory names in their citizenship and the same could be the situation elsewhere. "How can citizenship issuing authorities okay such derogatory names in people's citizenship certificates?" Sunar wondered. He said the National Dalit Commission and Dalit rights activists needed to take initiatives to correct such mistakes in Dalits' citizenship certificates.

National Dalit Commission member Sundar Purkuti

told THT that his office had talked to the district administration of Dailekh, asking the authorities to correct names of Dalits who had been issued citizenship certificates with derogatory names. "We have got positive response from DAOs. We will continue to follow this up," he said. Purkuti said the home ministry had issued a circular to all DAOs on 7 August 2006 asking them to change the surnames of people whose citizenship certificates contained derogatory surnames. Media carried stories back then that some people had derogatory surnames, such as 'chor' (thief) and 'thug' (fraud) in their citizenship certificates. He said some DAOs corrected people's surnames in accordance with the Home Ministry circular, but were yet to do so.



The Ministry of Home Affairs issued a press release saying it was aware of the issue and made provision to ensure that such certificates were not issued. In case citizenship certificates with derogatory names have been used, DAOs will correct such names, it added. Spokesperson for the home ministry Phanindramani Pokharel told THT that while it would be difficult for DAOs to completely change the name of a person in the citizenship certificate, DAOs would ensure that derogatory names were removed. He said most complaints about derogatory names were coming from Sudurpaschim and Karnali.

Source: *The Himalayan Times*

Daily Wagers Biggest Group Among Suicide Victims in 2021: NCRB

Saadhya Mohan



The latest report by the National Crime Records Bureau (NCRB) shows that not only has the share of daily wage earners among suicide victims gone up during 2021, but the number has also increased faster than the national average. According to the report titled 'Accidental Deaths and Suicides in India', one in four of the recorded 1,64,033 suicide victims during 2021 was a daily wage earner. This accounts for 42,004 suicides (25.6%).

In 2020, too, daily wage earners accounted for the highest share, with 37,666 (24.6%) of the 1,53,052 recorded suicides in the country. In 2019, before the Covid outbreak, the share of daily wage earners was 23.4% (32,563) of the recorded 1,39,123 suicides.

Further, in 2021, the number of suicides in the daily wage earner group increased by 11.52% as compared to 2020 in the country, while at the national level, the number of suicides rose by 7.17% during the same time period.

The report lists the daily wage numbers separately from those of agricultural labourers, who have been grouped in a sub-category under the category of 'Persons engaged in farming sector'. According to the report, 10,881 suicides were recorded in the 'Persons engaged in farming sector' group in 2021, including 5,318 under 'farmer/cultivator' and 5,563 'agricultural labourers'.

Significantly, while the number of suicides committed by 'farmer/cultivator' has dipped 5,579 in 2020 and 5,957 in 2019 those by 'agriculture labourers' has risen sharply from 5,098 in 2020 and

4,324 in 2019, according to an Indian Express analysis.

The NCRB categorises suicide data into nine categories: students, professional/ salaried persons, daily wage earners, retired persons, unemployed persons, self-employed persons, housewives, persons engaged in the farming sector and other persons.

The latest NCRB report has also reported the number of state-wise suicide cases. Karnataka is among the top five states in the country with the highest share of number to suicides in 2021. The state stands fifth after Maharashtra, Tamil Nadu, West Bengal and Madhya Pradesh.

RISING SUICIDE RATE OF DAILY WAGE WORKERS



The report also shows that Delhi, which is the most-populous Union Territory, has reported the highest number of suicides (2,840) among total UTs in India, followed by Puducherry (504). A total of 25,891 suicides were reported in the 53 megacities of the country in 2021.

Source: Janata Weekly

Stolen Gandharan sculpture back in Pakistan

Australia returned an ancient Bodhisattva statue of the Gandhara art to Pakistan following an exhibition at the National Gallery in Canberra. It was handed over to Pakistani High Commissioner to Australia Zahid Hafeez Chaudhry following an exhibition.

The artifact is believed to date back to the third and fourth century and was acquired by the Australian gallery in 2006 at a staggering price of \$275,000. It is now believed to be worth \$500,000. In a ceremony held at the High Commission for Pakistan, Canberra, the Gandharan relic was handed over to Pakistan by the National Gallery of Australia.

This magnificent historical work of art was illegally acquired and taken out of Pakistan by an international crime syndicate led by discredited Indian art collector Subhash Chandra Kapoor, who is currently facing criminal charges in New York and New Delhi for involvement in illicit art trade. Kapoor it to the National Gallery of Australia in 2006. However, the gallery de accessioned it after finding its uncertain legal and ethical status and association with Art of the Past under its ongoing Provenance Research Project.

The High Commission for Pakistan, Canberra has been working closely with all the concerned departments in Australia for the identification and return of any historical works of art believed to have been illegally taken out of Pakistan. Speaking on the occasion, High Commissioner Zahid Hafeez Chaudhri described the handing over ceremony as a landmark event as it underscored the importance of legal and ethical aspects of the historical work of art. He added that it was a practical manifestation of cooperation between countries and institutions in this important area.



It also highlighted the need to further strengthen international legal and ethical framework and cooperation against trade in stolen, illegally excavated, illegally exported or unethically acquired historical work of art. The high commissioner emphasised that criminal charges against Subash Chandra Kapoor must be used to expose and prosecute international crime syndicates dealing in historical works of art.

He particularly acknowledged the Provenance Research Project of the National Gallery of Australia and thanked its entire team for making the return of the historical work of art to Pakistan possible.

He also highlighted the rich civilizational heritage of Pakistan which is millennia old. He invited the guests to visit and explore Pakistan to experience its diverse culture, rich heritage, beautiful landscape, wonderful cuisine and the hospitality of Pakistani people.

The ceremony was attended by senior Australian officials, Buddhist monks, members of the diplomatic corps, academicians and the media.

Source: Tribune Pakistan





The Shame of a Nation: The Tragedy of Bilkis Bano!

Cedric Prakash



India completed 75 years of independence on 15 August 2022! That 'special day' however, was one of the blackest days in the history of post-independent India. It was indeed a terrible day for Bilkis Yakub Rasool and for millions of other Indians, who cherish all that is sacred: justice, liberty, equality and fraternity! On that day, as Bilkis Bano (as she is referred to) watched the news in her home in Devgadha Baria, Gujarat, her entire world came crashing down in moments. She could not believe what she was hearing. It was worse than the worst possible nightmare: the eleven men who had been sentenced to life imprisonment for gang-raping her and murdering her family members during the 2002 Gujarat carnage, had been released from the Godhra sub-jail. Apparently, the Gujarat government had set up a panel which approved the application of the murderers and rapists, for remission of the sentence.

That very day, the Prime Minister Narendra Modi, waxed eloquent from the ramparts of the Red Fort saying, "I have one request for every Indian. Can we change the mentality towards our women in everyday life? Pride of Nari Shakti will play a vital role in fulfilling the dreams of India! Respect for women is an important pillar for India's growth. We need to support our Nari Shakti!" With what was unfolding in the life of Bilkis Bano and her family -with his usual empty rhetoric, the PM was only fooling himself and his 'bhakts' who really no not have the capacity and objectivity, leave alone the intelligence, to think for themselves!

The horrendous tragedy of twenty years ago, would naturally have come alive once again for Bilkis Bano, in a most unimaginable manner. Following the burning of the S-6 compartment and tragic death of 59 persons (mainly 'kar sevaks') on 27 February 2002, all hell broke loose, the next day, in several parts of Gujarat. Sensing trouble, a group of seventeen persons fled their native village of Radhikpur in Dahod district. The group comprised Bilkis, her three-year-old daughter Saleha, her mother and fourteen others. They took

refuge in another village Chhaparvad hoping they would be safe and secure there. On 3 March, however, they were attacked by about 20-30 people armed with sickles, swords and sticks. Among the attackers were the eleven accused men, just set free. Bilkis, her mother and three other women were raped and brutally assaulted. Of the seventeen Muslims, eight were found dead (beheaded!), six were missing. Only Bilkis, a man and a three-year-old child survived the attack. Bilkis was unconscious for at least three hours; after she regained consciousness, she borrowed clothes from an Adivasi woman made her way to the Limkheda police station to register a complaint. The Head Constable there, according to the CBI later, "suppressed material facts and wrote a distorted and truncated version of Bilkis' complaint".

Bilkis has relived the horror of that tragedy which engulfed her life. several times over, as she unwaveringly narrates the brutality, she was subject too. In great pain she says, "All the 4 men of my family were killed brutally. The women were stripped naked and raped by many men. They caught me top. My 3-year-old daughter, Saleha, was in my arms. They snatched her and threw her into the air with all their might. My heart broke as her little head shattered on the rocks. Four men caught me by the arms and legs and many others entered me one by one. When satisfying their lust, they kicked me and beat my head with a rod. Assuming that I was dead they threw me into the bushes. Four or five hours later I regained my consciousness. I searched for some rags to cover my body, but couldn't find any. I spent a day and a half on a hilltop without food or water. I longed for death. Finally, I managed to find a tribal colony. Declaring myself as a Hindu I sought shelter there.

The men who attacked us used foul language; I can't repeat it ever. In front of me they killed my mother, sister and 12 other relatives. While raping and killing us, they were shouting sexual abuses. I could not even tell them that I was five months pregnant because their feet were on my mouth and neck. I have known the men

who raped me for many years. We sold them milk. They were our customers. If they had any shame, they would not have done this to me. How can I forgive them?"

Any lesser mortal would have given up; not so Bilkis Bano! Her husband Yakub Rasool (who was away from home when the violence broke out) was a fortunate survivor. He has stood by his wife Bilkis, through thick and thin. At first Bilkis could hardly open her mouth. With the help of some concerned citizens, she slowly regained her confidence and realised that she is key in bringing the perpetrators of this heinous crime, to book. She plucked up courage and began the struggle for justice. She always knew who the murderers and the rapists were and she bravely identified them. The journey was fraught with obstacles and hostilities; threats and intimidation. The Gujarat Government, with Narendra Modi at the helm, obviously was supportive of the criminals who raped her and killed her family members. The FIR was manipulated; the medical reports and post-mortem of the bodies omitted significant details; evidence was destroyed as all the dead were buried by the police themselves; the bodies of the men were found decapitated from the head to avoid recognition; the body of her three-year-old toddler disappeared. The prosecution sided blatantly and unjustly with the accused; the lower court which heard her case upheld all the falsehood and the lies. The case was closed!

Bilkis Bano however, did not give up: she was relentless in the pursuit of justice. The National Human Rights Commission (NHRC) under the stewardship of Justice J. S. Verma, received her petition in 2003 and conducted its own independent inquiry and supported her case. On behest of the NHRC, India's then, top-most lawyer then Harish Salve represented Bilkis in her appeal to the Supreme Court. In 2004, the case was reopened and referred to the CBI. Twelve of the twenty accused, were arrested in 2004 and the trial began in Ahmedabad. However, after Bilkis expressed grave apprehensions that witnesses could be harmed and the evidence collected by the CBI tampered with, the Supreme Court transferred the case to Mumbai. Bilkis was the only direct witness. She was constantly under threat. For her own safety, she had to move from one place to another (she does so even today!). In 2008, the Special Court sentenced eleven accused (one died during the trial) to life imprisonment on the charges of conspiring to rape a pregnant woman, murder and unlawful assembly under the Indian Penal Code. The police and the doctors who were accused of being complicit in fudging reports were exonerated; but in May 2017, on an appeal from the CBI, the

Mumbai High Court upheld the sentencing and also found the doctors and police guilty. One of the judges, Judge Salvi termed Bilkis' "courageous deposition as the turning point in the case." In 2019, the Supreme Court awarded compensation of Rs 50 lakh to Bilkis - the first such order in a case related to the 2002 riots. It was also the highest ever compensation paid to a rape-victim in the history of Indian judiciary. The bench of the then Chief Justice of India Ranjan Gogoi and Justices Deepak Gupta and Sanjiv Khanna stated, "It is very apparent that what should not have happened has happened and the state has to give compensation."

But then Independence Day 2022 unfolded: and it is back to square one for Bilkis, her kith and kin, for the many victim survivors of the Gujarat Carnage, for human rights defenders and others who have given up so much for these victim survivors (like Teesta Setalvad, R. B. Sreekumar and Sanjiv Bhatt are today languishing in jail) and for many millions of others. On the other hand, the rapists and the murderers, were felicitated by the 'hindutva' brigade with ladoos and garlands and treated like 'heroes' when they were released. Interestingly, the moment their remission order was received, they were out of prison. They all seem to have had enjoyed their 'sentence': fatted, well-dressed and groomed as the photos show! Most prisoners in India are certainly not as privileged as these henchmen of hindutva. Meanwhile, the lynchpins and many of the accused of the Gujarat Carnage, continue destroying the country with impunity, having cloaked themselves with immunity.

The nation and the world at large, are aghast and even outraged at the fact that the eleven criminals have had their sentence remitted. For such a ghastly crime, this 'remission' is just not given! Officialdom tries to justify this act: with flimsy and unacceptable reasons. Top legal luminaires are also of the opinion that Section 435 in the Code of Criminal Procedure (CrPC) clearly stipulates that the State must necessarily consult the Centre before any remission of sentence is given. It would have been impossible for Gujarat State to have taken such a unilateral decision without the total approval and support of the Central Government. So, Modi's talk about 'nari shakti' is not only hollow but sheer humbug! If he was serious about such a crucial matter, he would have ordered the State Government to put the eleven back behind bars immediately! Will the CBI, the NHRC under Arun Mishra or for that matter Harish Salve, take a stand for Bilkis today?

The BJP and their ilk have consistently been advocating the death penalty for rapists! Ironically,

there is not a whimper of protest from any of them—particularly from their women parliamentarians like Smriti Irani, who go high-decibel screaming and screeching on other matters—particularly on those issues, which are of no consequence to the people of India! CK Raulji, was one of the two BJP MLAs (Sumanben Chauhan from Kalol was the other one)—who was part of the 11-member jail advisory committee of the district that unanimously recommended remission for the eleven convicts. In an interview to a news portal, he had the temerity to state that the criminals “could have been framed intentionally”. What he added has shocked the soul of the nation. “I don't know whether they committed the crime or not. But their conduct was good; the activity of the family was very good. They are Brahmins. Their sanskar (values) were very good”!

In a public statement on 17 August Bilkis says, “Two days ago on August 15, 2022 the trauma of the past 20 years washed over me again. When I heard that the 11 convicted men who devastated my family and my life and took from me my 3-year-old daughter, had walked free, I was bereft of words. I am still numb. Today I can only say this- how can justice for any woman end like this? I trusted the highest courts in our land. I trusted the system and I was learning slowly to live with my trauma. The release of these convicts has taken from me my peace and shaken my faith in justice. My sorrow and my wavering faith is not for myself alone but for every woman who is struggling for justice in courts. No one enquired about my safety and well-being, before taking such a big and unjust decision. I appeal to the Gujarat Government, please undo this harm. Give me back my right to live without fear and in peace. Please ensure that my family and I are kept safe”.

People from all walks of life, have bonded together to condemn the ignominy heaped on Bilkis and on her family; most regard this 'remission' as an affront to the dignity of Indian women. The voice of all is loud and clear: this act is a blatant travesty of justice. Legal experts are unequivocal about their stand on this particular remission. Retired Justice U.D. Salvi, who had sentenced the eleven men to life imprisonment said that “the one who suffers knows it better.” Leading print media have had editorials and op-eds taking a strong stand against this remission. Interestingly, even some of the 'godified' electronic media have even named the RSS and the VHP in their reportage. There have also been physical public protests all over the country. In Ahmedabad, a public protest on 19 August, organised by some civil society groups of women, was not granted permission by the police. When a group of

activists defied the police and still protested, they were immediately detained but then released!

Powerful statements of condemnation have come in from eminent citizens, intellectuals, politicians, activists, platforms, movements and others. The People's Union for Civil Liberties (PUCL) state, “As concerned citizens of the country we demand that this injustice be undone:1. The remission of these 11 convicts be immediately revoked 2. Protection measures for Bilkis and her family be immediately ensured 3. The Central and State government be held accountable for such arbitrary abuse of power 4. The Government of Gujarat should place in the public domain the entire process, the proceedings of the committee leading to the governor finally giving assent to the remission of sentences.

Leading intellectual Pratap Bhanu Mehta in an incisive op-ed 'Is this how justice ends?': Bilkis Bano's question should haunt the Indian republic' (Indian Express, 19 August 2022) writes, “the Bilkis Bano case was so horrific that even hearing about it produces a deep cognitive and imaginative loss and an emotional disorientation. The crime was so graphic, the facts corroborated so many times. But we still recoil at the thought of the kind of brutality that involved rape of a pregnant woman, smashing a child to death, massacring a whole family, all by your neighbours. “Mehta concludes his must-read piece with, “so the answer to Bilkis Bano's question - “Is this how justice ends?” - may be a disquieting one. Her perseverance got her a measure of justice and allowed us to cling on to the illusion that justice was still possible. But as it turns out, as the winds of communalisation and impunity once again grow, those slivers of justice will once again be blown away. This is not how justice ends, since perhaps real justice had never started”.

Seventy-five years ago, our committed freedom fighters with their many sacrifices, gave India her freedom! Bilkis Bano, today, with her relentless fight for justice and the suffering which she is still going through, has come to symbolise India's latest struggle for freedom. The choice then is, before the people of India: to urgently reclaim the democratic values, the pluralistic fabric of our nation and to ensure that 'real justice' starts today or to succumb to the whims and fancies of the fascists allowing for rapists and murderers to rule our nation!

(Fr. Cedric Prakash SJ is a human right, justice, reconciliation & peace activist/writer. Courtesy: Countercurrents.org.)

Sri Lankan Crisis Caused by Majoritarianism, Authoritarianism and Minority Bashing Offers Lessons for India



S N Sahu

The island nation of Sri Lanka is caught in the whirlpool of a deep political and economic crisis. The State has collapsed and people are confronting a dire situation marked by massive shortage of food items, fuel, medicines, electricity and other essential supplies so indispensable to lead a normal life. Soaring inflation and the absence of even the semblance of Governmental authority to deal with the existential threat to the lives of people have made them restless. They have come to the streets in defiance of prohibitory orders and emergency imposed across the country. Their vociferous demand expressed in unison for the resignation of President of Sri Lanka Gotabaya Rajapaksha fell on deaf ears and he remained defiant and stuck to his office for quite sometime in face of the uprising of people against him. As the restive people peacefully occupied his official residence he fled the country and reached Maldives. From there he flew to Singapore and sent his resignation by email. The relatively non-violent protest by people displaying unity and solidarity cutting across their religious identities affirm their commitment to bring about regime change in a peaceful manner.

Immediate Causes Behind The Crisis

Experts and commentators have traced the unprecedented turmoil and upheaval gripping Sri Lanka to a series of Gotabaya's flawed economic policies which, among others, asked farmers to suddenly adopt organic farming by dispensing with chemical fertilisers, the import of which was banned. Such a decision without deliberation and consultation with all stakeholders indicated the kind of authoritarian regime Gotabaya led. It adversely affected agricultural productivity and caused acute shortage of food. Even the yield of tea was adversely affected. Sri Lanka which earned substantial foreign exchange from export of tea suffered hugely because of drastic reduction in tea production. Tourism which remained the major source of foreign exchange for the country suffered badly as the the lock down of the country following the onset of COVID pandemic stopped tourist inflow completely and flattened the economy beyond measure. The reduction of tax for the

wealthy and the corporates contributed significantly to the decline of revenue and further paralysing the economy. Some of these reasons certainly constituted immediate and debilitating factors behind the cataclysmic developments confronting the country.

Deeper Reasons behind the Crisis

There are far deeper reasons which are behind the mounting crises completely crippling the Sri Lankan polity, society and economy. These are Sinhalese Buddhist majoritarianism, authoritarian nature of the Gotabaya regime, violent targeting of minorities, brutal methods adopted to curb press freedom and the willful measures taken to do away with the culture of scrutiny of public policies. In fact these are the determining factors derailing the whole country and devastating the livelihood of the vast majority of people cutting across their religious or linguistic identities. Shweta Singh in her article "Authoritarian Populism, Illiberal Democracy and the Making of an Economic Crisis : The Case of Sri Lanka", published in the June 25 & July 2, 2022 issue of Economic and Political Weekly insightfully states, "It is important to underline that the making of the current economic crisis is not hinged on short term trigger alone, but also in the pitfalls of authoritarian populism marked by unfettered powers to executive presidency and nepotism and corruption that followed from it."

Buddhist Ethos and Sri Lanka's Impressive Human Development Indices

It is well known that Sri Lanka has been internationally acclaimed as a splendid example of a country registering impressive human development indices in the entire South Asia. It is way ahead of India in such matters and even nobel laureate professor Amartya Sen in his numerous publications cited Sri Lanka as a role model in achieving much higher levels of human development in spite of the smaller size of its economy and very modest scale of economic progress. Professor Sen sensitively explained in his book "Identity and Violence" that "...nearly every country in the world with a powerful presence of Buddhist tradition has tended to embrace widespread schooling and literacy

with some eagerness.” He traced the exemplary accomplishments of Sri Lanka in spreading education among vast masses of people and achieving excellence in vastly improving human development indices to the Buddhist ethos of that country.

Buddhist Tradition Weaponized by Gotabaya

It is tragic that the Buddhist tradition which played a key role in building quality human development of the country was weaponized by Gotabaya regime after 2019 when he aggressively stoked nationalism by appealing to the sentiments of Sinhalese Buddhists who constitute the majority population. He asked them to vote for him to assume the office of the President of Sri Lanka. The Easter bombing of 2019 carried out in Sri Lanka by self radicalised local Muslims owing affiliation to the Islamic State killed more than two hundred fifty people. The rage and fury it created among the Sinhalese Buddhists was exploited by Gotabaya who after his election as President of Sri Lanka outlined his support for a Buddhist-first Sri Lanka and targeted minorities -Hindu Tamils Muslims and Christians- by saying that they did not vote for him and he was elected entirely by the votes of Sinhalese Buddhists. A parallel was drawn with Modi's India and Sri Lanka under Gotabaya by Kapil Komireddi who wrote an article in New York Times under the caption “We Needed a Modi After the Easter Attacks”. It was published on 25th November 2019 and captured the strong temper of majoritarianism spawned by Gotabaya after he became the President of Sri Lanka and appointed his brother Mahinda Rajapaksa as Prime Minister.

Goatabaya's Crushing of LTTE in 2009 and Search for Other Enemies

It is worthwhile to note that Gotabaya as Defence Minister was instrumental in the crushing defeat of the Liberation Tigers of Tamil Eelam (LTTE) in 2009 and acquiring the status of hero and saviour of the nation from the military attack of Tamil militants out to dismember the country. Having defeated the LTTE comprehensively after several military encounters in which thousands of civilian Tamils were killed mercilessly, the people were driven by the political regime to believe that security of the nation would be given priority over everything else. A campaign centering around nation first approach had the subtext of according primacy to the Sinhalese Buddhists and conveying the idea that safety and security of the nation would get overriding priority over everything else. The frenzy created around Sinhalese Buddhist dominance led the majority community to believe that

they would sacrifice their lot for the sake of the nation and in case the minorities- Hindus, Muslims and Christians- assert for their rights they would be shown their place. In the aforementioned New York Times article it was observed, “After 2010, Mahinda and Gotabaya Rajapaksa presided over Sri Lanka's conversion into a rancid ethnocracy, where the most extreme Buddhist clergy were granted a license effectively to gratify themselves by tormenting defenseless minorities.”

It was further noted in the article, “Bodu Bala Sena or the Buddhist Power Force, a group of tonsured monks, proclaimed itself the defender of Buddhism, pledged allegiance to the Rajapaksas and amplified every trope about the treachery of Muslims circulating in India and the West and took to terrorizing them. As public disquiet spiked, Gotabaya Rajapaksa praised the Buddhist Power Force as a protector of “our country, religion and race.”

It spawned nationalism in the garb of Sinhalese Buddhist majoritarianism and carefully scripted a plan to look for enemies, after the LTTE was vanquished, to defeat and wipe them out. In the Daily Mirror (On Line) of Colombo an article “When Your Electoral Wishes Come True...” was published on 6th July 2022. Therein it was observed, “National security, was of paramount importance as the threats, real or perceived ones, had to be addressed swiftly, decidedly and ruthlessly. The jihadists, the Christian missionaries, the LTTE separatists, the NGO groups, the western imperialists, the Diaspora and all other traitors were to be bundled up in one heap and defeated by the militarized, Sinhala Buddhist, strong armed dictator-like rule of Gotabaya.”

Targeting Muslims

Halal meat, Hijab and Burqa and religious conversion issues were raised by Buddhist monks adopting a hardline posture to target and otherwise the Muslims who constitute 9 per cent of the population. Such ominous developments in Sri Lanka resonated in India when Hijab was banned in schools of Karnataka and there were calls for social and economic boycott of Muslims in some BJP ruled States. It was reported in media that in Sri Lanka Muslims were prohibited to bury the dead bodies of their near and dear ones and forced to cremate them. The All Ceylon Jamiyyathul Ulama (ACJU) took a stand in favour of the halal system of food classification, which the hardline Buddhist monks were trying to ban. It also strongly dismissed the allegations of those monks that the Muslim community was aiding and abetting extremism and

destroying the Buddhist holy sites. Gotabhaya Rajapaksa's statement as Defence Secretary that "It is the monks who protect our country, religion and race," has been quoted in one of the preceding paras. Such statements encouraged the hardliners and they asserted that the country was seen as a Sinhala Buddhist country. The Buddhist extremist group Bodu Bala Sena was encouraged to take direct action targeting Muslims and other minorities. It exploited social fault lines to locate new enemies to promote divisiveness, polarise society and conflate nationalism with Sinhalese Buddhist identity following the decisive defeat of LTTE. There have been attacks on Christians, Churches and pastors for their alleged activities to convert people to christianity. As Sinhala pride gained huge traction and sharply polarised society it contributed immensely to create illiberal democracy at the cost of plurality and diversity which earlier created congenial conditions for economic growth and progress.

Attack on Freedom of Press

Gotabaya ruthlessly suppressed freedom of press and took punitive measures against journalists who exposed the wrong doings of the regime. Several journalists were kidnapped and killed. In the global press freedom index Sri Lanka's position fell from 127th rank to 146th. Subhajt Roy in his piece "The Gota Story : A Champion of Sinhal Pride to Fugitive Leader" published in Indian Express on 16th July 2022 observed, "Since the war ended Gotabaya having earned a demi-God-like status, ruled the country through fear. As Defence Secretary he silenced his critics - some through white-van kidnappings and killings- the most famous case being that of Lasantha Wickrematunge, Editor of The Sunday Leader who was killed in 2009". Such appalling conditions for the media contributed to the decline of the culture of questioning the regime. It led to the rise and growth of illiberal democracy in Sri Lanka.

Culture of Scrutiny Became a Casualty

Majoritarianism combined with authoritarianism crushed the mechanisms to put under scanner the programmes and policies of the Government. In the absence of such mechanisms to scrutinise the Government measures, the culture of accountability was demolished. Therefore, the regime of Gotabaya without being accountable to people remained insensitive to their needs and aspirations. Sri Lanka in spite of its remarkable track record of developing its human resources failed miserably primarily because of an illiberal regime sustained through authoritarian

method of governance and majoritarian hubris. Kaushik Basu, former Chief Economist at World Bank aptly observed, "In terms of standard of living, Sri Lanka used to be South Asia's big success story. Authoritarianism, divisive politics, persecution of minorities and a disastrous agricultural intervention to farmers caused the economy to collapse".

Lessons for India

The self serving majoritarianism spawned by Gotabaya and the hardline Buddhist monks triggered toxic nationalism and divided people on the basis of religion. Tragically the lethal crisis generated by Gotabaya has pushed people of all faiths to unacceptable depths of suffering and hardship. Ironically he who divided people on account of their faiths and embroiled them in one catastrophe after another is now finding people getting united and acting in unison for his overthrow. They have realised that Gotabaya to perpetuate his divide and misrule played one faith against another. So they have come together and their collective strength forced him to resign. It teaches the vital point that political leaders to remain in power cannot keep people divided on the basis their faith far too long. People would eventually see through the game and change the regime.

The crisis enveloping Sri Lanka offers lessons to India which is also embroiled in the majoritarianism peddled by the powers that be and, they, through their authoritarian style of governance, are trampling upon the culture of accountability which remain central to the functioning of our parliamentary democracy. Our leadership controlling the state apparatus are disdainful of the scrutiny, examination and interrogation of the policies they adopt. As a result we witnessed several agitations such as a year long farmers' movement, countrywide protests against the Citizenship (Amendment) Act and the recent violent protests against the Agnipath scheme. These cannot be dismissed as acts of Andolonojееvis. We need to derive appropriate lessons from the ongoing turmoil in Sri Lanka and stand by its people. There should be a new regime in that country headed by the leaders who can command support of people and generate confidence among them that they can safeguard their livelihood, safety and security by employing democratic methods and taking into account their needs and aspirations regardless of their religious and linguistic identities. All these are central to Buddhism which is anchored in Pragyana(Enlightenment), Karuna(Compassion) and Samata(Equality).

Source: Main Stream Weekly



How the caste system impacts

lives of South Asians in the UK

Nafees Mahmud

Far-right Hindus in the UK are making attempts to obscure the fight against caste discrimination by claiming it is 'anti-Hindu.'

The caste systems of South Asia affect not only the region itself, but also South Asian communities around the world. The most dominant of these systems is that belonging to Hinduism, which was initiated in India around 3,000 years ago.

Since then, it has been adopted in different forms - but with similar functions - by many Sikhs and some Muslims of South Asia. The Hindu caste system places adherents of the faith into a social hierarchy consisting of four categories that determine what jobs they can perform and what their social status is. There is no prospect of social mobility.

Brahmins - Priests
Kshatriyas - Warriors
Vaishyas - Merchants & landowners
Shudras - Peasants & servants

Below this four-tier hierarchy is a group considered outcasts: Dalits. They are shunned from mainstream society and expected to work as manual scavengers. Many live under harsh conditions in the poorest parts of India and are deemed 'untouchable' by so-

called 'higher' castes.

While caste discrimination was officially declared illegal in India in 1948, its practice persists to this day, frequently resulting in brutal violence, including the rape and murder of people considered 'lower caste.'

Caste-based discrimination also haunts the UK, affecting major institutions such as the National Health Service and the army.

"There was a really offensive leaflet in the chaplaincy section of a large NHS Hospital Trust last year. The leaflet described how to treat a Hindu patient. It basically said an 'untouchable' or a menstruating woman should not touch a Brahmin. Can you imagine? What if you've got a nurse or doctor who is menstruating touching a patient? It's that extreme," explains Santosh Dass, Spokesperson of the Anti-Caste Discrimination Alliance. The matrimonial website Shaadi.com was recently exposed for creating algorithms that prevented members of certain castes in the UK from being introduced to others. Hari, a Nepali living in London who is considered a Dalit or 'untouchable,' says caste prejudice and discrimination is often subtle.

“It's people not wanting to give a room for rent. They tell your caste by your surname. You also see when you are amongst 'higher castes' they have certain facial expressions as they assume your caste. They talk to you rudely.”

Many Nepalis serve in the British Army as part of the Brigade of Gurkhas. Hari says many of his friends have been refused positions based on their caste. The British Ministry of Defence says it doesn't consider caste a criterion for recruitment, but many claim it remains a barrier. When Dalits are recruited they often face segregated living quarters.

Legislation

There is no specific legislation that prohibits caste-based discrimination in the UK. Cases that have been brought forward have been on the basis of caste being understood as an aspect of race. This lack of specific legislation can make fighting a case more complex.

In 2018, the government backtracked on a promise to include caste as a specific category of discrimination in the Equality Act of 2010, arguing there was no need to legally distinguish between race and caste. “This grey area has been created by the Hindu lobby,” argues Sat Pal Muman, chairman of anti-caste discrimination campaign Castewatch UK.

“The government did this to appease politically active Hindus and garner votes.” “The Hindu lobby has powerful links to the Conservative Government that relies on this community's votes. The government also needs a good post-Brexit deal with India. This has obstructed the implementation of the law,” Dass elaborates.

Muman says there is an attempt by far-right Hindus to obscure the fight against caste discrimination by claiming it is 'anti-Hindu.' “Groups opposing legislation here in the UK have connections with the Hindutva agenda of the Indian government. The very mention of caste puts them under the spotlight. They go on the offensive and accuse you of attacking their religion...but it's a conversation that needs to be had.”

While the theological underpinnings of caste in Hinduism cannot be ignored, he says the focus of his campaign is based on “the fact that people are being

discriminated against. This is about human rights - not a specific religious group.” He has also dealt with cases among British Pakistani Muslims who have applied a similar system of hierarchy known as biradari, often to denigrate political opponents and control electoral voting within specific castes.



For Santosh, smokescreen arguments and powerful lobbies are no deterrent. “We continue to mobilise and articulate the case for the law. At its root, caste-based discrimination is about dehumanising people and maintaining control and power over them. In the end, the sufferers' voices will need to be heard.”

Conundrum

There could be a long way to go before that happens. The stigma of being lower caste is so rife that many people try to hide their caste when seeking jobs and housing. If they are exposed and discriminated against by employers and landlords, taking their case to court could lead to further discrimination from others who consequently become aware of their caste.

This creates a conundrum wherein fear and stigma prevent people from coming forward, allowing the government and the far-right Hindu lobby to claim that changes to the law are not necessary, in turn enabling discrimination and allowing it to continue. Hari is one example. He didn't want his real identity to be revealed when talking to TRT World because it would “cause problems.” His frustration is clear: “I hate caste. People are born free with equal dignity and rights. If we were all human, you wouldn't look at someone as 'untouchable.’”

“The 'higher castes' deny any discrimination exists. If that was the case, why do we have a caste system in the first place?”

Source: TRT World

Furore among minorities as inclusion body advises ending reservations

Tika R Pradhan

A constitutional commission formed to make recommendations for the protection of the backward people, the disabled, the elderly, farmers, minorities, marginalised groups, endangered communities and poor people and backward areas has recommended ending reservations for these groups at the earliest, in a move criticised by observers and rights activists.

The National Inclusion Commission, led by Ram Krishna Timal, in a report has concluded in a study that reservations in existing government services should be ended. The report titled "Impact of Reservation on existing government services 2022" was unveiled by President Bidya Devi Bhandari on August 7. The report was uploaded on the commission's social media on August 9, the day the International Day of the World Indigenous People was being observed throughout the world and Nepal. The report has also recommended that the government should end the reservation system in promotions through internal competitions and reservation must not be allowed in any kind of promotion process. According to the report, the Ministry of Federal Affairs and General Administration and the Ministry of Health and Population should make arrangements for the implementation of these recommendations.

Bishnu Maya Ojha, a member of the inclusion commission, said the commission was studying the effectiveness of the reservation system for the last two years and it was the first of its kind in Nepal. "The report has found that the existing reservation system should be reviewed because many of the beneficiaries were from the same groups or families," Ojha told the Post. Asked whether the report has recommended an end to the existing reservation system, Ojha said the report was prepared by a group of experts and their recommendations were based on research. However, observers and activists have questioned the intention of the National Inclusion Commission. Devraj Bishwakarma, chairperson of the National Dalit Commission, said he was not aware of the report prepared by the inclusion commission and that he could comment only after studying the report.

"But how can the reservation system be annulled?" Bishwakarma said. "The reservation system is yet to be implemented in an effective manner." Article 18(3) of the constitution states that the state shall not

discriminate among citizens on grounds of origin, religion, race, caste, tribe, sex, economic condition, language or geographical region, ideology and such other matters.

"Provided that nothing shall be deemed to bar the making of special provisions by law for the protection, empowerment or advancement of the women lagging behind socially and culturally, Dalits, Adibasi, Madheshi, Tharus, Muslims, oppressed class, backward communities, minorities, marginalized groups, peasants, laborers, youths, children, senior citizens, sexual minorities, persons with disability, pregnant, incapacitated and the helpless persons and of the citizens who belong to backward regions and financially deprived citizens including the Khas Arya."

The National Inclusion Commission was envisioned by the constitution and a law for its formation was enacted in October 2017. It started functioning after the government appointed its chair on March 31, 2019. Rights activists say the commission report is regressive and part of a ploy to deprive the underprivileged and marginalised communities of the opportunities in the state affairs. "It's not that the government will implement the recommendation of one commission when there are many other commissions that oppose the idea of ending the reservation policy," said Ram Bahadur Thapa, chairperson of the Indigenous Nationalities Commission. "Such recommendations could invite conflict as marginalised groups are against them."

This is not the first time the constitutional and legal rights of the disadvantaged groups are being undermined. There were several such incidents in the past that curtailed the rights of these groups. Earlier on May 29, 2019, the Public Service Commission published a vacancy announcement notice in a single largest recruitment drive to fill the vacant posts in local governments. The commission had invited applications for 9,161 positions ignoring the principle of inclusion.

As per the Civil Service Act, 70 percent of vacant posts are filled through open competition while 30 percent are filled through promotions in the case of section officers. Of the 70 percent vacancies [which is regarded as 100 percent], 45 percent have been set aside for filling them through a separate competition among



different clusters of communities to ensure inclusion. As per the law, of the 45 percent [which is regarded as 100 percent], 33 percent seats in government jobs should be set aside for women, 27 percent for indigenous nationalities, 22 percent for Madheshis, 9 percent for Dalits, 5 percent for the disabled and 4 percent of the seats should be allocated to backward regions. The remaining 55 percent seats are filled through open competition. But the commission said it cannot reserve quotas for all because there is demand for only one or two officials in most of the local governments at once and that there was no way the principle of inclusion could be followed, thus inviting criticism from the rights groups.

However, all the 9,161 positions were filled despite objections from the parliamentary State Affairs and Good Governance Committee. The government embraced the reservation policy from January 2007 after the country adopted the Interim Constitution so as to accommodate various ethnic groups, caste, class and communities who were deprived of economic development. Activists say the National Inclusion Commission's report was not unexpected as the very idea of forming the commission was flawed in the first place. "Actually I'm not surprised by the report because the commission was formed specifically with such malintent," said Shankar Limbu, secretary of Lawyers' Association for Human Rights of Nepalese Indigenous Peoples. "The commission was formed to slash the rights of the disadvantaged groups."

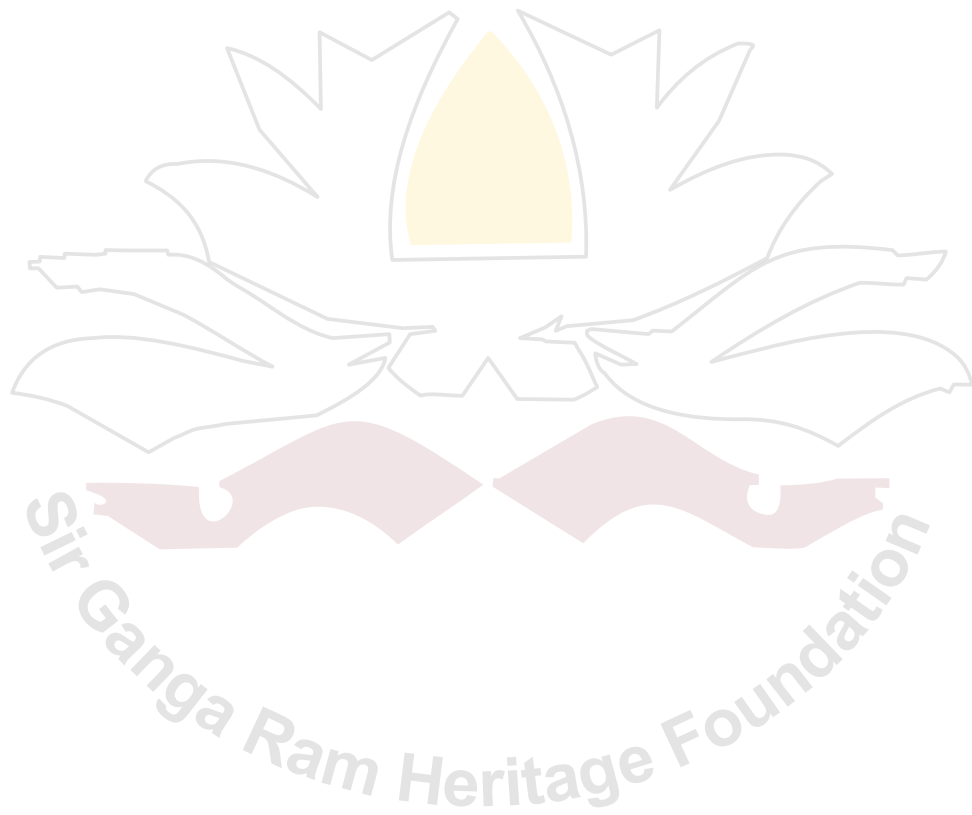
In Nepal, as per the census 2011, women account for 51 percent, indigenous nationalities around 36 percent and Dalits number 14 percent but despite the mandatory provision of reservation to these groups in the civil service, hill Brahmins continue to disproportionately dominate the service compared to their population. Hill Brahmins comprise only 12.2 percent of the total population as per the 2011 census but they have dominated the civil service for decades. As many as 47.83 percent of total candidates recommended by the Public Service Commission based on the results of written tests and interview for recruitment in government service were Hill Brahmins, according to the 62nd Annual Report (2020-21) of the Public Service Commission. Among the 138 candidates recommended by the commission for recruitment in the civil service, 66 were from the Hill Brahmin category. Currently, there is 45 percent reservation on government jobs and scholarships for various groups especially determined on the basis of their castes. The government had earlier appointed former Secretary Shanta Raj Subedi, as the chairperson of the National Inclusion Commission and Bishnu Maya Ojha as its

member but after Subedi decided to resign on July 28 last year a few months after his appointment, Ojha took the charge as acting chair of the commission until a new team was appointed by the KP Sharma Oli government by amending the Constitutional Council Act. The amendment made through an ordinance created controversy. A case that challenged the appointments as 'unconstitutional' is still sub judice at the Supreme Court.

The inclusion commission's report on scrapping inclusion comes about a year after the Supreme Court's recommendation along the same lines. The Supreme Court's judgement on December 16, 2020 said that need should be prioritised over class or caste, sparking a debate on the reservation system. "The expectation of the constitution can be met only if need is prioritised over class or caste for reservation," reads the 74-page full text of the Supreme Court judgement, whose full text was issued on August 1 last year. The judgment by a division bench of justices Bishowambhar Prasad Shrestha and Ananda Mohan Bhattarai, issued in response to a petition by a medical student Binay Kumar Panjiyar, says "as some well-to-do groups from the targeted communities have been taking advantage of the reservation provision, this needs to be revisited." The National Inclusion Commission's chair Ram Krishna Timalseña said the policy of the constitutional body was to review the existing reservation policy because the upper crust of society has been enjoying all the benefits as stated by the Supreme Court.

"Within the next 12 years, all government services will have 45 percent representations of the groups other than Khas Arya. So, we want a review of the existing policy of reservation," Timalseña told the Post. "Since the reservation policy cannot remain for long which kills the merit-based selection, we want the provision to end once the empowerment target is achieved." Timalseña said the term 'reservation should end' means this cannot be a permanent remedy to empowerment and it should eventually end. According to a study conducted by the Tribhuvan University's Department of Sociology in 2014-15, which was cited in 'Prashasan' published by the Ministry of Federal Affairs and General Administration last year, Hill Brahmins constituted 39 percent of the total civil servants, followed by 22.3 percent Hill Chhetris. "It's interesting to learn that the commission that should be working to promote inclusiveness has recommended scrapping the provision altogether," Limbu, an indigenous rights activist, said. "Instead, they should have focused on ensuring social justice in all the state organs."

Source: Katmandu Post



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