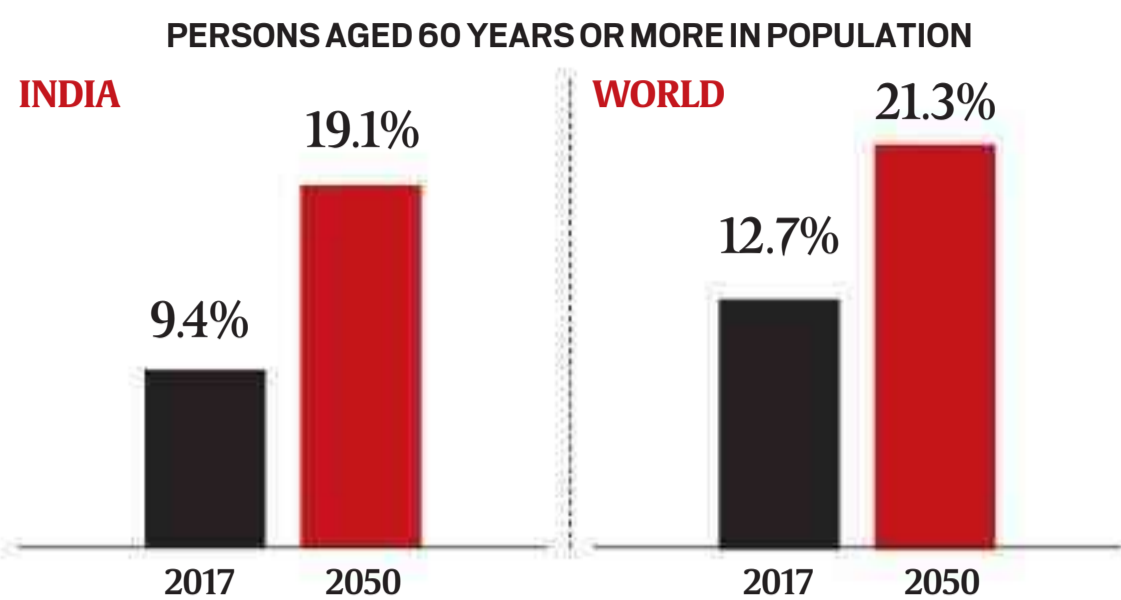


TELLING NUMBERS

In 3 decades, 1 in 5 Indians will be aged 60 yrs or more



THE SHARE of older persons (those aged 60 years or above) in India's population is projected to increase to nearly 20% in 2050.

Table with 2 columns: Region, Share of individuals aged 60+ years in 2050. Rows include Europe (35%), North America (28%), Latin America & Caribbean (25%), Asia (24%), Oceania (23%), Africa (9%).

TIP FOR READING LIST

THE NOVEL THAT LIFTED NOTRE DAME

THE FIRE that ravaged the Notre Dame cathedral has given an immediate relevance to the timeless The Hunchback of Notre Dame.

when Notre Dame was in a state of neglect, mostly on account of desecration during the French revolution of the 1790s, the book is set in the 15th century when the monument retained most of its splendour.



The case against Sadhvi Pragya

BJP's Bhopal candidate is facing trial under terror charges for the Malegaon 2008 attack in which 6 people were killed. She has also figured in investigations into several other cases of alleged Hindutva extremism

SIMPLY PUT

DEEPTIMAN TIWARY NEW DELHI, APRIL 17

THE BJP on Wednesday named Sadhvi Pragya Singh Thakur, key accused in the 2008 Malegaon blast case, as its Lok Sabha candidate from Bhopal.

Malegaon, other cases

Around 9.35 pm on September 29, 2008, explosives hidden in an LML Freedom motorcycle went off opposite Shakil Goods Transport Company in Malegaon, Maharashtra, killing six people and injuring over 100.

The investigation led by then Maharashtra Anti Terrorism Squad (ATS) chief Hemant Karkare (who was to be killed by Lashkar-e-Taiba terrorists in Mumbai less than two months later), traced the motorcycle to Surat, and ultimately to Thakur, a former ABVP activist.

The investigation revealed an alleged conspiracy to retaliate against jihadist attacks in India. In a chargesheet filed on January 20, 2009, and a supplementary chargesheet filed on April 21, 2011 before the special Maharashtra Control of Organised Crime Act (MCOCA) court in Mumbai, the ATS named 14 accused — also including Shivanarayan Kalsangra, Shyam Sahu, Sameer Kulkarni Ajay alias Raja Rahirkar, Rakesh Dhawade, Jagdish Mhatre, Sudhakar Chaturvedi, Pravin Takalki, Ramchandra Kalsangra, and Sandeep Dange.

In December 2010, the CBI arrested Naba Kumar Sarkar alias Aseemanand, who confessed before a magistrate that the Malegaon blasts of 2006 and 2008 were carried out by radical Hindu groups as "revenge against jihadi terrorism". He said the plan to target Muslims was hatched by a group led by former RSS pracharak Sunil Joshi.

Thakur's alleged role

It was Thakur's arrest on October 24, 2008 that opened a window for investigators into the alleged activities of Hindutva extremists. Her name figured multiple times in the larger conspiracy, but she was chargesheeted in only the Malegaon 2008 case, in which her motorcycle was used.

According to the ATS chargesheet, Thakur was part of most meetings of the radical activists from 2006 onward, at which plans to target Muslim-majority areas were discussed. Meetings about the Malegaon 2008 attack took place from January 2008 in Faridabad, Bhopal, Kolkata, Jabalpur, Indore and Nashik. At a meeting in Bhopal on April 11 that year, Thakur allegedly took charge of finding the men to execute the attack.

According to the chargesheet, Thakur was close to Joshi and Kalsangra, whom she allowed to use her motorcycle to plant the bomb. Kalsangra had already been using the bike at the time.

In its Samjhauta chargesheet, NIA said

Charges framed in 1 case, dropped in 1; acquitted in 1

MALEGAON BLAST, 2008



PRAGYA LINK: LML Freedom bike used was in her name; she was allegedly part of meetings where plan was discussed.

OTHER ACCUSED: Col Prasad Purohit, Ajay Rahirkar, Sudhakar Dhar Dwivedi, Sudhakar Chaturved, Major (Retd) Ramesh Upadhyay and Sameer Kulkarni.

CASE STATUS: Maharashtra ATS chargesheeted 14, but NIA dropped charges against 5; 2 are absconding. NIA exonerated Thakur of all charges, said evidence against Purohit was weak. The court refused to accept NIA's contention, framed charges against Thakur, Purohit and 5 others under UAPA sections.

SUNIL JOSHI MURDER, 2006



PRAGYA LINK: Along with Thakur, NIA arraigned 9 accused in 2014; claimed that "licentious advances" made by Joshi on Thakur had provoked their associates into murdering him.

OTHER ACCUSED: Raj Singh, Vasudev Parmar, Anandraj Kataria, others.

STATUS: NIA chargesheet claimed it was a murder due to personal issues. The case was transferred to a Dewas court which in February 2017 acquitted all the accused.

AJMER DARGAH BLAST, 2007



PRAGYA LINK: Rajasthan ATS said a secret meeting on terror conspiracies was held on October 31, 2005, which Thakur, Joshi and others attended.

OTHER ACCUSED: Aseemanand, Sandeep Dange, Ramji Kalsangra, Joshi, Devendra Gupta, Bhavesh Patel, others.

STATUS: Only alleged Hindutva terror case in which NIA has secured a conviction — of RSS pracharaks Gupta and Patel. NIA filed closure report against Thakur and others.

Thakur had come to know Aseemanand back in 2003. During discussions with her and Joshi, Aseemanand had expressed anger at terror attacks on temples. Over time, they "developed (a desire for) vengeance not only against the misguided jihadi terrorists but against the entire Muslim community", says the chargesheet.

Evidence against Thakur

The key material evidence against Thakur in ATS chargesheet is her bike. There is a conversation, intercepted by investigators around the time she was apprehended, between Major Ramesh Upadhyay and Lt Col Purohit, in which they discuss her alleged role in the Malegaon blast, and the law catching up with her.

The most important evidence, however, is the statement of Yashpal Bhadana, an RSS member who claimed he was part of two meetings in Bhopal on April 11, 2008, attended by several of the alleged conspirators.

In the first meeting, attended by Thakur and others, "Col Purohit repeated the issue of waging a guerrilla war against jihadis that he had first mentioned at a meeting in Faridabad on January 26," Bhadana said in his statement. In the second meeting, "Col Purohit said that we must do something quickly to take revenge against Muslims," the statement added. "In Maharashtra's Malegaon the population of Muslims is very high. If we explode bombs there then we can avenge the atrocities against

Hindus. On this, Sadhvi Pragya Singh said that she would arrange for men for the work."

What NIA did with the case

The NIA took over the case on the directions of the Home Ministry on April 13, 2011, and filed a chargesheet in 2016. The chargesheet exonerated Pragya Singh Thakur and prosecuted Col Purohit, but with the caveat that the evidence was weak. It dropped charges under MCOCA against all accused, and described Karkare's investigation as fudged. Before the chargesheet was filed, NIA's special public prosecutor Rohini Salian alleged that the agency was pressuring her to go slow.

The bike, the NIA said in its chargesheet, was in Thakur's name, but was being used by Kalsangra for two years prior to the blast. He paid for its repairs and maintenance, the NIA claimed, citing witnesses.

The agency also said not a single statement had been recorded in front of a magistrate (under Section 164 CrPC) saying she was part of the conspiracy meetings. All witness statements had been recorded under MCOCA before a police officer — and given the agency had dropped MCOCA, these statements had lost evidentiary value, it said.

The NIA virtually rejected the evidence presented by Bhadana, who claimed during re-examination that his statement had been made under duress. Another witness who spoke to the ATS, R P Singh, made the same claim. NIA got their retractions, which exonerated Thakur, recorded under Section 164 CrPC before a magistrate.

Following the chargesheet, Thakur was granted bail by the NIA special court. However, it did not accept Thakur's exoneration, and ordered in December 2017 that both Purohit and Thakur would face trial under the UAPA. In October 2018, the court framed charges against Thakur and six others under Sections 16 (committing terrorist act) and 18 (conspiring to commit terrorist act) of the UAPA, and under the IPC for murder, criminal conspiracy and promoting enmity between communities.

Links to other cases

Thakur's name cropped up in the Ajmer dargah blast case, but she was never charged. In April 2017, the NIA filed a closure report against Thakur, RSS leader Indresh Kumar, and two others in a special court in Rajasthan. The Rajasthan ATS had said Thakur and Indresh were part of a meeting on October 31, 2005, along with others. This is the only case among Hindutva extremism matters in which two RSS pracharaks, Devendra Gupta and Bhavesh Patel, were convicted. These men were alleged to be close to Sunil Joshi and Pragya Thakur.

Thakur was also accused of conspiracy in the December 2007 murder of Sunil Joshi. In 2014, the NIA filed a chargesheet against Thakur and others. It claimed that beginning 2006, relations between Joshi and Thakur had begun souring and "licentious advances" by Joshi had angered their associates so much that they murdered him. The case was transferred to a Dewas court which in February 2017 acquitted all the accused.

Caught in London, is Julian Assange headed to the US to face trial now?

EXPRESS NEWS SERVICE NEW DELHI, APRIL 17

IT IS a week since British police took away Julian Assange from the Ecuadorian embassy in London after the host country revoked his asylum. In the UK, the founder of WikiLeaks has been convicted of jumping bail in 2012. He could end up in prison for a year for that — but he is yet to be sentenced. After the arrest, the US Justice Department unsealed a March 2018 indictment charging Assange with "conspiracy to commit computer intrusion". And prosecutors in Sweden are considering re-opening a probe into allegations of rape.

Supporters hail Assange as a free-speech icon who has invited the wrath of a vengeful US for exposing misdeeds that have embarrassed the superpower. They fear he will be sent to that country to face trial and will probably be punished for his heroism. Is that what is going to happen?

In the UK, as of now

Britain is where Assange is now, and the

ongoing criminal action in that country will come ahead of any demands that the US or Sweden might make for him. That may not be able to protect him from extradition for long, a Reuters report quoted London lawyer and former head of extradition at the Crown Prosecution Service Nick Vamos as saying, "Even if he (Assange) gets a maximum 12-month sentence, that means he will serve six and it will take at least six months for his extradition proceedings to be resolved." Vamos told Reuters. Which means extradition hearings need not wait for his sentence to be over. A British judge has given the US until June 12 to lay out the case against Assange.

The case in Sweden

In 2010, two Swedish women accused Assange of sexual assault and rape. A start-stop investigation led to the issue of a European arrest order. Assange, who feared Sweden would give him to the US, was given refuge in Ecuador's embassy in the UK in 2012 by the leftwing politician who was then President, Rafael Correa. In 2015, the Swedish authorities closed the investigation into ac-

cusations of sexual molestation and unlawful coercion after they were time-barred. In May 2017, they dropped the rape probe without filing charges, saying it was unlikely they would get Assange any time soon.

But on April 11, the day Assange was arrested, Swedish prosecutors said the alleged victim's lawyer had asked for the rape investigation to be reopened. The statute of limitation for rape is 10 years, which means Assange can be prosecuted until August 2020. Assange has said his sex with the two women was consensual, and that the allegations were motivated.

The case in the US

Assange is accused of conspiring with former Army intelligence analyst Chelsea Manning — then known as Bradley Manning — to access classified information on computers of the US Department of Defense in 2010. In 2013, a court martial convicted Manning of supplying 700,000 documents, videos, diplomatic cables and battlefield accounts to WikiLeaks when she was an intelligence analyst in Iraq. President



Assange was picked up from the Ecuadorian embassy and taken away by police in London on April 11.

Barack Obama commuted Manning's 35-year sentence in 2017, but she was jailed again this March for refusing to testify before a grand jury. Information published by

WikiLeaks appeared to establish the killing of hundreds of civilians by the US in unreported incidents. If tried and convicted, Assange faces up to five years in jail.

Where's he headed?

The extradition process will not be very different from the one through which the cases of Vijay Mallya and Nirav Modi are passing. After extradition requests pass through courts, Home Secretary Sajid Javid will decide which among Sweden and the US to privilege. He will consider the seriousness of the offence, and which request comes first. Also considered in such cases is whether the accused individual faces a risk of execution, or whether the requesting country could add any unspecified charges later.

Vamos, the lawyer, told Reuters that the re-issued Swedish request, which was first made long ago, should get precedence, especially because "there's a victim there who's been waiting for justice for many years", and because the US has taken so long to frame its indictment. More than 70 British parliamentarians — mainly Labour MPs and peers

— have written to Javid asking him to "stand with the victims of sexual violence", and ensure that the charges in Sweden are "properly investigated". The rape charge lapses in less than a year and a half.

That said, it is helpful to remember that action on extradition requests almost everywhere depend, in general, on the diplomatic clout that one country has with the other.

Assange's options

If a lower court orders his extradition, Assange could appeal to London's High Court and to the Supreme Court if he can identify a challenge based on a point of law, Reuters reported. Also, every individual in Assange's situation can claim that extradition would be a violation of their human rights. He could argue that he has been slapped with so much notoriety already, that a fair trial in the US was impossible. "He could argue the entire request is politically motivated, that he is being prosecuted by reason of his political opinions or his political affiliations, that it's revenge, it's vindictive, it's a vendetta," Vamos told Reuters. "All of those arguments have legs."



The Indian EXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

WHO CARES

By choosing Pragya Thakur, accused in a terrorism case, as candidate, BJP signals that the rule of law doesn't matter

THE NOMINATION OF Sadhvi Pragya Singh Thakur by the BJP as a Lok Sabha candidate from Bhopal is an unequivocal signal from the party and its leadership that legal due process doesn't matter when it comes to furthering politics and ideology. The party's view is, and this has been underlined by its top leaders day after day in this bare-knuckled election campaign, that there is nothing called terror by hardline Hindu groups, that all was a figment of the UPA's prejudiced imagination. So it doesn't matter that the court, in several cases, pulled up the prosecution for not doing its job. It doesn't matter that Thakur, out on bail, is an accused named by the Maharashtra Anti-Terrorism Squad which has chargesheeted her for conspiracy and alleged that it was her bike which was used to plant the explosives that killed six in Malegaon in 2008. When the government changed at the Centre, the National Investigation Agency (NIA) had a change of stance: Special prosecutor Rohini Salian told this newspaper that she was under pressure to go soft on the accused. A year later, the NIA claimed the evidence against Thakur was insufficient to prove her complicity in the crime and sought to exonerate her. However, a special court in Mumbai last year found that the available evidence was sufficient to prosecute Thakur under the Unlawful Activities Prevention Act (UAPA) for terror activities, criminal conspiracy and murder. All this, evidently, doesn't matter to those who chose her for the Bhopal seat.

There is also no escaping the fact that Thakur's nomination may be some comeuppance for Digvijaya Singh as well. For, he is the one who lent his political weight — significant at that time — to conspiracy theories about the 26/11 Mumbai attacks. Even going to the extent of suggesting that the killing of Maharashtra ATS chief Hemant Karkare could have something to do with threats he received from Hindu extremists and joining the launch of a book that linked the attack to the RSS. Karkare led a spirited investigation into acts of violence by hardline Hindu groups and Singh did disservice to his role. Zero tolerance for terrorism means zero tolerance for opportunistic politics around it — left or right. For the BJP, therefore, the decision to give Thakur a ticket affirms its approval of a politics that not only celebrates hate speech but also appears to condone hateful action.

Since 2014, there have been questions on the legal process in cases including the Malegaon bomb blasts, terror strikes at Ajmer Sharif and Mecca Masjid, Hyderabad and the 2007 attack on Samjhauta Express. The NIA and the prosecution have failed to secure convictions, there is no tearing hurry to act after the collapse of these cases in trial courts. The BJP has been winning the Bhopal seat since 1989 and Thakur may very well defeat Digvijaya Singh but her nomination corrodes democracy. It underlines the line brazenly used by a string of accused, from all political parties, that their vote count should decide their innocence or guilt — who cares about rule of law or due process.

OUR LADY LIVES

The mourning for Notre-Dame de Paris holds out the hope that its reconstruction could be a project that transcends divisions

MARTIN HEIDEGGER ARGUES rather convincingly in the *Origin of the Work of Art* that great art is no longer possible. Because, at its most sublime, it opens up, creates and circumscribes a world — a lightning rod through which a society finds definition and articulation. The machine, capital and self-obsession have robbed art of that potential to earn the all too over-used sobriquet — Great. The cathedral in the fourth arrondissement of Paris would have passed Heidegger's exacting standards. The Notre-Dame de Paris is not merely a religious site, an architectural marvel or a tourist attraction. It is a place that has been part of so much of French history, so intrinsic to one of the great world cities that the fire that coursed through it on Monday, has left its mark across the world.

No one was killed in the blaze, fortunately, and arson investigators have assured the public that prima facie, there appears to be no sign of foul play. President Emmanuel Macron has promised the people of France and the world that the Notre Dame will be rebuilt better than before. The sceptics, and those living with the grief and disappointment of the destruction, will argue that something will be lost in the reconstruction; that from when the foundation stone was laid in 1163, the many additions through popes and kings and damage from war, every rose-tinted window, every gargoyle, the deep, dark echoes in the hallway, the scenes and statues of biblical proportions, will never quite be the same.

But, despite the accidental destruction of the work of art and the world it opened up, Macron's promise and the hope it holds out is very much a part of the spirit of Our Lady of Paris. From the very founding of the city (the cathedral is still kilometre 0 in Paris, the point from which all other distances are measured), the Notre Dame has been the physical and historical epicentre of France. Its symbols were attacked during the French Revolution and it is also where Napoleon was crowned and Charles de Gaulle mourned. It has long since become a symbol of modernity, part of our collective heritage. The mourning for Notre Dame is heartening in a world divided by resurgent nationalisms and "strong" leaders trying to maximise the gains of provincial and petty bigotries. The new Cathedral may not have the historical authenticity of the old. But its reconstruction could be testament to the values it has accrued, of great art that imagines a better collective future in the face of a collective loss.

WORK 996

Instead of liberating people from the drudgery of long hours, several tech sectors buck the push for better work-life balance

IN LATE MARCH, anonymous activists in China introduced 996.ICU, a domain name that represents the grueling life of Chinese programmers, with the warning that these workers would end up in a hospital's intensive care unit (ICU). Since then, a debate has raged across the country: Should Chinese IT sector employees work nine am to nine pm, six days a week? The arguments and discussions, however, have a history that is almost as old as capitalism. 996.ICU's demand to moderate the 72-hour work week in the Chinese IT sector have a striking affinity with the slogan raised by the early socialist, Robert Owen, "Eight hours work, eight hours leisure, eight hours rest".

Jack Ma, the founder and head of the Chinese IT giant, Alibaba has hit back with exhortations — "If you don't work 996 when you are young, when will you?" Working overtime could be a "huge blessing" for young workers, the billionaire is reported to have said. Such platitudes, however, can barely hide the fact that the work hours in the tech sector in China — and in many other parts of the world — harken back to the times when a "sun up to sundown" working day was the norm in factories and workhouses. Ma's comment that his company expected workers to put in 12 hours a day since it had huge commitments to its clients is testimony that the halcyon days of Fordist capitalism are past us.

Till the second half of the 20th century, many critics of capitalism had hoped that technology would liberate humankind from the drudgery of long work hours. Indeed in many countries that were early to the Industrial Revolution, the debate today is about better work-life balance. But ironically, the pushback to this demand has come from the sectors — and in countries — which are the harbingers of newer forms of technology.

What a community has lost

In five years, Muslims in India have been cleaved from the basic entitlements of democratic citizenship



SHAH ALAM KHAN

IT HAS BEEN difficult to be a Muslim in India in the last five years. The risk of violence, loss of life, loss of property and loss of dignity was many times higher than for other citizens, except probably the Dalits. Yet, most of our public discourse in these five years, whether through a Left or Right prism, was centred around the political dispensation which came to power in 2014.

What the Muslims lost in this din of majoritarian politics became too complicated an issue to talk about. Besides, to discuss the "loss" of Muslims in a secular country would amount to promoting a communal agenda, no matter how important and urgent it may be. No wonder, even political parties committed to secular politics decided to avoid the narrative of "Muslim loss". It thus becomes essential to understand what the Muslims, as the largest minority of this democracy, lost with the rise of a ruling class which did not shy away from a majoritarian narrative. This discussion becomes even more urgent at the time of the elections when nearly all the political leaders of the ruling party (including Union ministers) blatantly threaten the Muslim citizens of dire consequences if they dare not vote for them.

The most important fallout of the French Revolution in societies the world over was the rise of the common citizen over the ruling class. This, in a way, led to the establishment of a version of democratic social justice. With the establishment of nation-states, this version became dominant and the rights of the citizen became paramount. Thus, by a historical conjunction, the citizenry of a nation is committed to it for two broad reasons. First, entitlements of various kinds including a promise of security of life, property and dignity. And second, to look forth to a common future. This entitlement (and to an extent the

promised common future) in most countries, including India, is also legalised by assurances through the Constitution. Unfortunately, in the case of Indian Muslims, both these natural privileges of the citizenry have evaporated in the last five years.

Entitlement is in itself a difficult concept to embrace and in societies like ours, entitlement becomes even more problematic in view of the stringent, orderly caste system at work. The entitlements of the citizenry are, therefore, not dispensed in accordance with democratic social justice but through a narrative of a sort of undeclared hagiarchy.

It doesn't take rocket science to understand how the last five years have seen the cruel erosion of justice, particularly for Muslim citizens. How many cases of mob lynching by cow vigilantes come to mind where the very perpetrators of violence got away while the Muslim victims were further penalised? Also important is the rectification of injustice. The grant of bail to convicts like Babu Bajrang and Maya Kodnani not only mocked the justice system of the country but also caused disenfranchisement of the Muslims of India through an acute battering of the rectification of injustice.

In his theory of entitlement articulated in *Anarchy, State and Utopia* (1974), Robert Nozick defined three basic principles of entitlement — justice in acquisition, justice in transfer and rectification of injustice. Entitlement is, thus, in a nutshell, a blend of justice and rectification of injustice. If this definition is applied to the current Muslim citizens of India, we can see that their entitlement as citizens has been torn to tatters. It doesn't take rocket science to understand how the last five years have seen the cruel erosion of justice, particularly for Muslim citizens. How many cases of mob lynching by cow vigilantes come to mind where the very perpetrators of violence got away while the Muslim victims were further penalised? Also important is the rectification of injustice. The grant of bail to convicts like Babu Bajrang and Maya Kodnani not only mocked the justice system of the country but also caused disenfranchisement of the Muslims of India through an acute battering of the rectification of injustice.

We are told that a nation is a cohort of people who inherit a common future. The loss of this common future has been cemented for India's Muslims. Having said

that, this is not a problem faced only by the Muslim citizenry; it is rampant through the underprivileged and economically deprived sections of the country. We may conclude that this brotherhood of misery has been further fortified for Muslims in the last five years.

So, what is the solution to this acute crisis of entitlement of citizenship for the Muslims of India? Honestly, I don't know. I am also not sure if a change of regime would bring back the entitlements that have been lost. Disenfranchisement does not occur across tangible contours. Entitlement and disenfranchisement take place in the consciousness of people. Interestingly, this occurs in the minds of both the perpetrator and the victim. In fact, to feel disenfranchised is a far greater loss than actually being disenfranchised. The hope lies not in a change of regime but in the very essence of democracy.

The Muslims of India are different than their brethren in other parts of the world because they are the only Muslims on the planet (except Turkey) who have cherished 72 years of uninterrupted democracy. To have a firm faith in democracy and its principles is the biggest takeaway India's Muslims should have gleaned from the last five years. They should realise that they are neither the first nor the last to be deprived of the privileges of being the citizens of a nation. The predecessors of disenfranchisement in this country are many — Adivasis, Dalits, women, and the economically disadvantaged. Five or 10 years is a small timespan in the history of a nation. The resilience of democracy is what ensures its citizenry their basic entitlements.

The writer is professor of orthopaedics, All India Institute of Medical Sciences, New Delhi. Views are personal



ANGELLICA ARIBAM

CLOSING THE GENDER GAP

Seriousness about Women's Reservation Bill must show in electoral representation

POLITICAL PARTIES HAVE once again promised to pass the Women's Reservation Bill in their manifestos. However, with the release of each party's candidates' list, one can't help but notice the lack of women candidates fielded by the national parties. As of April 3, 2019, the Congress and the Bharatiya Janata Party have given tickets to women on 13.7 per cent and 12 per cent seats respectively. Notably, regional parties outdid these national parties, with Trinamool Congress fielding women in more than 40 per cent seats and the Biju Janata Dal followed close with 33.3 per cent seats for women.

This raises the question: If political parties are serious about the Women's Reservation Bill, then why not begin by giving tickets to more women? As a staunch feminist who has been advocating for more representation of women in politics for years now, I have had multiple variations of this question posed to me in the last few days.

India currently has 11.8 per cent women in Parliament, and the number is even more dismal in the state assemblies. Globally, in the last two decades, more than 100 countries have introduced affirmative action policies for women in politics after the World Conference for Women, held in Beijing in 1995. The exact goal of a gender quota is to ensure more representation of women in parliaments and state legislative bodies. There are three forms of gender quotas which are widely implemented across the world: a) Fixed reserved seats, b) electoral quota on rotational basis, c) voluntary political party quota. The Women's Reservation Bill comes under the second category where 33 per cent of the seats would be reserved for women on a rotational basis. This

would ensure that there are at least 33 per cent women MPs and MLAs in Parliament and legislative assemblies.

On the other hand, the voluntary political party quota model does not usually end up in more representation of women. Countries in Latin America, Africa and Europe which have adopted this policy widely have less than 20 per cent women in their parliaments. This is primarily because political parties generally tend to field women candidates in non-winnable seats, merely to fulfil the quota requirements. Often in these seats, women have no level-playing field. Studies have revealed that women candidates tend to receive less funds from donors when contesting against male candidates. Due to the entrenched patriarchy, women candidates are also considered to be less capable than their male counterparts by the voters. These combined factors result in unfulfillment of the end goal of greater representation for women.

Closer home, in the NSUI, the students' wing of the Indian National Congress, of which I was a national office bearer for five years, there is gender quota for the internal elections for party positions. We often found it difficult to fill all the seats reserved for women. This was not because young women are not interested in politics, but because of the challenges that are associated with contesting an election.

The gender quotas need to be supplemented with capacity building. Political parties have a greater incentive in nurturing women leadership when it becomes an obligation to field women as candidates. This is

what happened in Rwanda. In the 1990s, women made up just 18 per cent of the parliament. A constitutional legislation was brought about in 2003 to mandate 30 per cent reservation for women in elected positions. In the elections held in the same year, nearly 50 per cent women made it to the Rwandan parliament. In the subsequent elections of 2008 and 2013, the number of women parliamentarians have jumped from 56 per cent to 64 per cent, making it the highest in the world.

In the light of data from various countries and lived experiences, it becomes imperative that the Women's Reservation Bill be passed. This Constitutional Amendment would act as an outside intervention to political parties, resulting in striving for gender parity within the system. It should also be mentioned here that India made a turning point in its gender representation at the grass roots level after the 73rd and 74th amendment. The representation at the local bodies grew from a mere 3-4 per cent to 43 per cent. This massive growth would not have been possible if it were just an intra-party reservation for women.

Indian democracy is in dire need of an exponential rise in representation of women in legislative bodies. Voluntary political party quotas are mere optics which might not lead to increasing representation at all. Whereas, enacting the Women's Reservation Bill is the surest way of immediately achieving at least 33 per cent representation. It's 2019 — if not now, then when?

The writer is a political activist and former national general secretary of NSUI



APRIL 18, 1979, FORTY YEARS AGO

KERALA REJECTS BAN THE KERALA CHIEF minister, PK Vasudevan Nair, said in Trivandrum that his government would not agree to the demand for a total ban on cow slaughter. Nair then left for Bombay on his way to Paunar ashram to meet Acharya Vinoba Bhave and try to persuade him to give up his proposed fast: Referring to the demand that the Constitution should be amended to include protection of the cow in the concurrent list, the chief minister said there was no question of agreeing to the demand. Prime Minister Morarji Desai is also of the view that there is no point in bringing this into the concurrent list because implementation has to be done by the states alone.

BENGAL FOLLOWS SUIT THE PROSPECTS OF an agreed decision on cow slaughter between West Bengal chief minister Jyoti Basu and Acharya Vinoba Bhave are frightfully dim. While Basu will try to persuade the Acharya to appreciate the peculiar position in West Bengal and give up his projected fast, he will, certainly not agree to ban cow slaughter. In Basu's view, a total ban is impractical.

INDO-BANGLA SUPPLIES INDIA WILL SUPPLY Bangladesh 1,50,000 tonnes of rice and 50,000 tonnes of wheat, either on deferred payment or as barter, as a result of an understanding reached here between Prime Minister Morarji Desai and

the Bangladesh president Ziaur Rahman. The request was made by Bangladesh to overcome its current food shortage. After the final round of talks in Dhaka this morning, decisions were taken to either speed up existing agreements or to set into motion new ideas for cooperation.

MOB VIOLENCE AVERTED THIRTY-YEAR-OLD SARFUDDIN risked his life in preventing a mob from setting fire to the godown of Amarnath Chhabra at Jugsalai on April 12, the second day of the rioting in Jamshedpur. The godown had stocks of imported microwave gadgets which were valued at Rs 10 crore and belonged to the government.

13 THE IDEAS PAGE

WHAT THE OTHERS SAY

"If Catholics are to draw any lesson from the destruction in Notre Dame, it is surely that the walls of the cathedral still stand and that most of the artistic treasures were rescued."
—THE GUARDIAN

The legacy of Ambedkar

B R Ambedkar's ideas of social justice still haunt the country's constitutional apparatus. How much have we achieved?



SOLI J SORABJEE

B R AMBEDKAR is rightly regarded as the principal architect of our Constitution. In the course of his labours, he studied the constitutions of several countries and worked tirelessly.

Ambedkar believed that unless the moral values of a constitution are upheld, the grandiloquent words in it will not protect the freedom and democratic values of the people. Ambedkar also attached great importance to constitutional morality in the working of the Constitution: He explained this — by referring to Grote, the Greek historian — as paramount reverence for the forms of the Constitution, enforcing obedience to authority acting under and within these forms yet combined with the habit of open speech, of action subject only to definite legal control.

The question of whether the President was bound by ministerial advice and could act independently of it or contrary to it arose in the constituent assembly: Ambedkar was of the opinion that the President was bound by ministerial advice, and, Rajendra Prasad, the chairperson of the constituent assembly, had protracted exchanges with Ambedkar on this issue. Ambedkar was of the firm view that "the President could not act and will not act except on the advice of the Ministers. He will never be able to act independently of the Ministers". These passages are reproduced in the landmark judgment of our Supreme Court in *Shamsher Singh's* case, in which the Court accepted Ambedkar's view.

Ambedkar was also passionate about the guarantees of fundamental rights being appropriately incorporated in the Constitution. The subject of fundamental rights was debated for 38 days after which the Assembly adopted a fairly comprehensive array of basic human rights covering a wide spectrum.

It is trite that rights without remedies are meaningless. Guarantees of fundamental rights remain ornamental promises unless they can be judicially enforced: With that objective in mind, the draft Constitution provided that a person can move the Supreme Court directly for the enforcement of his or her fundamental rights without going through the high court.

According to Ambedkar, "If I was asked to name any particular article in this Constitution as the most important — an article without which this Constitution would be a nullity — I could not refer to any other article except this one. It is the very soul of the Constitution and the very heart of it". That was his invaluable contribution to our Constitution and to the people of India.

On the concluding day of the delibera-

tions of the constituent assembly, Ambedkar expressed his misgivings about the successful functioning of democracy in our country in these memorable words: "On 26th January 1950, India would be a democratic country in the sense that India from that day would have a government of the people, by the people and for the people. The thought comes to my mind is what would happen to her democratic constitution? Will she be able to maintain it or will she lose it again? If we wish to maintain democracy the first thing in my judgment we must do is to hold fast to constitutional methods of achieving our social and economic objectives. It means we must abandon the bloody methods of revolution. It means that we must abandon the method of civil disobedience, non-cooperation and satyagraha... Where constitutional methods are open, there can be no justification for unconstitutional methods. These methods are nothing but the Grammar of Anarchy and the sooner they are abandoned, the better for us."

Unfortunately, the Grammar of Anarchy is prevalent still, and Ambedkar's hope that it would be abandoned has not fructified. He also underlined the importance of observing the caution which English philosopher John Stuart Mill had formulated, namely not to lay civil liberties at the feet of even a great man. There is nothing wrong in being grateful to great men but there are limits to it. As has been well said by the Irish patriot Daniel O'Connell, no man can be grateful at the cost of his honour, no woman can be grateful at the cost of her chastity and no nation can be grateful at the cost of its liberty. Ambedkar warned that Bhakti in religion may be a road to the salvation of the soul. But in politics, Bhakti or hero-worship is a sure road to degradation and to eventual dictatorship.

Social justice was Ambedkar's mission. He fervently believed that mere equality on paper was not sufficient. What was needed was de facto equality, real equality of opportunity for the millions who had been denied it. In ringing tones, on the last day of the constituent assembly, he pointed out the perils of a "life of contradictions": "How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment else those who suffer from inequality will blow up the structure of democracy which this Constituent Assembly has so laboriously built up."

The anguished questions posed by Ambedkar continue to haunt us. Social justice, the signature tune of our Constitution, still eludes us. But we cannot afford to give way to despair. The struggle for social justice must continue with determination and its achievement would be the best tribute we can pay to one of the greatest sons of India.

The writer is a former attorney general of India

Mining political gold

Perverse use of electoral data mining leads to preferential treatment, ghettoisation of some communities



NAMAN PUGALIA

CAMPAIGN RHETORIC BRINGS with it a clarity and swagger which is otherwise unforthcoming. It often exposes the vulnerabilities of our democratic practices. In owing up to development apartheid, a member of parliament has now forced an examination of the origins and consequences of political data mining.

Over the last week, Maneka Gandhi, Union minister and the incumbent BJP MP for the Lok Sabha seat of Sultanpur in Uttar Pradesh, has been threatening voters in her constituency. Initially, she pilloried Muslim voters saying they can't expect work from her if they didn't vote for her. She went on to reveal something darker. She proclaimed later at another election meeting, "The parameter is that we segregate all villages as A, B, C, and D. The village where we get 80 per cent votes is A, the village in which we get 60 per cent is B, the village in which we get 50 per cent is C and the village where we get less than 50 per cent is D." She elaborated: "The development work first happens in all A-category villages. Then comes B and only after work in B is done, we start with C. So this is up to you whether you make it to A, B or C and no one should come in D because we all have come here to do good."

In theory, Indians are guaranteed a secret ballot by the Representation of The People Act, 1951. However, voting patterns can be ascertained accurately, especially with the advent of Electronic Voting Machines (EVMs) and the resultant Form 20 that is released by the Election Commission of India (EC). Form 20 is essentially polling booth-level voting data, detailing the number of votes received by all candidates (and parties), down to each EVM.

Ordinarily, an EVM is allotted per 1,000-1,500 voters, but records an average of 200-600 votes, meaning even voters living in densely populated areas are likely to be scrutinised along political lines by contesting parties.

Form 20 can be and is used to determine past voting trends, and has long been an integral part of the campaign calculus. However, it forms only one part of what political operatives refer to as the "golden triple" formulation for determining what level of effort is required in each part of a constituency. The golden triple comprises three sets of vital data: Political leaning, demographics and contact details. The first is measured by analysing Form 20 data, to yield past voting trends per booth. It is finetuned with surveys that are constantly run to determine forthcoming voting trends. The next, demographics, can be approximated by aggregating the voter rolls per booth to determine such identifiers as gender, age, religion, caste and voting booth (that is residential vicinity). Since rolls contain addresses, the family size can be estimated. Religion and caste are derived using algorithms that process last names. Demographics are often supplemented by other socio-economic data such as income, via proxies like property tax records. Finally, contact information is aggregated in multiple ways, generally not from government documents or public records but via panna pramukhs or other such physical or digital networks. Based on this data, one can figure out how much effort candidates have to put into each area, what is likely to appeal to the people of those localities, and how to most effectively reach every voter. Such analytical approaches for campaigns are useful for political entrepreneurs who don't enjoy the same kind of fame or funding that their larger counterparts do: It allows them to take more considered decisions with regard to campaign strategies.

The problem, however, arises when this data is used to unleash discriminatory development. Maneka Gandhi thus disclosed an open secret: Politicians, instinctively or analytically, know who is voting for them. So, given the constantly improving analytical capabilities, there exists a real risk of the ghettoisation of certain communities as punishment: A direct violation of the spirit upon which the Constitution was built

The problem arises when this data is used to unleash discriminatory development. Maneka Gandhi thus disclosed an open secret: Politicians, instinctively or analytically, know who is voting for them. So, given the constantly improving analytical capabilities, there exists a real risk of the ghettoisation of certain communities as punishment: A direct violation of the spirit upon which the Constitution was built

capabilities, there exists a real risk of the ghettoisation of certain communities as punishment. This is a direct violation of the spirit upon which the Constitution was built, particularly for Union ministers who agree to "do right to all manner of people in accordance with the Constitution and the law, without fear or favour, affection or ill-will" in their oath of office.

The increasing recognition of this malpractice has evoked several suggestions which include avoiding the use of EVMs or not releasing Form 20 data. Such steps could damage the goals of security and transparency. Aggregation of data by way of cluster counting is another remedy that has been proposed by the EC. A "totaliser" would add together the votes of 14 EVMs such that booth-level data is not recorded and aggregate data alone is made available. However, the kind of political start-ups that India needs, and indeed, craves, can only happen on account of more visibility and greater access, not less. The time has come for various institutions to consider upstream solutions with capacity building. Enhancement of the analytical capabilities of District Development Committees (DDCs), legislatures and the EC can empower these bodies to continuously monitor developmental grants, spot anomalies and take corrective action. The tools and techniques used for understanding and treating electorates should not be the preserve of only those who are most prone to abusing the privileges they are granted.

The persecution of certain communities based on the nefarious use of increasingly pointed analytical capabilities risks perpetuating an already vicious cycle of exclusion. It is imperative that those interested in deepening the roots of our democratic traditions and constitutional principles co-create a progressive solution. And the starting point has to be with our institutions which, even with their flaws, have a rich history of acting as bulwarks against misadventures.

The writer is founder, Walkn. He previously co-founded, FourthLion Technologies, a political campaign planner

The truth about RSS

Gandhi's wariness of its ideology is clear from his writings, historical record



RAM PUNIYANI

THERE ARE CONTINUOUS attempts from the RSS camp to show that Mahatma Gandhi looked to up to the RSS with respect. The latest such attempt is the article by RSS joint general secretary Manmohan Vaidya. ('The Mahatma and the Sangh', IE, April 12). Vaidya first tries to dissociate from Nathuram Godse by stating that in the many discussions he has attended on Gandhi within the Sangh, Godse is not mentioned. Does that mean Godse had nothing to do with the RSS?

Godse was a pracharak of the RSS who later joined Hindu Mahasabha as the secretary of Pune branch. His younger brother and a co-conspirator in the assassination plot, Gopal Godse in 1994 disclosed that his elder brother was anxious to protect the RSS, which had been "like a family to us". "[Nathuram] said in his statement that he left the RSS," Gopal continued, "He said it because... the RSS were in a lot of trouble after the murder of Gandhi. But he did not leave the RSS". Gopal denounced the "cowardice" of those disputing his brother's unbroken membership of the RSS. Corroborating Gopal's statement is the influential pro-RSS scholar, Koernraad Elst

who, in his 2001 book *Gandhi and Godse*, wrote that "Nathuram contrived to create the impression that the RSS had little to do with him, simply to avoid creating more trouble for the RSS in the difficult post-assassination months."

Vaidya is forthright to point out his opposition to Gandhi: "Despite disagreeing with him and his surrender to the extremist and jihadi elements among Muslim community RSS had admired (Gandhi)". This distortion of history is in keeping with the Hindu nationalism espoused by Vaidya and his RSS. While Gandhi opposed Muslim separatists, he wooed over a large section of Muslims to Indian nationalism. To call the Muslims who participated in freedom movement under Gandhi's leadership "extremist" or "jihadi" is not only a travesty of the truth; it reveals the RSS worldview.

Vaidya tries to show that the RSS was a part of the freedom movement by writing that its founder, K B Hedgewar, participated in the Non Cooperation (1921) and Civil Disobedience (1930) movements. On one hand, Hedgewar participated in the Non Cooperation Movement and on the other, he

is critical of its impact of the same: "As a result of non cooperation movement of Mahatma Gandhi, the enthusiasm in the country was cooling down and the evils of social life, which that movement generated, were menacingly raising their head." According to Hedgewar, "it is due to this movement that Brahmin-non Brahmin conflict was nakedly in view".

In 1930 (the RSS was formed in 1925), Hedgewar discouraged those who wanted to participate in the anti-British movement. And in 1942, his successor also forbade RSS volunteers to take part in the Quit India movement. M S Golwalkar reminded the RSS that fighting against the British is not a part of their agenda: "We should remember that in our pledge we have talked of freedom of the country through defending religion and culture, there is no mention of departure of British from here." (*Shri Gururji Samagra Darshan*, vol. IV, page 40)

As far as Gandhi's views on the RSS are concerned, there are some scattered observations which give an understanding of what he thought of it. In *Harjan* on August 9, 1942, Gandhi writes: "I had heard of the Rashtriya

Swayamsevak Sangh and its activities; and also know that it was a communal organisation." Gandhi also refers to the drill of RSS volunteers who shouted that this nation belongs to Hindus alone and once the British leave they will subjugate the non Hindus. In response to the rowdiness indulged in by communal organisations, he writes: "I hear many things about RSS. I have heard it said the Sangh is at the root of all this mischief."

Amongst the recorded opinions about Gandhi's evaluation of RSS, the most authentic is the one of his secretary Pyarelal. Pyarelal narrates an event in the wake of 1946 riots. A member of Gandhi's entourage had praised the efficiency, discipline, courage and capacity for hard work shown by the RSS cadres at Wagah, a major transit camp for Punjab refugees: "Gandhi quipped back, '...but don't forget, so had Hitler's Nazis and the Fascists under Mussolini'. Gandhi characterised RSS as a communal body with a totalitarian outlook." (Pyarelal, *Mahatma Gandhi: The Last Phase*)

The writer, formerly with IIT Bombay, is associated with many human rights groups

LETTER TO THE EDITOR

IT'S ABOUT SECURITY

THIS REFERS TO the article, 'The twin can't meet' (IE, April 17). Though the armed forces need to be kept out of domestic politics, that does not mean that security cannot be an issue during elections. The BJP is trying to put security issues, including Kashmir, as the central plank of its campaign. The Opposition, along with its friends in the media, is trying to side-step the issue. There is a need for a healthy debate on security. The author's remarks about the calibre of present service chiefs are in poor taste.

H N Bhagwat, Chiplun

OBSOLETE CHANNEL

THIS REFERS TO the editorial, 'Indelicate imbalance' (IE, April 17). The EC pulling up Doordarshan for being prejudiced towards the ruling party in the election season could be logical and legally correct. However, the moot point is whether the Doordarshan is the only channel swaying the voters towards the BJP? Today, a plethora of private channels are showing their leaning towards the ruling party. It has become hard to find an objective medium. In the present times, Doordarshan, along with Air India, has become obsolete.

Deepak Singhal, Noida

CHANGE MINDSETS

THIS REFERS TO the editorial, 'Abusing women' (IE, April 16). It is true that a large number of political leaders have a feudal and patriarchal background. Empowering women is beyond their

LETTER OF THE WEEK AWARD

To encourage quality reader intervention, The Indian Express offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday. Letters may be e-mailed to editpage@expressindia.com or sent to The Indian Express, B-1/B, Sector 10, Noida-UP 201301. Letter writers should mention their postal address and phone number.

THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

imagination. Our legislatures need more representation of women.

Tapamoy Ghosh, Purba Bardwan

HOSTILE NEIGHBOUR

THIS REFERS TO the editorial, 'Building peace' (IE, April 16). The crux of the problem in Indo-Pakistan relations lies in the fact that fundamentalists exercise a major sway in Pakistan's politics. Under such circumstances, building peace seems to be a remote possibility unless Pakistan changes its attitude.

Subhash Vaid, Noida