DIALOGUE

QUARTERLY

Subscription Rates :

For Individuals (in India)

Single issue	Rs. 30.00
Annual	Rs. 100.00
For 3 years	Rs. 250.00

For Institutions:

Single Issue	Rs. 60.00 in India, Abroad US $ 15
Annual	Rs. 200.00 in India, Abroad US $ 50
For 3 years	Rs. 500.00 in India, Abroad US $ 125

All cheques and Bank Drafts (Account Payee) are to be made in the name of "ASTHA BHARATI", Delhi.

Advertisement Rates :

Outside back-cover	Rs. 25, 000.00	Per issue
Inside Covers	Rs. 20, 000.00	,,
Inner page coloured	Rs. 15, 000.00	,,
Inner full page	Rs. 10, 000.00	,,

DIALOGUE

QUARTERLY

Editor
J.N. Roy

Associate Editor
Pranav Kumar

ASTHA BHARATI
DELHI

Contents

Editorial Perspective

Pulwama: Strong Reactions and Limited Options

The car borne suicide attack (IED) by the JAISH (JEM) on a CRPF convoy near Pulwama in J&K on the evening of February 14, killed 40 CRPF personnel and injured large number of them. Post-Uri and Pathankot, this was the biggest attack and its nature and large amount of military grade explosives used indicates outside planning and execution. JEM is a well-known ISI proxy and creation.

As in the past, serious incidents of terrorism attack on Parliament (2006), Mumbai train blasts (2006), Mumbai attack (11/2008) followed by Pathankot and Uri attacks (9/2016), the reactions and the public outrage have been strong and due to the forthcoming elections far more amplified and compelling. Public anger demands revenge and the PM and other leaders have publicly stated that it will not go unavenged. It should not be, but the options and the nature of retaliation has to factor in the past experiences, and the current strategic imperatives. The retaliation in anger will be short-sighted. It has to be pragmatic, tailored to achieve strategic objective and send a clear message. The pause and moderation displayed during the 11/2008 Mumbai attack may not apply, as Pakistan has failed to punish the perpetrators as committed to the international community.

The nature, content and timing of the response will test the determination of the Indian state, as coercive measures in the past following the attacks on Parliament (massing of troops on borders,) 2008 Mumbai attacks (coercive diplomacy) and Uri attack (surgical strike), have not deterred the Pakistani establishment from its calculated policy of using terror and its entities against India. Nor have in between attempts at dialogue and reconciliation since 2004 succeeded or influenced its behaviour or strategic anti-India stance. Utilising the internal situation in J&K to provoke communal tensions has continued. So has Pakistan's imperviousness to international pressures on its

association with terrorism and its strategic and tactical moves in Afghanistan and against India.

All other countries have their own interests in the region and occasional support to Indian stand and criticism of Pakistan's association with terrorism means nothing. In fact, Pakistan today is in a stronger strategic situation, with US wooing it to get out of Afghanistan without conceding defeat; China, now providing cash for the CPEC and Russia also cosying upto it. In the recent financial crisis of Pakistan, China, Saudi Arabia, UAE have helped and now IMF is also going to be on board, if the USA wants an honorable exit from Afghanistan. Our efforts to use the USA to influence Pakistan is rather naïve, USA has its own interests and with transactional Trump as President, he will fall for the Taliban bait to resume the flow of dollars and the IMF bailout. In this situation our decision to not to talk to Pakistan is correct, but it posits another question—In the given strategic comfort, is Pakistan interested in any talks with India and what for? What can India give it or take from it? In fact as of now, Pakistan is exuding confidence, and does not need Indian goodwill and is expected to continue its proxy war against us with impunity. Gestures like Kartarpur corridor etc. are misleading gestures, to be used later to woo sikh radicals.

An Indian response, therefore, has to be fashioned considering all these realities and willingness to accept the likely fallouts. It calls for cool head, determination and pragmatism, buttressed by diplomatic aggression shown, following the Mumbai attacks. Another aspect of response, and least understood and articulated is to take care of our internal dynamics. Following the Pulwama incident Kashmiri students and traders are under threat by mobs in other parts of India and Jammu itself. It militates against our idea of India and plays in the hands of Pak strategy of communal polarisation. We have to understand that the internal political situation in the Valley, where admittedly youth are frustrated, along with our reaction towards Kashmiri Muslims elsewhere is part of Pakistani calculations in perpetrating Pulwama like incidents. In our response, we have to just correct these internal factors. Kashmiris and Muslims cannot be held responsible for the misdeeds of Pakistan. If done, it will only harm our national interest. Sooner the better before we face another Pulwama and display the same short-sighted divisiveness. Fortunately, the all-party meeting on February 16, has taken note of it and urged the government to protect Kashmiris and government of India has issued an advisory to all the States. The Central

government will have to be more upfront on this and act against those spreading communal hatred. Unlike, the popular discourse in India. Pakistan is in a comfortable zone both internally (less terror attacks and violence) and externally and feels emboldened by Indian isolation in Afghanistan and looming difficulties vis-à-vis Iran and West Asia. In this connection we should reconsider our pet discourse about Pakistan being a failed State, being in terminal decline or financial crisis. China, Saudi Arabia and even the USA have interest in keeping Pakistan afloat for their own strategic considerations.

It is these realities which should frame the nature of our retaliation (revenge is the wrong word) as it must send a message, as well as, serve our strategic objectives. Covert operations must form an integral part of our response mechanism. All of us are for talks with Pakistan, but it has to be a part of an objective. Presently, it does not fit in our interests. The pause and moderation following the Mumbai attack, cannot be repeated, as it would only encourage Pakistan. Doing nothing is no more an option. However, our reaction should not be coloured by electoral and emotional considerations. For any action below the threshold of a full-fledged war will also have consequences and will have to be cushioned by diplomatic offensive on the theme of India's right to self-defence. The choices for the Indian government are indeed difficult in immediate terms. An immediate diplomatic and political build-up should precede any action at the chosen time and place.

2019 Elections: Democratic Norms Being Undermined

The battle for the 2019 Parliamentary Elections, though nearly eight weeks away – has really been joined. There are clear signals that it is going to be bitterly fought, both sides giving no quarter and observing no standards of decency or democratic norms. Unlike any of the earlier Parliamentary elections, both the ruling party and the opposition seem to consider each other as enemies and not as political rivals in a democratic dispensation. No wonder, unbridled personal attacks abound and are being encouraged by the day. Limits of decency have been crossed. The Prime Minister is being called a thief on the floor of the Parliament and an agent of a business house in discourse on Rafale deal. The opposition leaders and their families are being personally targeted. What is most tragic is that even the top echelons of both sides are the participants in it. While Rahul Gandhi has accused the PM of

"treason" in Rafale deal, Nehru-Gandhi family has been called corrupt and having siphoned public money. The personal is increasingly becoming the normal and the democratic ethics is on the back foot. In the past, even the personal was couched in civilized terms. The worst is that the state level politics of unplanned electoral freebies, has made its way to the national level in form of budgetary concessions and Rahul Gandhi's guaranteed minimum income. The state level freebies are numerous, amounting to bribing the voters at the cost of the public exchequer.

NDA and opposition are treating each other as enemies and not political rivals. Whosoever wins the 2019, Parliamentary elections, the loser is clear. It as the democracy and the politics of values. It is certain, because in the current electoral tumult, no one including the neutral experts are either noticing or mentioning the serious harm to the norms of public and democratic discourse. Media – social, visual and print cannot deny its culpability in this regard, or the allegation that it has ceased to be non-partisan. Both the loss and cost to the country cannot be numerically calculated, but the consequences will be shared by us all. In such circumstances, results lose political context and perpetuate mutual hatred and dislike. One of the impelling reasons is the rise of personality cult on both sides, pushing the party and democratic institutions to the background. It negates the aphorism that the institutions run democracy. and not the individuals.

— **J.N. Roy**

Meghalaya's Mining Disaster: Example of Official Apathy and Ineptitude

Patricia Mukhim*

The mining tragedy at Ksan, in Lumthari, East Jaintia Hills, Meghalaya would have gone unreported and yet another untold horror story, had there not been that lone survivor, Sayeb Ali of Panbari, Assam. This is not the first time that mining tragedies have occurred inside the rat hole mines of Meghalaya and if this inhuman form of coal mining is not put to a complete halt, then we can be sure that many more poor labourers will be buried under the mines because mine caving and flooding is not an unknown phenomenon. In 1992, nearly 30 mine labourers in South Garo Hills, were caught in a similar flood and about half of them somehow escaped death. The rest were never found; not even their bodies could be given a decent burial. This recurred in 2012, when 15 miners were buried in a mine in Garo Hills. Their bodies have never been recovered. And as can be expected, most of them are migrant labourers, forced by stark poverty to undertake this hazardous task for the sole purpose of earning a livelihood, in a world where opportunities for work are dwindling.

Twenty-one days after the mining tragedy rescue operations, prove futile and with each passing day hopes of the trapped miners being rescued alive fades. On Day 20, the pumps brought by the Odisha Fire Service which has the capability of pumping out 1600 litres per minute, the water in the mine remained at the same level. Similar pumps were deployed to pump out water from the abandoned mines but the water level went down by only 6 inches. The Kirloskar Brothers had earlier said they would send in their 100HP pumps but those have not yet

---

arrived at the mining site. What one can glean from this after visiting the mining site is that there is constant leakage of water into the ill-fated mine. The question then is whether the agencies present at the mine disaster site, namely the NDRF, the Indian Navy divers and mining engineers from Coal India Ltd have enough knowledge and expertise about gauging the topography of the area and getting a hand on where exactly the water is flowing into the mine and draining out that source or sealing it up completely, as mining expert Jaswant Singh Gill who is known to have rescued 65 miners from a mine in Raniganj, West Bengal in 1989 observed.

On visiting the mine site one gets a feel that the rescue personnel while giving their best don't actually know what's in store for them. The East Khasi Hills District Administration has been found wanting from day one. Much time was lost before the rescue operation was launched. I put this down to the absence of a Standard Operation Procedure (SOP) for this sort of mining disaster. And this is because the mines are privately owned and do not follow any national or state regulatory protocols. Hence, when an accident happens, as it has in the past, the District Administration and indeed the whole government machinery itself is caught in a bind and does not know what to do first and how.

On Dec 29, when I visited the mine, I was told by the NDRF that the water level is 176 feet deep. The navy divers cannot plunge straight into a perpendicular hole which then branches out into horizontal rat holes. Navy divers are trained to dive in the sea and in open waters not in a hole that is barely 10x10 sq ft. It would need people who know what a rat hole is, to really manage this operation. Rescuing people from a cave is not the same as rescuing miners from a hole dug by man and without the ledges and shelves that caves inside where a person can somehow manoeuvre and cling on to some ledges and hang on to for some days. This coal mine in Jaintia Hills would not have oxygen even though people speak of some air pockets through which breathing might be possible. Moreover, the water inside is very cold, perhaps even freezing as was experienced by us while crossing the knee-deep river Lytein at three places to reach the mine site. One wonders whether those miners could survive the cold inside, considering this is winter. I see that the NDRF are trying their best but it's too little too late. And yet I admire their tenacity of hanging on there for over two weeks.

If one were to hold anyone accountable for this disaster and the rescue mission that did not find any traction even after a week of the

disaster then one would blame the District Administration. There was delay in requisitioning the pumps and NDFR was right in saying that it is the onus of the District Administration to be keeping in stock the high horse power pumps, since a mining disaster such as the one that happened on December 13, would require such pumps. The State Government too was caught napping. The Chief Minister is yet to visit the site. Two of his ministers including the Minister for Disaster Management visited the site two weeks after the accident. And the Minister for Disaster Management represents that very area. Perhaps the Government is hugely embarrassed at being caught lying. Just two weeks before the mining disaster the Chief Minister and other ministers have been denying that there is illegal coal mining still happening after the NGT ban of April 2014. They did this essentially to convince the Supreme Court that all the coal lying near the collieries were already mined before the NGT ban. On hearing this plea the Supreme Court last month allowed transportation of mined coal until January 31, 2019.

The mine disaster just busted the lie of the entire Government machinery that was in denial that there was illegal coal mining happening since the NGT ban.

Then of course the accident did not get media attention the way the Thailand incident of June 2018 did, when a school football team strayed into a cave even when there were clear instructions not to enter it. The cave was flooded and the boys could not find their way out. At that time the whole world volunteered to rescue the trapped students. India sent its Kirloskar pumps to drain out the water from the cave. British navy divers finally rescued the 13 boys. But Meghalaya is in the back of beyond and when the Government itself is slow in seeking help because it now has to defend its own back, then things are bound to go awry. And what comes out very clearly from this incident is that the lives of the poor and the voiceless don't really matter. Not to the mine owner; not to the State Government and certainly not the Central Government. Not even large sections of the media. We truly live in our own bubbles in the 21st century.

Coal mining in Meghalaya enjoys political patronage because all elections are funded by coal barons. Several elected MLAs are today coal mine owners. In fact it would be interesting to find out which politician, which bureaucrat and which police official does not own a coal mine? The MP of Shillong Constituency, Vincent Pala and his family own mines. Recently Pala raised a zero hour motion on the mine tragedy but instead of calling for strict action against illegal mining, he

pleaded instead that rat hole mining should be legalised. Such blatant self-centredness is yet to be seen.

Assam's "Illegal Immigrants:" Beyond the NRC and the Citizenship Bill

M. P. Bezbaruah*

Nearly four decades old issue of illegal immigration of foreign nationals into Assam is now heading for a climax, if not a solution. When the second draft of the National Register of Citizens[1] (NRC) was published in July 2018, around 40 lakh applicants (amounting to about 12 per cent of population of Assam), did not find their names in it. A second opportunity was given to those left out from the draft to restate their claim of citizenship of India within 31 December of 2018. About 30 lakh people availed this opportunity. This leaves us with at least 10 lakh residents of Assam whose Indian citizenship is open to question. Therefore, as the final version of the NRC will be published, the estimate of number of "illegal immigrants" residing in Assam will be between 10 lakhs and 40 lakhs.

Once the Citizenship Bill[2] of 2016 is passed by both houses of the Indian Parliament, some of these "illegal immigrants," especially the Hindus, supposedly fleeing from Bangladesh to India to escape religious persecution by Islamic militants, will be able to acquire Indian citizenship. Then we shall get a somewhat smaller estimate of the number of people who will be declared as foreigners, who illegally crossed over to India and have been staying in Assam.

A few comments on the Citizenship Bill at this point may be in order. The Bill has stirred considerable public outcry in Assam and other Northeastern States, especially after it was presented in the Lok Sabha in its last Winter Session. Some of the noise doing the rounds –

* M.P. Bezbaruah, Professor and Head, Department of Economics, Gauhati University, e-mail: mpb@gauhati.ac.in

in support of and against the Bill – is highly emotionally charged and even somewhat misplaced. The vocal opponents of the Bill see a conspiracy in it, to induce more immigration into Northeast India, primarily of Bengali Hindus from Bangladesh. While it is understandable that Assam, with already a very high density of population, can ill afford to accommodate a fresh inflow of immigrants into it, it is to be noted that the Bill actually provides for only regularization of those religious minorities of Bangladesh who came in before 2014 and have stayed here for six years or more. This does not amount to an open invitation to the Hindus in Bangladesh to cross over. Some critics of the Bill also argue that in excluding the Muslims from the provisions of the Bill makes it a non-secular and communally oriented piece of legislation. Supporters of the Bill are often quick to point out that Muslims have many other countries to migrate to, but the persecuted Hindus in Bangladesh (and in Pakistan and Afghanistan) have only India but nowhere else to go. They also point out that the Muslims migrating illegally are not refugees fleeing persecutions but actually economic migrants whose burden India, more specifically, Assam and the Northeast, is not morally obliged to bear. Though this argument seems reasonable at the first sight, on a more careful scrutiny, some loopholes can be found in it. First, it is not tenable that all Hindu Bangladeshis who crossed over to Assam are all victims of religious persecution; some of them may well have been economic migrants only. Second, it is not true that any one born as Muslim does not face persecution in Bangladesh. The atheists and the rationalists, for instance, have also been the targets of hatred and violence of militant Islamists, despite hailing from Muslim families and having Muslim sounding names. Other Muslim majority countries are also not very open to receiving such people.

Given the present politically charged situation, leading to the general election of 2019, in which political parties – national and regional, are entrenched in their positions, a settlement of the differences regarding the Citizenship Bill is unlikely to be achieved in the next few months. But once the Bill is passed in both houses of the Parliament and turned into an act or gets dropped completely, and the final version of the NRC is published, it will be possible to get an estimate of the number of people who will be rendered as foreigners illegally residing in Assam. The question which the governments at Dispur and Delhi will then have to confront is, what is to be done with these people? Till now this question has not received the attention it deserves in the ongoing public debates and discourse.

The original demand of the six years long Assam Movement (1979-85) was 'detection,' "deletion' (of names from voters' list) and 'deportation' of all illegal foreign nationals residing in Assam. We are probably now closer to 'detection' than at any time in the last four decades. Post-'detection,' deletion of names of "foreigners" from the voters' list may also be feasible. However, deportation of such a large number of people is unlikely to be easy. Bangladesh has all along maintained that there has been no illegal migration of its citizens to India. Given this position in Bangladeshi establishment, it is unlikely that the Government of India will be in a position to force Bangladesh to accept a million plus number of persons identified as illegal immigrants from Bangladesh residing in Assam. If deportation will have to be ruled out, the most the Government of India will be able to do is de-franchize this population segment. The question then will arise is whether these people will be entitled to other civil rights, such as right to security of life and property, access to health and educational facilities and other government provisions. A further question will arise regarding the descendants of de-franchized parents. Will these descendants born in India be entitled to Indian citizenship and/or the normal benefits of an Indian resident?

Personally, I would prefer the following lines of action post-detection. (a) A system be put in place in order to ensure that no further illegal immigration takes place in future. (b) A road map be drawn to naturalize the 'detected' and their descendants in course of time. Gradually, integrating them into the mainstream will be a better strategy for long-run social stability and progress of the region. Keeping a significant segment of population permanently excluded may, on the other hand, result in a permanent sore which can breed deprivations-induced insatiability and crimes in the society. Law makers and civil society need to shed some of the recent emotional outpourings and engage in a constructive discourse for seeking a humane and lasting solution to the vexed issue of "illegal immigration" to Assam.

Notes

[1.] The National Register of Citizens (NRC) was first prepared in 1951 to record names of all Indian citizens residing in the State of Assam. The NRC is now being updated to include all those persons or their descendants whose name appeared in (a) the NRC of 1951, and/or (b) any of the Electoral Rolls of Assam up to the midnight of 24 March 1971 and/or (c) other admissible documents issued up to midnight of 24 March 1971,

which would prove their presence in Assam or in any part of India on or before 24 March 1971. The update process of NRC started in the year 2013, is being carried out under the strict monitoring of Supreme Court of India. A part raft of the updated NRC was released on 31 December 2017. Subsequently, the complete draft was released on 30 July 2018. Those whose names did not figure in this draft were given an opportunity to file their claims up to December 31, 2018. The NRC is now in the process of finalization.

2 The Citizenship Amendment Bill 2016 is aimed at amending the Citizenship Act of 1955. The amendments proposed in the Bill would make illegal migrants belonging to the Hindu, Sikh, Buddhist, Jain, Parsi or Christian religious communities coming from Afghanistan, Bangladesh, and Pakistan eligible for Indian citizenship after six years of residency in India.

More Layers of Tragedy Behind Rohingya Crisis

Pradip Phanjoubam*

The Rohingya crisis was brought to the fore, once again, with Amnesty International withdrawing its prestigious Ambassador of Conscience award from the Myanmar leader, Aung San Suu Kyi, for her stoic silence and seeming defence of her country's systematic persecution of the Rohingya community, close to seven lakh of whom are now seeking refuge in neighbouring Bangladesh and elsewhere.

The Rohingya crisis is grave and justice must prevail. But let it also not be forgotten that there are other layers of tragedy embedded in this crisis. Suu Kyi probably deserves the international censure, but the moral support she has from a great section of her countrymen other than the Rohingyas calls for reflection. Can an entire population of over 53 million be suffering from a disproportionate sense of

*The writer is Editor, Imphal Free Press.

persecution? Or is there something of the 'majority with a minority complex' on display?

The allegation is that the Rohingyas have been seeing an unnatural population growth because of immigration of their linguistic, religious and ethnic cousins — Muslim Bangladeshis. Indeed, the Myanmar government and a good section of the country's population have been refusing to recognize the Rohingya as an independent ethnic group, claiming that they are illegal migrants from Bangladesh.

The minority complex of the majority community of Myanmar can be explained thus. Although they are a majority in Myanmar, when the entire region including Bangladesh is considered, they are a minority. Moreover, the Rakhine State where the Rohingyas are located is also the home of several other small, non-Burmese, Buddhist ethnic groups, in particular the Rakhine, Marma and Kamein, whose closest ethnic cousins are the Chakmas and Marmas of the Chittagong Hill Tracts (CHT) of Bangladesh. These groups have exactly the fate of the CHT to fear in assessing their own situation if the allegation of unchecked immigration and integration of Muslim Bangladeshis into the Rohingya population is true.

At the time of partition, CHT opted to be with India as the Buddhist communities felt their affinity was with India and not Pakistan. But controversially, CHT was awarded to Pakistan by the Radcliffe Commission. Today, the constant influx of Bengali Muslims has marginalized the Chakmas and others and, after a failed insurrection, many of them fled to India and are now taking refuge in many parts of the Northeast, in particular Tripura, Arunachal Pradesh and Mizoram.

Suu Kyi has a good measure of sympathy in the Northeast as the Rohingya crisis has touched a raw nerve here too. The current controversy in Assam over the National Register of Citizens and the Citizenship Amendment Bill, 2016, prompted by the same apprehension of a shift in demographic profile of the State, is just one indicator. This fear is shared across the region, and this is expected. Demographic overturn has happened in Tripura and the consequences are known. It is again this fear that is behind the periodic outbreaks of ethnic violence in territories overseen by the Bodoland Territorial Council, and so also the demand for the introduction of the Inner Line Permit system in Manipur.

This majority with minority complex was also evident in Bhutan, when in the 1990s the then kingdom decided to evict nearly one lakh Lhotshampa settlers of Nepalese origin from its southern provinces.

The ethnic Bhutanese, the most dominant group amongst whom are the Ngalop, are the majority in their country of eight lakh, but in the larger region of Nepal, North Bengal and Sikkim, they are outnumbered greatly by the Nepalis — therefore, their extreme response. The Bhutanese, in turn, had the fate of Sikkim in mind to fear the possible loss of their own kingdom.

A look at the latest Unesco list of endangered languages published in 2010 will give a sense of the vulnerability of the Northeast from this vantage. All languages spoken in the region, except Bengali and Assamese, are classified "vulnerable," and at least two dozen of these are "critically endangered."

In this classification, "vulnerable" languages are not only marked by the smallness of the number of speakers but most children speak the language restricted to certain domains (such as 'home'); in the "definitely endangered" category, children no longer learn the language as mother tongue; in "severely endangered," the language is spoken by grandparents and older generations, while the parental generation may understand it but does not speak it with children or among themselves; in "critically endangered," the youngest speakers are grandparents and older, and they speak the language partially and infrequently. Extinct languages have no speakers left.

This is a grim picture. As the renowned literary critic and activist, G.N. Devy, had said in an interview, that when a language dies, along with it dies a unique world view. The Rohingya humanitarian crisis must be resolved and the refugees facilitated to return to their homes. But in assessing the crisis and others like it, embedded layers of deeper human tragedies must not be ignored if justice is the end. When more languages of small communities have died, amnesty and others must not be left to rage against the dying of another light.

Child Protection in India

Stuti Kacker*

Introduction

Childhood across the globe is considered a 'golden age' in any person's life. It is synonymous with innocence, freedom, play and everything joyful and good. But for children to enjoy their childhood it needs a 360º degrees sustained approach with strong commitments of governments and society, however, since all children due to their age and dependence on adults are vulnerable, at risk of exploitation, abuse, violence and neglect, the Constitution of India has special provisions for them. The child is defined as a person who has not completed 18 years of age.

India's child population is 472 million, which is about 39 per cent of the total population and is home to the largest child population in the world of which 29 per cent are in the age group of 0-5 years; 28 per cent in 6-10 years; 27 per cent in 11-15 years and 16 per cent in the age group of 16-18 years. An estimated 26 million children are born every year in our country.

The Constitution of India guarantees Fundamental Rights to all citizens including children in the country. It empowers the State to make special provisions for protection, welfare, growth and development of children. The Directive Principles of State Policy specifically guide the State in securing the tender age of children from abuse and for ensuring that children are given opportunities and facilities to develop in a healthy environment with freedom and dignity. The State is also responsible for ensuring that childhood is protected from exploitation and moral and material abandonment.

---
* Ms. Stuti Kacker IAS (Retd.) is former Chairperson, National Commission for Protection of Child Rights (NCPCR) and Secretary to Government of India.

Children enjoy four types of child rights, which largely cover all aspects of a child's life i.e. Right to **Survival**, Right to **Protection**, Right to **Development** and Right to **Participation**. Several important legislations have been enacted in line with our constitutional provisions to give effect to these rights. India has also ratified international treaties to protect rights of children.

The United Nations Convention on the Rights of the Child (UNCRC) is a human rights treaty. The treaty focuses on promotion and protection of rights of children. It states the civil, political, economic, social, health and cultural rights that all children are entitled to in signatory countries like India. India has reiterated its commitment to promote the survival, protection, development and participation of children in a holistic manner also.

The Constitution of India recognises the vulnerability of children and their right to protection. Following the doctrine of protective discrimination, under Article 15 it guarantees special attention to children through enabling special laws and policies that safeguard their rights.

The Right to Equality, Protection of Life and Personal Liberty and the Right Against Exploitation are enshrined in Articles 14, 15, 15(3), 19(1) (a), 21, 21(A), 23, 24, 39(e), 39(f) and 45 of the Constitution. The child specific articles state:

Article 14: The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Article 15: The State shall not discriminate against any citizen on grounds of only religion, race, caste, sex, and place of birth or any of them while

Article 15(3) states that nothing in this Article shall prevent the State from making any special provision for women and children.

Then

Article 21 (a) provides for free and compulsory education for all children from the age of 6 to 14 years.

Article 45: The State shall endeavour to provide early childhood care and education to children below the age of six years.

Article 23: Prohibition of traffic in human beings and forced labour: Traffic in human beings and beggars and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

While Article 24: Prohibits employment of children in factories etc. No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Article 39: The State shall, in particular, direct its policy towards securing:

    (e) That the health and strength of workers, men and women, at the tender age of children are not abused and that citizens are not forced by economic necessity to enter vocations unsuited to their age or strength;

    (f) That children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

To actively protect our children from malefic influences, many path breaking legislations have been made for protection of the rights of children and to strengthen the legal provisions for prevention of violence and crime against children. These include Protection of Children from Sexual Offences (POCSO) Act, 2012 which protects children from sexual abuse; Juvenile Justice (Care and Protection of Children) Act, 2015; Right of Children to Free and Compulsory Education Act, 2009; Commissions for Protection of Child Rights (CPCR) Act, 2005; Child Labour (Prohibition and Regulation) Amendment Act, 2016; Prohibition of Child Marriage Act, 2006; and National Food Security Act, 2013, etc.

'Commissions for Protection of Child Rights' Act, 2005 have been constituted under National and State Commissions for Protection of Child Rights in every State and Union Territory. They monitor the implementation of child related laws and have established a strong grievance redressal mechanism to attend to complaints of violation of child rights in the country. In addition, the Act provides the provision to establish Children's Court in each district of the court for speedy trial of offences against children.

NCPCR takes up specific complaints through e-baalnidan and other modes of communication and monitors the implementation of the JJ Act, 2015; POCSO Act, 2012; and RTE Act, 2009.

The Juvenile Justice (Care & Protection of Children) Act, 2015 envisage strengthened provisions for both children in need of care and protection and children in conflict with law, by catering to their development needs, and by adopting a child friendly approach in

adjudication and treatment of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under the Act.

Protection of Children from Sexual Offences (POCSO) Act, 2012 provides for protection of children from offences of sexual assault, sexual harassment and pornography. It also safeguards the interest of the child at every stage of the judicial process, by incorporating child friendly mechanisms for reporting, recording of evidence, investigation and speedy trial of offences through designated Special Courts.

Right to Education (RTE) Act, 2009 entitles all children to free and compulsory education in the age group of six to fourteen years as a fundamental right in such a manner as the State may, by law, determine.

The Government of India due to its commitment to the welfare of children has enacted several policies, plans, schemes and programmes. The National Policy for Children (NPC) in 1974 was one such initiative, which was later updated as the National Policy for Children 2013. The National Policy for Children outlines the vision of the country for its children. It makes a commitment to take necessary measures to achieve its objectives and goals. The Policy has also identified four key priority areas for focused attention i.e. survival; development; protection; and participation.

All States have been requested to adopt their State Policy for Children with focus on State specific issues. Some of the States have already developed and adopted their State Policy for Children.

Government of India developed the National Plan of Action for Children (NPAC), 2016, based on the National Policy for Children, 2013. The NPAC lays down a roadmap that links the policy objective to actionable programmes. It seeks to ensure convergence of ongoing programmes and initiation of new programmes so as to focus on pre-determined objectives through well defined strategies and activities and achieve certain level of outcome and takes into account the current problems of children in India.

The National Policy on Education (NPE) lays down the roadmap for providing elementary education in both rural and urban India. A new education policy is being prepared by the Ministry of Human Resource Development.

The aim of National Health Policy, 2017, is to inform, clarify, strengthen and prioritize the role of the Government in shaping health systems in all its dimensions with greater investments in health,

organization of healthcare services, prevention of diseases and promotion of good health through cross sectoral actions, access to technologies, developing human resources, encouraging medical pluralism, building knowledge base, developing better financial protection strategies, strengthening regulation and health assurance. The policy's goal is the attainment of the highest possible level of health and well being for all its citizens of all ages, through preventive and promotive health care orientation in all developmental policies, and universal access to good quality health care services without financial hardship, through increasing access, improving quality and lowering costs of healthcare delivery.

In 1993, there were already a number of mechanisms in place to address the issue of malnutrition and under-nutrition of children such as the Integrated Child Development Services (ICDS), Special Nutrition Programme, and Wheat Based Nutrition Programme etc. The National Nutrition Policy (NNP), 1993, outlines additional provisions to ensure proper nutrition to children, especially adolescent girls and expecting mothers. Food provided under these programmes need to be fortified against nutrient loss. Further, low-cost nutritious foods need to be produced for poorer families, and programmes should attempt to address and prevent nutrient deficiencies, especially among women, expecting and nursing mothers and children.

National Nutrition Strategy (NNS) 2017 has been formulated by NITI Aayog for ensuring that every child, adolescent girl and woman attains optimal nutritional status – especially those from the most vulnerable communities. The focus is on preventing and reducing under nutrition across the life cycle – as early as possible, especially in the first three years of life. This commitment also builds on the recognition that the first few years of life are the foundation for ensuring optimum physical growth, development, cognition and cumulative lifelong learning.

India formulated a National Policy on Child Labour in 1987. This policy seeks to adopt a gradual and sequential approach with a focus on rehabilitation of children working in hazardous occupations. It envisioned strict enforcement of Indian laws on child labour combined with development programmmes to address the root causes of child labour such as poverty. In 1988, this led to the National Child Labour Project (NCLP) initiative. This legal and development initiative continues, with the current Central Government funding to eliminate child labour in India. However, despite these efforts, child labour remains a major challenge for India.

Based on the enacted policies, several significant programmes/ schemes have been taken up and are being implemented by the Government of India and the State Governments for the protection of the rights of the children for their survival, protection, development and participation.

With 1.34 million Anganwadi centres, the Integrated Child Development Services (ICDS) Scheme directly addresses the need for early childhood care, implementation of immunization programmes and providing supplementary nutrition for children from 0-6 years. The country's education programme reaches out to 230 million children in the 6-14 year age group, in over 14 lakh schools with 77 lakh school teachers. It also covers the largest mid-day meal programme in schools, reaching over 100 million children from the vulnerable communities under the Sarva Shiksha Abhiyan (SSA).

The continuous efforts of the government has resulted in reduction of Infant Mortality Rate (IMR) from 78.5 to 34 per 1000 live births, since 1992 to 2016; Maternal Mortality Rate (MMR) has come down to 130 per 100,000 live births from 398 in 1997-98; Institutional deliveries have increased from 26.1 per cent to 78.9 per cent and coverage of fully immunised children increased from 35.4 per cent to 62 per cent from 1992-93 to 2015-16, literacy rate has increased from 52.21 per cent in 1991 to 74.04 per cent in 2011; child labour has reduced from 112.85 lakh in 1991 to 43.5 lakh in 2011.

Children are vulnerable and are at risk to exploitation, abuse and violence and neglect. They are in the process of physical and mental growth. They are physically vulnerable and also do not have a well formed sense of identity of self as they do not have a fully matured brain which easily leads them to make poor decisions, engage in risky behaviour, or act in a seemingly reckless manner. The intensity of vulnerability increases when a child becomes 'Child is in Need of Care and Protection' or comes in 'Conflict with Law'. A child, in need of care and protection is often an orphan and has no family to take care of, or is a runaway or missing, trafficked child, having no home/shelter and is therefore likely to be sexually, mentally, emotionally or physically abused or tortured. On the other hand, children in conflict with law are often those who largely have rebelled against the abuse or violence inflicted on them. Children get involved in situations of crime both as victims or as offenders. Children belonging to the vulnerable section of the society, are easy to intimidate and often become unfortunate victims

of crime and hence they are in greater need of care and protection in order to bring them back into the mainstream. There are several important issues pertaining to children in India that need to be highlighted:

(i) Crime Against Children

All types of crime against children has increased. Children are abused physically, sexually or mentally, both within and outside families. NCRB data indicates that there is spurt in the cases of crime against children since 2009. The figure rose from 24,203 in 2009 to 94,172 in 2015, resulting in increase of almost 300 per cent over a period of 6 years. 14,913 cases under POCSO Act were registered during 2015 which showed an increase of 67.5 per cent as compared to 2014.

Cyber offences against children are new methods used to harass, abuse and exploit children. This includes cyber bullying; online sexual abuse and exploitation, online trafficking, cyber radicalization, online commercial fraud and habit formation and online enticement to illegal behaviours.

These figures indicate that children in India are growing up in an increasingly violent society and environment.

(ii) Crime by Children

As per 'Crime in India, 2015,' the registered crime involving juveniles has increased from 18,939 in 2005 to 31,396 in 2015. However, over the decade it has remained at the same level of approximately 1 per cent of total IPC crimes. Majority of children in conflict with law (approx. 71.6 per cent) apprehended under IPC crimes were boys in the age group of 16-18 years.

(iii) Street Children

Children living on the streets are in need of care and protection. They are mostly abandoned, orphan, missing, runaway or beggars. They suffer the most and are vulnerable to abuse, exploitation, violence and neglect. They become victims of sexual abuse and are prone to trafficking and drugs. Girls particularly are not safe on the streets and often exploited for commercial sex work. Children living on the streets are also lured into employment at dhabas, eateries, homes, shops etc. and find

themselves in exploitative situations from which they often cannot escape.

(iv) Missing and Trafficked Children

Child trafficking is one of the biggest crime which is very lucrative as children are being used for sexual exploitation, organ trade and child labour etc. Child marriage is also being used as a cover for child trafficking. In India, one child in every 8 minutes goes missing. According to data of Ministry of Home Affairs, the number of untraced children in the country has increased by 84 per cent between 2013 and 2015. The total number of untraced children from 34,244 in the year 2013 rose to 62,988 in 2015. Trafficked children lead a life of abuse and confinement in inhuman work and exploitative conditions.

(v) Health and Nutrition

The neo-natal, infant and under 5 mortality rates have significantly declined in the past decade but still remain very high. Nearly half of all deaths in children under 5 years of age is attributed to under-nutrition. Stunted growth is caused by chronic malnutrition which is largely irreversible and stunted children face a lifetime of lost opportunity in education and work and are more likely to succumb to illness and disease. Inadequate food, exposure to dirt, smog and other environmental hazards lead them to chronic health diseases and malnutrition.

(vi) Child Budgeting

Investment in child protection in the Union Budget is comparatively low. As per an analysis carried out by HAQ, an NGO, the budgetary provisions for children allocated under different Ministries/Programmes/Schemes in the Union Budget remains under 4 per cent.

The Way Forward

Despite provisions of the Constitution, numerous Acts, and Policies, the condition of children remains a cause of concern in the country. It is a complex problem which requires committed multi-disciplinary approach. It requires long-term approach complemented with short-

term urgent interventions. The long-term solution of reducing the vulnerability of the children and developing them into productive adults lies in improving the status of families of economically weaker population in terms of economy, living conditions, improving health and nutrition status, so as to enable the parents to take good care of children and give them better environment, values, and transformation of social norms along with institutional care and services as and when required. There is a need for a greater effort for protection of children from violence and to prevent them from entering into the world of crime. It must be remembered always that studies have shown that effects of childhood violence often last a lifetime impairing the capacities of individuals emotionally, physically and of course psychologically.

Studies have indicated that the effect of childhood violence results in loss of GDP from 2-8 per cent. Hence, investment in child protection in the Union Budget needs to be increased. We should have stringent implementation of law to control violence against children especially sexual abuse, trafficking, kidnapping and abduction, rape, buying and selling of girls etc. We should have a zero tolerance approach towards such crimes.

Children are given to us in 'Trust' and therefore, it is the duty of every Indian to ensure that children are well looked after and given the opportunities that is their right as citizens of this country.

Status of Children in India

A.K. Nanda*

Children of today are tomorrow's adult productive citizens; hence it is very necessary to provide better care and facilities to them. India with a population of 1.21 billion is the second most populous country in the world. According to census 2011, out of the population of 1.2 billion in India, 472 million (around 39 per cent) are under 18 years of age of which 247 million are male and 225 million female. Majority of India's children (73 per cent) live in rural areas.

According to the Ministry of Women & Child Development's National Plan of Action for Children, 2016, approximately 27.5 per cent of children belong to marginalised and disadvantaged communities. Children who live in poverty are prone to malnutrition, health issues, migration, trafficking and many other deprivations which threaten their rights to survival, development, protection and meaningful participation.

Realising the vulnerable conditions of children, the law makers of the country have always accorded a special status to them, so that they receive the care and nurturing they require. The number of rights and privileges given to the children in the Constitution of India, duly supported by legal protection, is a testimony to this commitment. During the last decade, various path breaking legislations like the Prohibition of Child Marriage Act, 2006; Right to Education Act, 2009; Protection of Children from Sexual Offences Act, 2012; Juvenile Justice (Care & Protection of children) Act, 2015; Child and Adolescent Labour (Prohibition) Act, 2016; etc. have been made to provide a strong legal framework.

On the policy side, the Government of India adopted the National Policy for Children, 2013 to promote **survival**, **protection**, **development**

* A.K. Nanda is presently a Senior Consultant, National Commission for Protection of Child Rights (NCPCR).

and **participation** of children in a holistic manner. A series of measures cutting across gender, caste, ethnicity or region have been initiated in the past several years to achieve inclusive growth for all of the country's children.

The efforts of the government in implementation of child centred programmes like Integrated Child Development Scheme (ICDS), Integrated Child Protection Scheme (ICPS), Mid-Day Meal Scheme, Mission Inderdhanush, Sarv Sikhsha Abhiyan, etc. resulted in improvement of survival and developmental parameters of children. ICDS Scheme is one of the world's largest and unique programme for early childhood care and development. The Scheme has been universalised with coverage of more than 7,000 projects in the country. All children below 6 years of age, pregnant women and lactating mothers are eligible for the ICDS services through 14 lakh Anganwadi Centres. Supplementary nutrition is being provided to 772 lakh children and pre-school education is imparted to 325.87 lakh children through these centres.

The various efforts of the Central/State governments have resulted in steady improvement of status of children. The Infant Mortality Rate has come down from 57 per 1000 in 2005-06 to 34 in 2015-16; similarly in the same period, the Under 5 Mortality Rate from 74 to 50, institutional deliveries have increased to 78.9 per cent; stunted growth has improved from 48 per cent to 38 per cent; 62 per cent of children have been fully immunized in the age group of 2 years, up from 43.5 per cent. The Gross Enrolment Ratio (GER) for all children in elementary education has also increased from 81.6 per cent in 2000-01 to 96.9 per cent in 2014-15. The literacy rate has also increased from 64.83 per cent (2001) to 74.04 per cent (2011).

Stringent implementation of the Acts have enabled reduction in child labour from 112.85 lakh (1991) to 43.5 lakh (2011). Percentage of child marriages has also reduced substantially.

With the implementation of all the programmes and schemes, while there are gainful achievements in some areas, in a large country like ours with enormous diversity in economic attainment, political and institutional histories and cultural specificities, the quality of services however do not remain consistent and there are many challenges in universalization of services. Even today a large number of children are vulnerable and marginalized and are in need of care and protection. These children are often runaway, illiterate/school dropouts and have

no access to acquiring skills to sustain themselves. They live on streets/ railway stations, beg for their livelihood, have no identity, no health support and suffer from malnutrition, often drug abuse. They are trafficked, forced to child labour, subject to abuse, torture and gross exploitation and are at risk of being caught in the nexus of criminal activities, participation in gang rapes, murder, etc. Their vulnerability leads them into becoming children in conflict with law.

Government of India is making continuous efforts to tackle the problem by adopting a long-term approach with short-term interventions in order to reach all such children. Safety-nets are being strengthened to ensure birth record of all children through building capacity of Panchayat members at village level, provisioning of Aadhaar Cards to give them identity, Standard Operating Procedures (SOPs) for children in street situations and railway stations have been developed. Awareness generation among public and capacity building of stakeholders for protection of children along with long-term measures like subsidy on food with health insurance along with measures to improve the economic status of families in order to enable them to provide better care of their children and give them a conducive environment and moral values. Issues such as trafficking, sale of children, cyber crime and child pornography and other challenges are being addressed through convergence and coordination between concerned Ministries/ Departments towards protection of children.

Child Friendly Mechanisms

Rupa Kapoor*

"A child friendly environment ensures every child have an environment that is physically safe, emotionally secure and psychologically enabling."

According to the UNCRC (United Nations Convention on the Rights of the Child) 'a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.' But in India various laws related to children define different age limits to qualify as a 'Child.'

Section 2 (15) of the Juvenile Justice (Care & Protection of Children) Act 2015 defines the term '**Child friendly'** as meaning "any behaviour, conduct, practice, process, attitude, environment or treatment that is humane, considerate and in the best interest of the child." Section 2 (9) of this Act also defines "**best interest of a child**" as "the basis for any decision taken regarding the child, to ensure fulfilment of his basic rights and needs, identity, social well-being and physical, emotional and intellectual development." It is important to note here that the child friendly approach should be reflected in every aspect of the experience of the child in conflict with law or the child in need of care and protection. It includes the behaviour, tone and attitude of the people interacting with them, the physical infrastructure surrounding them, the procedures that he/she is taken through within the ambit of the law, the general environment surrounding the child, whether he/she is in a police station, a child care institution, a court, a government office, a hospital or any other location.

Keeping this in view NCPCR has developed certain Child Friendly Mechanisms to ensure that child friendly environment will be provided to children.

*Ms. Rupa Kapoor is an Ex-Member of NCPCR.

Child Friendly Mechanisms initiated by NCPCR

1) Child Friendly Villages (Safe Childhood Programme)

NCPCR announced to undertake an extensive programme for **Creating child-friendly spaces** in villages – called the **Safe Childhood Programme or *Surakshit Bachpan Karyakram*** in collaboration with the Ministry of Panchayati Raj and UNICEF. Handbook along with Module and Guidelines on protection of Child Rights at Gram Panchayat level were there in this programme. The main objective of this programme was to provide an environment, where a child is recognized as an individual and is respected with dignity, freedom, protection, and well-being with holistic development. This initiative also strengthens convergence between government and civil society's effort to ensure survival, development, protection, and participation of a child.

Indicators were developed on **Survival, Health & Nutrition, Education & Development, Protection & Participation.** The strategy intended to improve the status of all children across the country. However, for the 1st year 14 States (Andhra Pradesh, Jharkhand, Assam, Gujarat, Karnataka, Madhya Pradesh, Odisha, Uttarakhand, Chhattisgarh, Uttar Pradesh, Tamil Nadu, Haryana, Himachal Pradesh and Andaman) were identified, based on the indicators developed for piloting. State Commission for Protection of Child Rights (SCPCRs) were given specific roles to select at least Panchayats which cover at least 30 villages/wards. Roles of all stakeholders were also listed in the programme. NCPCR has recommended to Ministry of Panchayati Raj that this training module should be included in training curriculum for Panchayat members.

2) Child Friendly Hospitals

As well known, for children, visiting a hospital is particularly a distressful experience. Besides being confronted with trauma of illness/ injury (to self or close family member), they are taken out of their familiar environment and are suddenly fit into structured hospital environment in which they are exposed to range of traumatic illness/ injuries of other patients, their grieving families and above all intrusive medical intervention procedures. All this adds to the distress and impedes overall recovery due to the immense impact it has on the psychological well-being of the child. Thus, there is an urgent need to address the

psychological needs of children visiting hospitals by making it more child-friendly.

Article 24 (1) of the UNCRC ensured promoting the rights of children to obtain optimal healthcare as one of the fundamental rights. Keeping in view, guidelines for making child friendly hospitals has been drafted by NCPCR in consultation with expert group members and representatives from All India Institute of Medical Sciences, Delhi. This is a step to ensure that healthcare systems of India operate in line with best practice in children's healthcare and fulfil commitments under the UNCRC.

The main objectives of these guidelines are as follows:

* **Objective 1:** to provide an essential supportive structure which can align with best practice in children's healthcare and fulfil commitments under the United Nations Convention on the Rights of the Child (UNCRC).
* **Objective 2:** to address the current deficiencies in healthcare facilities by identifying the core principles of providing a friendly environment from the insights gained from research evidences till now.
* **Objective 3:** to provide effective framework based on which the present health service will be reconfigured to meets the needs and expectations of all children visiting hospital.
* **Objective 4:** to enhance the quality of healthcare facilities to all children across all the healthcare centres in India.
* **Objective 5:** These guidelines will act as a continuous standard for assessment and evaluation of the extent to which each hospital is functioning to be "child friendly hospital."

3) Child Friendly Melas and Large Gatherings

Due to the magnitude and size of celebrations like '**Melas'** people come in multitudes including children. Since lakhs of people participate in such events, including children, it is pertinent to highlight that many children reportedly go missing or get lost and separated from their families/carers during these melas. Also, they are often vulnerable and at high risk of falling prey to trafficking, kidnapping, sexual exploitation and abuse. Keeping this in view, NCPCR has developed a concept of creating child friendly environment during large scale melas and gatherings.

Accordingly, guidelines for making **Child Friendly** melas/large gatherings were developed by NCPCR with all the concerned Ministries/ Departments and stakeholders. This document was developed to provide indicators to organizers, administrators and other stakeholders for organizing a child friendly mela or a large gathering. These guidelines have been formulated after field trials in two successful pilots viz *Krishna Pushkaram*, Andhra Pradesh, and *Poush Mela*, West Bengal.

Some of the Highlights of Child Friendly Mela

> **Child Tracking Band;** which was given to each and every child in the Mela. This band was also supplied for senior citizens. The innovative initiative of **Child Tracking Band** involved tagging a wristband around a child's wrist with the name of the child and mobile number of the parent written on it with indelible ink.

> **Volunteers;** were trained on child rights and they were given neon coloured jackets so that children can easily identify them. They were especially deployed only to look for missing/ abandoned children

> *Butter milk, water, and food* were distributed free.

> **Medical Aid Tents** were set up at every *1 km distance during Krishna Pushkaran Mela*. Free Medical Aid was provided. Ambulances were ready. Hospitals nearby were made ready to accommodate patients. Free bedded temporary health facility was set up in the mela campus as well.

> **Sanitation facility** was maintained. Continuously water was used through big pipes to clean the ghats. Dustbins were kept at regular intervals. A large number of sanitation workers were deployed.

> **Wheelchairs** and *e rickshaws* were installed for old and disabled people.

> Integrated Child Development Scheme (ICDS) staff and **volunteers** were deployed.

> **A Nutrition Corner**/**Breastfeeding Booth** – a unique concept observed for the first time in melas, where women with small children could rest and feed their children in privacy.

> Continuous **ORS medicines** were provided to children and adults to prevent dehydration.

- **Nutritious packed food for children:** Children were getting nutritious packed food in the mela by SHG groups.
- **Do's/Don'ts** were also clearly mentioned on the official website and in the mela.
- Children found **begging or in child labour** were saved and brought to CWC from where they were sent to special homes for observation.
- **Continuous announcements, IEC materials**, hoardings, directions were present as per guidelines.
- **Special Radio Jingles** and **announcements** by Chief Ministers and eminent personalities/actors were made on the importance of child tagging and other safety mechanisms.
- **Large hoardings** of visuals on the mela and safety instructions were made to create awareness.
- **Helpline:** Toll free helpline numbers, 24X7 helplines call centre numbers, Emergency Contact Information were given on the website and also displayed in the mela premises.
- **Security Guard/Police** were deployed in big numbers at entry gate/exit gates for crowd control, safety and security.
- **CCTVs** were installed at each entry/exit gate. Police and commandos continuously monitored the crowd to check any cases of harassment.
- **Youth volunteers** continuously searched for children who may not be wearing the band and also to sensitize parents to be cautious of traffickers. First aid volunteers, Disaster risk volunteers, and health volunteers were posted across the mela and from points where people entered – bus stands, railway platforms etc.

  Total **9,38,818** children were tagged by using **Child Tracking Bands** through web/app based address and manually in Krishan Pushkaran Mela, A.P in the year 2017. More than **20 children,** who were lost, **were traced** within 30 minutes and handed over to their respective parents/guardians. The toll free number and one emergency contact number provided by the district administration was pre-printed on this tag.

  Surajkund Mela, Haryana was held in February, 2018 and declared as Child Friendly Mela.

4) Child Friendly Police stations

Every Police Station should have either a child friendly room or corner where children who are victims under the POCSO Act, 2012 can be dealt with in a sympathetic manner. Keeping this in mind, NCPCR has developed guidelines for making Child Friendly Police Stations in India. Many States have already taken up the initiative to make the child friendly atmosphere in police stations keeping in mind the local culture and ethos.

The objectives of these guidelines are as follows-

* To guide the police officials in addressing issues of child protection.
* Develop the knowledge, understanding, attitudes and skills of police officers, so that every child who comes into contact with them is treated as we would want our own child to be treated.
* Give police a better understanding of laws that relate to children and how they should be applied.
* To help the children to file their complaints in a friendly atmosphere.
* Bridge the gap between theory and practice relevant to policing and child rights/child protection so that the police is able to act in the best interest of children.
* Enable police to distinguish between a child in need of care and protection and a child who is in conflict with the law as also an adult criminal.
* Motivate the police to take an active part in bringing about positive changes in the lives of children in difficult circumstances.

Conclusion

Thus, providing child friendly environment to our children is an integrated approach which aims to improve nutrition, health, education and protection in children through various child friendly mechanisms.

Effects of Child Sexual Abuse (CSA)

Rajesh Sagar* & Sujata Satapathy**

Introduction

Because of considerable magnitude of incidents and profound consequences, child sexual abuse has become a serious public health concern throughout the world, cutting across geographical regions, castes, classes, religions, and races. CSA victims comprise children of both sexes but more in females and more children belonging to lower age groups such as children aged 5-8 years and 9-12 years.

I. Scope of Definition

The definition of CSA includes, but not limited to an array of sexual activities like talking about sexual contents, fondling, inviting a child to touch or be touched sexually, penetrative sexual acts, exhibiting sexual organs and pornography, and involving a child in prostitution. In other words, it refers to the involvement of a child (below 18 years of age) in any sexual or its related activity that the child does not fully/ partially understand the consequences or the child is not developmentally prepared for, therefore, the child is unable to give informed consent to hence, violates the laws or norms of society. POCSO (Protection of Children from Sexual Offences), Government of India, 2012 has provided a detailed account of such activities to be considered as sexual abuse in India.

---

* Dr. Rajesh Sagar, Professor of Psychiatry, AIIMS, New Delhi.
** Dr. Sujata Satapathy, Associate Professor (Clinical Psychology) AIIMS, New Delhi

II. Magnitude of the Problem

Children, under the age of 18, contribute to 41 per cent of India's population. A significant portion of this is susceptible to various forms of adverse childhood experiences including major deprivations. According to the NCRB (National Crime Record Bureau) report on crimes in India for 2016, released in December 2017, 106,958 cases of crimes against children were recorded in 2016. Of these, 36,022 cases were recorded under POCSO (Protection of Children from Sexual Offences) Act. In a way, it would not be wrong to say that almost in every 15 minutes a child is sexually abused in India.

Reporting, Non-reporting and Delay in Reporting

Similar to the global trend in pattern of CSA, Indian Government data (WCD, Government of India, 2007) also confirms that in more than 90 per cent of cases, the perpetrators are known people and out of that 53 per cent are abused within the family environment. With mandatory reporting subsequent to implementation of new legal framework POCSO (Protection of Children from Sexual Offences Act, 2012), India also has witnessed a sharp rise in CSA reporting. However, this rise in reporting of CSA cases is limited to reporting of penetrative sexual abuse cases only and more in case of female as compared to male children. In contrast, unlike developed countries, the whole range of non-penetrative sexual activities don't even get reported or if at all reported then only in a negligible number in India. The reasons could be primarily due to lack of or inadequate knowledge about the CSA definition, and people's perception of severity of other forms of sexual abuse that needs legal attention or the less social stigma associated with perceived severity of other forms of CSA. In addition, non/ negligible reporting of CSA happening within the primary or extended family, where the perpetrator is in a significant position (financial and/ or social) for family supporting, constitutes a higher percentage. Nevertheless, non-reporting or delay in reporting by caregivers could be due to many key social-familial-financial-emotional-legal dynamic factors, therefore, is a complex but sensitive social phenomenon and a hard nut to deal with.

III. Concerns with Regard to Consent

In a case of an adult perpetrator, the provision of consent of a child below 18 years of age is not an option under POCSO in India. However, the legal consequence of consent between two similar aged children or between children below 18 years is still a grey area, hence a point of discussion and decision. And this point has the potential to lead to unnecessary delay in legal course of action and is conflicting for the professional working in the area of adolescence sex education, keeping the stage of inquisitiveness towards sexual exploration in adolescence in view. It is equally difficult to prove or disprove who is the abuser and who is the abused in such cases.

Some key features of minor offenders:
> If offender is a minor, the matter goes before Juvenile Justice Board (JJB).
> If alleged offence is heinous, JJB may send it to Children's Court after preliminary assessment.
> In case of consenting minors, there is a possibility of case being lodged against both.
> If accused is an adult with mental age of a child, the court would have to examine the report of Medical Board and then decide the matter.
> If victim is an adult with mental age of child, the offence would be out of purview of POCSO Act.

IV. Delay in Disclosure by Children

Another important point to highlight is delay in disclosure by the child. Again at one level it's a dynamic interplay of various socio-cultural factors like low socio-economic status, huge social stigma and following ostracism of the victim as well as family, lack of awareness, possible marriage related difficulties after the abuse is disclosed, and cumbersome legal procedures to get the justice etc.

However, from a child's perspective it is all about a child's perception about deciding on a trusting individual in the family or a child's belief about his/her caregivers' trust and belief on what is said to them by the child, or a child's perception of fear of further abuse (physical or emotional or verbal abuse – even yelling/screaming at the child) due to disbelief in what the a child says or a child's perception of risk of being blamed for the whatever has happened.

Also a child's perception and beliefs about being alone and being different than others (as this incident has happened only with him/her not with others) may also prohibit the child to disclose. The fear or shame of being labelled could be the sole concern for the child. Thus, non-disclosure brings down the anxiety of being targeted or different than others. In addition, younger children have limited language capacity and expression to describe what has happened with them.

Other reasons include perpetrator's position in the family, threats or incentives given by the perpetrator, grooming by the perpetrator, eventual habit formation, and so on.

V. Effects of CSA on Children

Children survives of sexual abuse undergo a series of adverse physical, behavioural and mental health consequences hampering their overall development and having further ramifications in their adulthood depending upon the type and severity of abuse, and availability of support. Further, in the absence of other visible physical signs, CSA impacts on child remain often hidden and misunderstood by most as absence of impact or naturally healed impact. Non-acknowledgement of its grave impact can also happen due to the caregivers' strong perception that children forget such incidents with time, hence affects the caregivers to seek help. Thus, due to delay in disclosure, reporting/ non-reporting, and non-seeking/availability of professional treatment, the risk of development of psychosocial-behavioural and neuro-developmental problems and subsequent serious psychopathology in such children increases. The evidence-based research in this area has reached a global consensus regarding its multidimensional effects on the victims, their families and society at large.

Physical Effects

Apart from the immediate risk of life, grave genital injuries (particularly in case of very young children), and unwanted pregnancies, the visible physical impacts CSA can include intense and persistent pain due to obvious tissue injury or bleeding, anal/ vaginal itching, reddening of the skin caused by rubbing will resolve in minutes to hours unless the skin is excoriated, and minor scratches. CSA can have delayed physical impacts in the form difficulty in controlling bladder and stool, reduced appetite, sleep disturbances,

headache, vague body pain, temporary muteness, amnesia, and pseudo seizures/loss of consciousness.

Risk of Psychiatric Illness due to CSA

Due to delay in identification and in absence of adequate and appropriate treatment seeking, the child's treatment needs get compromised. And in the presence of other adversities and risk factors, the risk of development of psychiatric illness is elevated. The common psychiatric illnesses are acute stress disorder, somatization, dissociative spells, post-traumatic stress disorder, obsessive-compulsive disorder, adjustment disorder, delusional disorder, social phobia, trans and possession disorder, eating disorder, and even psychosis.

Neuro-Psychological Effects

A series of scientific evidence have proved that traumatic life event such as CSA in an early age can result in smaller hippocampus, increased amygdala functioning and decreased prefrontal functioning. It can also lead to chronic changes in specific brain regions. And since the central nervous system and cognitive functions have not yet fully matured in childhood, childhood trauma can adversely effect brain development, cognitive and academic skills, and language acquisition

Behavioural Effects

It is important to understand that children's external behaviours are a reflection of their internal state of mental status. CSA can result in susceptibility for substance addiction and suicide; anger, irritation, mood swings; self-abusive/destructive/self-harm; non-compliant and disruptive behaviours; conduct issues particularly in boys, increased hyperactivity/ passivity; avoidance of particular set of people, place and objects; regressive behaviours; and socially unaccepted and age inappropriate sexualized behaviour.

Social Effects

Many studies have identified that school refusal/dropout is the commonest social effect of CSA. Along with that poor interpersonal and peer relationships; poor social competence; rejection by peers; abrupt diminished peer attachment; run away from home; delinquent/

antisocial, criminal activities; and increased risk of trafficking are the key bunch of social consequences of CSA.

Effects on Academics

CSA may take its immediate toll on children's academic behaviour and competencies. Some of the significant impacts of CSA are decreased interest in studies, increased mistakes/incomplete work, sudden deterioration of academic performance, language difficulties, sudden stammering while doing loud reading, blanking of mind, stuck at particular point, not able to recall/poor memory, and complaints of difficulties in attention/concentration.

Effects on Emotions

The children who experience CSA generally report considerable guilt, shame, and self blame. Along with that they develop poor self image and low self esteem, relationship difficulties, and feeling of sadness or hopelessness. They also report fear of being abused again resulting in social withdrawal or feeling of disconnected from near and dear ones.

In a nutshell, it is important to remember that every CSA affected child suffers in a different way depending on his/her life conditions, and risk-resilience factors. Again, risk of developing mental illness is moderately high in absence of treatment. And the effects of CSA can have their ramifications into adulthood as well. The effects of CSA have potentiality to multiply in the presence of other forms of abuses and adversities.

Conclusion

Child abuse is a complex phenomenon with multidimensional effects and multiple causes explaining its occurrence, development and sustenance of deleterious effects, and recovery to normalcy. It is important to know that each child reacts and copes with CSA in a different way, depending on his/her specific risk and resilience factors. Therefore, each child victim needs psychiatric and psychological assessments to expedite the process of treatment and recovery. However, the comprehensive protective, preventive, curative services are still a dream, and currently the service provision following CSA reporting is still limited to essential legal, medical, and lay counselling services in India.

Why the Rape of Asifa Bano is Not a One-off Case

Soumya Kapoor Mehta*

In January of 2018, the brutal rape of eight year old Asifa Bano in Kathua, Kashmir shook India. According to reports, Asifa was kept confined and raped and tortured for days, before being finally murdered. A few months following the incident, another nine year old girl was gang raped in the State, with her eyes gouged out. Rising crimes against children are not restricted to the State of Kashmir alone. In Haryana, a four year old was raped in June 2018 and stabbed to death. In Muzaffarpur, Bihar, the rapes of several minor girls housed in a shelter home indicated that the malaise runs deeper in institutions of care whose mandate, ironically, is to protect children. It is also not a 'disease' restricted to poor, less educated societies. In fact, it is prevalent among the middle classes and the rich as well, as the murder of seven year Pradyuman Thakur by a 16 year old student in an elite Gurgaon school shows.

In September 2018, the National Commission for Protection of Child Rights (NCPCR), India released a three volume document as an attempt to initiate discussion on the importance of preventing childhood violence in the country. The document drew upon cross-country research conducted by Know Violence in Childhood, an international learning initiative of which I was a part, and extended its analysis to India both to highlight the propensity of childhood violence in the country, as well as to suggest strategies that can be used to prevent it. A final, third volume compiled Indian statutes concerning violence against children along with suggested Standard Operating Procedures (SOPs) for each

* Ms. Soumya Kapoor Mehta is Member Child Health & Development. National Commission for Protection of Child Rights (NCPCR).

stakeholder (e.g. police, doctors) and what they should do should they encounter a case of violence.

We found childhood violence in India to be pervasive and on the rise. According to the National Crime Records Bureau (NCRB), whose data we used and analyzed extensively, there has been a significant increase in the number of registered cases of crimes against children in India over the years. In 2016, a total of 106,958 cases of crimes against children were reported in the country as compared to 89,423 cases during 2014, an increase of about 20 per cent. The crime rate i.e., incidence of crimes committed against children per one lakh population of children has also risen from about 13 in 2013 to 24 crimes per one lakh population in 2016.

What is more unsettling, however, is the manner in which these aggregate statistics unravel. Below I give ten stylized facts that emerged when we disaggregated the NCRB numbers by the nature of the crime, gender and age of the victim, and place where it was reported.

One, incidents of rapes of minor children (as cited above) are not isolated, one-off crimes. According to the NCRB data, while in 2015, 10,854 cases of rape were registered under Section 376 of the IPC and under Sections 4 and 6 of the Protection of Children against Sexual Offences (POCSO) Act, the year 2016 saw 19,765 of such cases being registered. There has been, in fact, a significant rise in 2 rapes of minor girls over the last decade or so. While about 11 girls below the age of 18 were raped every day of the year in 2005 (about one every two hours), by 2016 this number had quadrupled to 46 or roughly two girls every hour.

Two, while child rape is among the most horrific crimes, we found the range of criminal acts against children to be vast, starting from kidnapping and abduction, to foeticide, murder, trafficking and so on. The NCRB data for 2016 suggests that nearly 6 out of every 100 murders in India, as registered under Section 302 of the IPC is of children below the age of 18. Kidnapping is also pervasive – nearly 55,000 children were kidnapped across India in 2016 alone.

Three, a disaggregation of crimes by age and gender reveals that while girls are more vulnerable to certain kinds of violence (primarily sexual), boys face the threat of violence too. For example, according to the NCRB, nearly 55,000 children were kidnapped across India in 2016 alone, with kidnapping of children accounting for nearly 60 per cent or 6 in every 10 cases of kidnapping reported in the

country that year. Girls below the age of 18 are the most likely to be kidnapped or abducted, vis-à-vis boys, and adult men and women. Among girls too, the most vulnerable are girls above the age of 12, who comprise nearly 40 per cent of all kidnapping victims in India. Many of these girls are trafficked for labour or prostitution, or are kidnapped for purposes of marriage.

Similarly, disaggregated by gender and age, of the minor rape cases booked in 2016, about 85 per cent appeared to have involved young girls below the age of 18. In fact, nearly half (44 per cent) of *all* rape cases in India in 2016 involved young girls, a majority of them above the age of 12, but some even younger. This is not to suggest that boys do not face any risk of violence. Of all the rape cases of minors booked in 2016, about 15 per cent appeard to have involved boys and children of the third gender. Adolescents boys between the ages of 16 and 18, are also more likely to be killed than children of other age groups.

Four, there appear to be some hotspots of crimes against children indicating that policies to prevent childhood violence can start with a geographically targeted approach. For example, overall, Delhi and some of the North-Eastern States (Sikkim and Mizoram specifically) record the highest rates of crimes against children. In some States, certain types of violence are more pervasive. In Karnataka and Odisha, 68 and 66 per cent of all registered rape cases, respectively, are of girls below the age of 18. Similarly, children appear to be more vulnerable to kidnapping than adults in Chattisgarh – 95 per cent of all kidnapping cases registered in the State in 2016 were of children.

Five, rates of urbanization seem to increase the incidence of crime. So, if one were to compare the number of cases in cities alone, to the total number of cases of crime against children in India, the numbers suggest that nearly one in every five criminal acts against children takes place in the 19 major cities of the country. The city of Delhi alone, for example, accounts for nearly 40 per cent of all cases of crime against children in major cities. What is also worrying is that while Delhi continues to hold the igominy of an 'unsafe' city, crimes against 3 children have risen in cities earlier considered to be safe. For example, there has been a near quadrupling of crimes against children in Lucknow between 2014 and 2016, and a near doubling of such cases

in Pune. The cities of Patna and Mumbai have also registered an increase of criminal acts against children by nearly 1.5 times over the same period.

Six, the perpetrators of some of the most heinous crimes against children are those whom they trust the most – their parents and other family members. NCRB data on offenders who commit rapes of women and girls suggests that 95 per cent of such offenders are known to the victim, and comprise family members, relatives, neighbours and persons who promise to marry the victim. The greatest risk of violence against children – murder, particularly of newborns – also appears to be deliberate and perpetrated by the family itself, through an abortion or miscarriage most likely that of female fetuses.

Seven, social norms play a significant role in furthering the acceptance of violence and condoning it. An example is the deep rooted preference for son in India which leads families to kill girls in the womb or in infancy, and which gets visibilized in India's notorious sex ratios. Thus, while cases of reported foeticide seem to have been significantly lower in 2016 (144 cases) when compared to such reports in 2011 (210 cases), between 2011 and 2015, according to the Sample Registration System, sex ratios at birth declined in India from 906 to 900 female children per 1000 births. Specifically, sex ratios declined sharply in Gujarat, Chhattisgarh, Assam and Haryana. If the close correlation between sex ratios and foeticide in the Indian context were true, a decline in sex ratio at birth should have likely been accompanied by a rise in reported numbers of foeticide, particularly female foeticide in these States. Instead, very few cases of foeticide were registered in Gujarat and Assam in 2016. This may indicate significant underreporting. In Haryana too, very few incidents of foeticide were reported despite a decline in sex ratios. Alternative explanations are needed. A recent study documents how communities in Haryana may be using indigenous drugs to influence sex-selection when the woman is pregnant.[1] Thus, female foetuses may not be aborted after detection, but early sex selection may be detrimental to sex ratios in not so obvious ways, and hence not captured or reported to the police.

Eight, laws make a difference for purposes of reporting or registering a complaint with the police, but resolution of cases is slow. For example, the NCRB data show that child rapes reported to the authorities doubled between 2012 and 2016. This is partly because prior to 2012, there was no single law specifically dealing with children

as victims of sexual offences (and rape was strictly defined as penetration). Some forms of sexual assault – which may be more common with child victims – were not included, while the police faced no sanction for refusing to register complaints by victims.

The landmark POCSO Act of November 2012 was India's first comprehensive law to deal specifically with child sex abuse. The number of reported cases of child rape rose by nearly 45 per cent the next year. The new act is gender neutral and includes various forms of sexual assault. It also makes the failure to report or record a case of child sex abuse punishable with a jail term and fine. First responders such as doctors and the police are no longer able to turn back complainants by dismissing their complaint as a 'household matter' as this can land them in jail. The requirement for the authorities to now register complaints has had a big role in increasing the number of reported cases.

But despite the increase in the number of reported cases of child rape and a comprehensive law, the conviction rate is low (at around 28 per cent). The low resolution rate extends to other crimes as well. For example, of the nearly 85,000 children kidnapped and missing in India (of which 55,000 were kidnapped in 2016 and around 30,000 were missing from previous years), only one in two had been recovered until December 2016, with recovery of very young children (below 6 years) being lower at about 38 per cent. At the end of 2016, the police had disposed off about 64 per cent of all crimes registered against children, and had a pendency of 36 per cent. The pendency in courts was significantly higher – at about 90 per cent for all of India.

Nine, despite legal provisions to seek justice, there is immense pressure on the victim (and his or her family) to withdraw cases, especially when the perpetrator is known. Take the 2012 POCSO Act as an illustration. It states that a trial in any case of child sex abuse should be completed within one year. But this is rarely followed as the legal process remains slow. Where the offender is either a family member or someone known to the victim, the pressure to withdraw complaints can be immense. Families are hesitant to bring complaints against their own members out of concern for "family honour." At other times, the complainants receive threats from the family of the accused. Even when complaints are made, there is an unspoken effort to not to prosecute the offender, the system works against the complainant and she is often proved to have made a false accusation.

A study conducted by the students of National Law School of India University (NLSIU) on the Protection of Children from Sexual Offences Act (POCSO Act) in five States – Karnataka, Maharashtra, Assam, Andhra Pradesh and New Delhi – found that in 67 per cent of child rape cases, the survivors gave up on the trial, changed their statement, or withdrew their complaint after threat from the family of the accused.[2] Further, despite the prescriptions of POCSO, no special courts had been designated for child rape trials. There were no courtrooms exclusively for child abuse cases, few courts had separate rooms for recording the statement of witnesses, there were no waiting rooms or toilets nearby, and there were no special prosecutors designated to handle POCSO cases, despite the law's provisions. The study also found that while the identity of the survivor should not be revealed in any form in these cases, it came up in judgment copies.

Ten, and perhaps most important, childhood violence in India is significantly under-reported. Violence against children is recognized only if it is registered as a 'criminal' act under laws such as the Indian Penal Code (IPC), the Criminal Procedure Code (CPC), the Juvenile Justice (Care and Protection) Act, 2015, the Information Technology (IT) Act, 2000, and the POCSO Act, 2012. This means that unless an act of violence against a child or a minor is reported to the police and a First Information Report (FIR) is filed under a particular provision of a law, it does not get counted as an incident of abuse. It also means that the violence that takes place within the confines of homes, for example children being beaten by their families, is not captured because it is not recognized as a crime. Similarly, bullying in schools is not reported because it is not considered as a criminal act.

Even the acts that are 'criminalized' by law are not well covered and estimated. Sometimes, there is a provision in law but the indicator is not tracked. For example, while the Right of Children to Free and Compulsory Education (RTE) Act, 2009 has made corporal punishment in schools a punishable offence, there is no system in place to monitor the extent to which teachers (still) use harsh disciplining methods against children. At other times, such as for sexual violence against adolescent girls, problems with definitions and ethical concerns confound measurement. For example, what gets counted as sexual violence? And how does this resonate across laws? Until recently sexual violence against minor girls was not considered an offence if committed within a marital relationship. In this the IPC was in contravention with both

POCSO and the Prohibition of Child Marriage Act (PCMA). This position was reversed only recently by a judgment of the Supreme Court of India in 2017 which ruled that sex with a minor wife below the age of 18 is criminal.

Children also do not have the capacity to speak up and report an incident of violence. For example, while there are adequate provisions in the JJ Act, 2015 and Model Rules there under to safeguard children in Child Care Institutions, recent incidents indicate that many boys and girls may be facing severe abuse in such institutions, but may not be speaking up for fear of reprisal. Government and other officials including the social welfare officers, state and district child protection officers, and members of women's commission and juvenile justice monitoring committees who are responsible for inspection may suspect abuse but may not report it as it is part of a broader 'system.'[3]

Finally, there is the issue of how to interpret the numbers. A rise in crime rates could also mean better reporting, or more children feeling empowered to report. For example, and as discussed earlier, the implementation of POCSO led to a sudden spike in reporting of sexual crimes against children in 2012.

While our knowledge and understanding of violence experienced by children is enriched by private studies including surveys such as the India Human Development Survey, annual reports from the organisation Childline which collects self-reported data from children about harm and abuse from around the country, and one-time studies such as the 2007 Ministry of Women and Child Development study on child abuse in India, the NCRB remains the only regularly available source of data on crimes against and by children. Other small-scale and qualitative studies are available, but they remain geographically or quantitatively limited in their contribution to understanding the experiences of violence by children.

Further, data for many indicators such as corporal punishment, peer violence and sexual violence against boys are not routinely collected. While these reflect the absence of inclusion of these forms of violence in current legal frameworks, they also point to the need for new investments in data gathering, especially population-based data, to map the true scale of childhood violence in India. Unless this is done, the urgency of preventing violence against children would not emerge as a national priority, and we could continue seeing cases like Asifa and Pradyuman.

Notes

1 Neogi, S.B., P. H. Negandhi, A. Ganguli, S. Chopra, N. Sandhu, R.K. Gupta, S. Zodpey, A. Singh, A. Singh and R. Gupta. 2015. "Consumption of indigenous medicines by pregnant women in North India for selecting sex of the foetus: what can it lead to?" *BMC Pregnancy and Childbirth,* Volume 15, September.

2. https://www.livemint.com/Politics/NFRiK8UPTQzRQEg8mLa5KM/Child-rape-investigationprocess-traumatic-in-Delhi-study-f.html

3. https://www.hindustantimes.com/india-news/a-web-of-silence-shielded-sexual-abuse-atbihar-s-muzaffarpur-shelter-home/story-XnX0uvz17B8zuzNiIygeqI.html

Juvenile Justice System in India

Harsha Garg*

History will judge us by the difference we make in the everyday lives of children – Nelson Mandela

Introduction

Children are the future of the country; they are the next generation who will carry forward the vision, dreams and aspirations of their forefathers. Yet, they are still abandoned, they don't go to school, they are out on the streets alone to fend for themselves, they are subjected to all forms of violence, there is lack of access to primary healthcare. These children – innocent, young and beautiful are the future and yet are deprived of their rights.

When we talk about human rights, we declare women and children to be the most vulnerable, we know children need care and protection but how much are we able to provide to them? Have we fulfilled our legal and social obligations towards them? The United Nations Convention on the Rights of the Child (UNCRC) defines Child Rights as the minimum entitlements and freedoms that should be afforded to every citizen below the age of 18, regardless of race, national origin, colour, gender, language, religion, opinions, origin, wealth, birth status, disability, or other characteristics.[1] These rights encompass freedom of children and their civil rights, family environment, necessary healthcare and welfare, education, leisure and cultural activities and special protection measures.[2] The course of events and developments concerning juvenile justice in the international scenario has greatly influenced our country in shaping its juvenile justice regime. India is a signatory to

* Ms. Harsha Garg is a lawyer currently working with NCPCR as Consultant (Legal).

and ratified many of the International Conventions relating to child rights. Thus, it had become India's international obligation to incorporate the mandatory principles embodied therein, in the domestic/municipal law. India signed and ratified UNCRC in 1992 and has since then, tried to incorporate the basic four principles of UNCRC (Non-discrimination; Best interest of the child; Right to life/survival and development and Right to be heard) in its legislation related to children.

In earlier days, the criminal justice system as available for adults was applied to a juvenile or the child irrespective of his age.[3] The first legislation in India providing special treatment for children is the Apprentice Act 1850.[4] The Act comprised provisions for providing vocational training to convicted children as apprentices to teach them trade, craft or employment for their rehabilitation.[5] Under the Indian Penal Code, which was enacted in the year 1860, a child below the age of 7 is considered as not capable of committing a crime (doliincapax)[6] Section 83 of the Penal Code provides partial/qualified immunity to a child above 7 years and under the age of 12.[7]

It was realized even in the late nineteenth century that it would not be conducive for the growth and rehabilitation of convicted children to send them to ordinary prisons where they might mix with hardened adult criminals to their detriment. Consequently, there arose a need for legislation that would separate the convicted children from adult criminals, whilst at the same time, make provisions for the convicted children to prepare for their future life after prison. Thereby, there was a shift from the deterrent to reformative and this shift to reformative and compassionate society is, what has been the cause for so many amendments and special enactments being made for children with respect to the 'delinquent' and the 'neglected.'

The Juvenile Justice system in India, especially, has been through many reforms and improvements, still, the Indian system has managed to devise a Juvenile Justice framework that could be implemented throughout the country in a uniform manner. The first ever Act implemented to fulfil the said purpose was 'Juvenile Justice Act 1986,' it took into account the basic rights of the children, including their vulnerability due to age, gender and social status.

In, *Satto v. State of U.P.,*[8] V.R. Krishna Iyer J., speaking for the bench observed:

"Correction informed by compassion, not incarceration leading to degeneration is the primary aim of this field of criminal justice. Juvenile

justice has constitutional roots in Arts. 15(3) and 39(e) and the pervasive humanism which bespeaks the super parental concern of the State for its child citizens including juvenile delinquents. The penal pharmacopoeia of India, in tune with the reformatory strategy currently prevalent in civilized criminology, has to approach the child offender not as a target of harsh punishment but of humane nourishment. This is the central problem of sentencing policy when juveniles are found guilty of delinquency. A scientific approach may insist on a search for fuller material sufficient to individuate the therapy to suit the criminal malady."

It was due to the various rights provided under the Fundamental Rights and Directive Principles of the Constitution and the impact of the landmark judgments laid down at that time, that, the juvenile justice system in India, gained importance and it was felt that special laws for children were required for their wholesome development.

Under the Juvenile Justice Act, 1986, the age limit for a boy was 16 years and for a girl it was 18 years. However, under the new Act, the Juvenile Justice Act, 2000, S. 2(k) defined "juvenile" or "child" to mean a person, who has not completed eighteen years of age. The disparity between a boy child and a girl child was removed in the 2000 Act and the age limit was made 18 years for both girl and a boy. This was so because of the fact, that, by the time the 2000 Act was implemented, India had already become a signatory to the UNCRC and that, this new Juvenile Justice Act, 2000 had to incorporate the provisions and guiding principles of the UNCRC.

Emphasis of the 2000 Act was on reformation of the deviant juvenile who happen to come in conflict with the law. The retributive philosophy became alien to the Juvenile Justice system, as the legislation itself, incorporated the progressive humane approach. In the 2000 Act, the adversarial criminal justice system that was used to try adults was kept completely away from juveniles. A separate procedure for trying the child in conflict with law was devised to avoid joint proceedings of a juvenile in conflict with law with the adult persons. The procedure was made more child friendly and the object was the reformation of the 'juvenile in conflict with law,' with due emphasis on his developmental needs, rehabilitation and social reintegration.

The Juvenile Justice Act, 2000, provided for a wide range of reformative measures under Sec 15 and Sec 16 for children in conflict with law – from simple admonition to maximum 3 years of

institutionalization in a special home. After proper enquiry, if the Board found that the juvenile had committed an offence, it could allow the juvenile to go home after advice or admonition or could direct the juvenile for counselling or community service. Further, a juvenile who had attained 16 years and had committed a serious offence may be directed to be kept in such place of safety, if the Board found that it would not be in his interest or the interest of other juveniles in the special home to send him to such special home (Sec 15 and Sec16 of 2000 Act).

Need for a New Legislation

Things being so, on 16th December, 2012 when the 'Nirbhaya' incident occurred, that shook the nation, it was seen that amongst the six offenders, one of them was of 17 years when the offence was committed. It was after this incident, that there were demands from the people of the nation to hang the offenders including the juvenile. At that time, many demands were made to do away with protection of juvenile from the law and many asked for lowering the age of juvenility.

After much hue and cry created by the people of the nation, the Government then appointed Justice J.S Verma Committee, to look into the possible amendments to the Criminal Law to provide for quicker trial and enhanced punishment to the persons committing sexual offences of extreme nature against women as an aftermath of the dreaded 'Nirbhaya incident.' The Verma Committee specifically considered the issue relating to reduction of age of juvenile from 18 years to 16 years.

The Committee was of the view that long imprisonment of a person at the age of 16 would not be a good idea from a reformation angle. The Committee observed that *"Our jails do not have reformatory and rehabilitation policies. We do not engage with inmates as human beings. We do not bring about transformation…. Children, who have been deprived of parental guidance and education, have very little chances of mainstreaming and rehabilitations, with the provisions of the Juvenile Justice Act being reduced to words on paper."*[9]

Ultimately after a thorough evaluation of the issue, the Committee held that, *"We are of the view that the material before is sufficient for us to reach the conclusion that the age of 'juveniles' ought not to be reduced to 16 years"*[10]

In the wake of the Nirbhaya incident and other many factors revolving around juveniles and the juvenile justice system in India, a new Juvenile Justice Act was passed in 2015, repealing the 2000 Act and renaming the 2000 Act. The new 2015 Act was now named as 'Juvenile Justice (Care and Protection of Children) Act, 2015. The intention of lawmaker's from the name of the Act itself was clear, that, the Act while including more reformative and stringent provisions regarding *children in conflict with law'* also, had taken into consideration and widened the protection given under the Act to the *'children in need of care and protection.'*

Juvenile Justice Act, 2015

The new JJ Act, 2015 provides for strengthened provisions for both children in need of care and protection and children in conflict with law. In the new JJ Act, 2015, some of the major changes made include – change in the term from 'juvenile' to 'child' or 'child in conflict with law,' which enables to remove the social stigma attached to the word "juvenile;" new definitions have been added to the Act, such as orphaned, abandoned and surrendered children; there is more clarity in powers and functions of the Juvenile Justice Board (JJB) and Child Welfare Committee (CWC); specific timelines for JJB to conduct and complete their inquiry; the new procedure to be followed in case of heinous offences committed by children above the age of sixteen year; there is a whole new chapter for Adoption and more focus on the aspects of rehabilitation and social integration of "children in conflict with law" as well as "child in need of care and protection;" inclusion of new offences committed against children and the provision of mandatory registration of all Child Care Institutions.

The Act retains the Age of Juvenility/childhood at 18 years but the objectionable area is the one relating to relegating the child/juvenile between 16 to 18 years alleged to have committed a heinous offence (offences for which the maximum punishment prescribed is imprisonment for seven years or more) to the regular criminal system for adjudication by the Children's Court, which is nothing but a regular Sessions Court designated so. The relevant provisions are contained in Sec 15 to Sec 19 of 2015 Act. The procedure as laid down under the 2015 Act, to try a juvenile for heinous offences is quite elaborate and takes into account, the psycho-social factors, the biological factors etc. relating to the

juvenile. Therefore, it is only upon the conclusive findings of the Board, that, the Children's Court for heinous offences can try the juvenile. Therefore, it can be seen, that there is due consideration given while transferring a child in conflict with law to Children's Court to the extent, that, the Board while examining such a case would require more intensive scrutiny, and ought not be treated similarly to children committing less serious crimes. Further, Section 20 provides for evaluation of the reformative changes in the child and provides for his release in certain cases when he attains the age of 21 years, without sending him to jail.

The 2015 Act seeks to serve the goal of deterrence by assuming that the trial as an adult, and the consequent transfer out of the juvenile justice system would be a disincentive for potential juvenile offenders. However, closer scrutiny reveals that this model would fail to deter juvenile offenders as presumed. It is established that the goals of potential deterrence may be fulfilled only if there exists substantial awareness about the legislative provisions among the juvenile population. As per records of the National Crime Records Bureau, 30303 juveniles were arrested in 2010 out of which 6339 were illiterate and 11086 had received education only till the primary level. The large percentage of uneducated or minimally educated juvenile offenders gives weight to the argument that the newly proposed model will fail to deter potential offenders who indulge in crimes primarily as a result of factors like peer influence or socio-economic conditions and could hardly be deterred by laws that they are unaware of.

In view of the above, with regard to the juvenile being tried by the Children's Court, it is noted that, *First*, the 2015 Act makes a flawed correlation between the gravity of the crime and the maturity of the juvenile. It attempts the impossible, by permitting the Board to conduct a case by case determination of maturity, before deciding whether to transfer the juvenile or not, which is based on the subjectivity of the Board and not on conclusive evidences of the case, which in turn, violates the presumption of innocence enshrined in the Constitution. *Second*, the absence of definitions vests in both the Board and the Children's Court limitless discretion to try a juvenile for heinous offences, threatening the interests of the juveniles. The 2015 Act, also violates the mandate of equal treatment of all juveniles within a separate juvenile justice system, as required by international standards of juvenile justice, and the equality code in the Constitution. *Third*, the 2015 Act

is in contravention on the cardinal principle of fresh start, which offers, that the juvenile should be given a renewed opportunity for reformation.

The second aspect of the 2015 Act, is more focus on the 'children in need of care and protection,' the 2015 Act, now, takes into consideration the 'Right to participation' of children and has categorized the 'children in need of care and protection in a wider manner.' In Hon'ble Supreme Court's judgment dated 05.05.2017 in the matter of *"Exploitation of Children in Orphanages in the State of Tamil Nadu v. Union of India & Ors.,"* Justice Madan B. Lokur, expanded the definition and scope of "children in need of care and protection-"

"Even though a child in need of care and protection is defined in Section 2(14) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter referred to as the JJ Act) the definition does not specifically include some categories of children. Consequently, we are of the view that since the JJ Act is intended for the benefit of children and is intended to protect and foster their rights, the definition of a child in need of care and protection must be given a broad interpretation. It would be unfortunate if certain categories of children are left out of the definition, even though they need as much care and protection as categories of children specifically enlisted in the definition. Beneficial legislations of the kind that we are dealing with demand an expansive view to be taken by the Courts and all concerned."[11]

With regard to the mandatory registration of all Child Care Institutions, it has been provided that all CCIs whether functional by the State Government or by voluntary or non-governmental organizations, including institutions that house children wholly or partially, regardless of the fact the grants are received from the government or not, are supposed to be registered under the new Act of 2015 within 6 months of the commencement of the Act. In case of default, stringent penal provisions leading to criminal prosecution have been laid down under the law.

The 2015 Act further streamlines the procedure for adoption and made certain improvements from the 2000 Act regarding the *'care and protection'* aspects. Adoption as the new provision in the 2015 Act, provides for adoption procedures to be adopted for orphan, abandoned and surrendered children. A new statutory authority Central Adoption Resource Authority (CARA) has been entrusted with the responsibility to monitor and overlook the procedure for adoption under the Act. Further, a separate chapter (VIII) on adoption has been incorporated to

provide for detailed provisions relating to adoption and penal provisions regarding the same. There are timelines given for both in-country and inter-country adoption, whilst expanding the powers of the Child Welfare Committee (CWC), by giving them the function to declare a child legally free for adoption. Not only this, but to look after the welfare of the children, the concept of "foster care," "group foster care" and "sponsorship" are also introduced under this Act, wherein, the procedure to be followed while giving a child in foster care is provided including the procedure of selection, qualification, approval and supervision of placing these children in an environment other than that of the his/her biological family, which are under the variety of non-institutional options available under the Act.

Children who are in institutional care can now receive various services including education, health, nutrition, de-addiction, treatment of diseases, vocational training, skill development, life skill education, counselling, etc. to better equip them to be a part of the society later. These are a part of some of the rehabilitation and social integration measures now provided under the Act for children in conflict with law and children in need of care and protection.

JJ Act, 2015 also provides for many new offences committed against children, a new chapter has been incorporated in the Act comprising offences such as – *sale and procurement of children for any purpose including illegal adoption, corporal punishment in child care institutions, use of child by militant groups, offences against disabled children and, kidnapping and abduction of children.*[12]

Further, the Juvenile Justice Act 2015 has also made provisions for establishment of State Child Protection Society, District Child Protection Unit, Special Juvenile Police Unit, Commission for Protection of Child Rights etc. To facilitate setting up of these institutions, Integrated Child Protection Scheme (ICPS) 2009 was established. Commission for Protection of Child Rights (CPCR) has been assigned the additional responsibility of monitoring the implementation of the Juvenile Justice Act, 2015. Another crucial aspect of the Act is to ensure training and sensitization of the CWC officers, Juvenile Justice Board member, DCPUs, Legal cum Probation officers etc. The State is under the obligation to ensure induction training and sensitization of all the Juvenile Justice functionaries as provided under the Act.

Other aspect of the new Act of 2015, which is very interesting to note is that the Act in itself is not implemented, and that for the

implementation of the provisions of the Act, certain Rules (Juvenile Justice Model Rules, 2016) are also made. These Model Rules enable a better implementation of the Act including, the prescribed sq. ft. of a home, the total space of a home that houses 50 children should be 8495 sq. ft., the procedure to be followed by JJBs, CWCs, the in-charge of CCIs (in case of sexual abuse or runaway or death of a child) etc. These Model Rules, 2016 prescribe a framework and detailed procedure, which has to be followed by the nodal authorities to implement and adhere to the provisions of the Act.

POCSO Act, 2012 And The Issue Of Sexual Abuse Being Committed Against Children

It must also be seen that, besides Juvenile Justice Act, 2015, there is another special legislation for children in cases of sexual abuse, the Protection of Children from Sexual Offences Act, 2012. With the repeated string of sexual abuse or rape of children being reported across the nation and a public outcry raging on the streets like molten lava flowing uncontrolled from a bursting volcano, the victimized and abused child suffered in silence. Traumatized, dejected and horrified family members of unfortunate victims found themselves helpless, confused and unable to cope with the heinous crime. The Protection of Children against Sexual Offences Act, 2012 (POCSO) and which came into force on 14 November 2012, is a special law to protect children from offences of *sexual assault, sexual harassment and pornography.*[13]

Before the implementation of POCSO Act, 2012, various provisions of the Indian Penal Code (IPC) were used to deal with sexual offences against children, as there was no distinction being made between a child and an adult. POCSO deals with sexual offences against persons below age of 18 years. POCSO defines "Penetrative sexual assault," "sexual assault" and "sexual harassment" making the offence aggravated if it is committed by a police officer, public servant, staff member of jail, remand, protection or observation home, staff of a hospital or an educational institution or by a member of the armed or security forces. POCSO provides for relief and rehabilitation as soon as the complaint is made to the Special Juvenile Police Unit or the local police who are required to make immediate arrangements for care and protection. Not only this, but the intention to commit offence defines under POCSO is also punishable besides aiding and abetting the sexual abuse of a child.

There are timelines and special emphasis provided for trial in special children's courts with speedy disposal and special procedures to avoid child not seeing accused at the time of testifying. One of the unique features of the POCSO Act, 2012 is that the Act is gender neutral, that is to say, that the provisions of the Act, apply to both girls and boys. Thereby meaning that, boys below the age of 18 years are also protected against any sexual abuse under the Act.

Sadly, the result is that POCSO, an Act, which is a necessity in India, where 40 per cent of the population is below the age of 18 and where over 53 per cent of children reportedly surveyed in 2007 stated that they had experienced one or more forms of sexual abuse, is not complied with, despite being on the statute book and that, nowadays there are many number of cases reported of sexual abuse and rape being committed on young children of the age of 3 years or 5 years or 8 years. Such heinous crimes of rape and sexual abuse on children in such tender ages brought the recent Criminal Law Amendment 2018, which has now provided for "death penalty" to be given to the offenders in cases of rape of girls from 0-12 years. However, it is still shocking to notice that despite such deterrent and strict steps being taken to prevent such crimes against children, such heinous offences are still being committed.

Conclusion

In conclusion, it can be said that, the JJ Act, 2015 and the POCSO Act, 2012 combined have brought out the new and improved legal protection to children, however, the same as of now awaiting effective implementation. These provisions when implemented need better monitoring by the nodal authorities, who have been given the responsibility and assigned various functions under the Act. The Hon'ble Supreme Court in the landmark judgment *"Exploitation of Children in the State of Tamil Nadu v. Union of India & Ors."[14]* had also, brought on record the lacunae in the implementation of the Act and emphasized on some of the important aspects of the Act including – functioning of CCIs, training of personnel, social audit, utilization of grants etc. In its judgment dated 05.05.2017 in the above mentioned case, specific directions had been given to the Central as well as State government for effective implementation and smooth functioning of the JJ functionaries as prescribed under the Act. The case is now being taken

up for hearing in the Hon'ble Supreme Court for compliance of these directions and to ensure that the Central and State governments are effectively implement of the provisions of the Act.

Also, based on the above, a few recommendations that can be made keeping in view the implementation aspect of the Act are:

    i. There needs to be clarity with regard to terms being used in the Act for practical purposes, the usage of words like 'may', 'could', 'can' must be clearly defined. Lack of clarity in such terms, leaves discretion to the interpretation of the provision.

    ii. Community based supervision for offending children and more efforts to be made for need, care and protection of children in need of care and protection, so that they do not become children in conflict with law.

    iii. Instead of creating more processes and authorities to monitor the implementation of the Act, there should be more authority and extension of lines to be provided to the existing monitoring authorities under the Act, rather than confusing the people and system with more such authorities.

    iv Qualitative data driven analysis of children and their situation in CCIs and other residential care facilities needs to be assessed and examined. Regular inspections and time-to-time interventions need to be made by the Central and State government.

    iv. Recruitment/selection mechanism, monitoring mechanism of the staff of CCIs needs to be more robust and well supported. Regular and periodic training of staff needs to be done with the commensurate pay scale, so that they are motivated to do their job of looking after children under their custody supervision.

    v. To create more awareness about the provisions of the Act by promulgating the Act widely amongst the public.

    vi. New and dynamic models need to be adopted with respect to the right and protection of children from other countries and adapt the same according to India's suitability.

Notes

[1] UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3, available

at: http://www.refworld.org/docid/3ae6b38f0.html [accessed 14 November 2018].
2. Ibid.
3. Read more at: https://www.livelaw.in/juvenile-justice-act-2015-emotional-aftermath-dreaded-nirbhaya-incident-step-backward/
4. Ibid.
5. Ibid.
6. Ibid.
7. Ibid.
8. 1979 AIR 1519.
9. Report on the Committee on amendments to Criminal Law, 23 January 2013.
10. Ibid.
11. Para 18, W.P (Crl.) 102 of 2007.
12. The Juvenile Justice (care and protection of children) Act, 2015
13. The Protection of Children from Sexual Offences Act, 2012.
14. W.P (Crl.) 102 of 2007.

External Orientation of North East India: Possibilities and Roadblocks

Patricia Mukhim*

India's North East is a conundrum beset by demands for ethnic homelands that have been part of its historical-political journey. However, over time the people of the region themselves have realised the diminishing returns of violence and conflict which have taken a huge toll on human lives and scuttled all attempts at outlining a common roadmap for development by taking advantage of the location of the region which is strategically placed vis-à-vis South East Asia. India's North East shares only four per cent of its boundaries with the country and is joined by that tiny strip of land that resembles a chicken's neck and metaphorically speaking it is the neck of the chicken that bears the brunt of the knife when it is being slaughtered. This chicken's neck is still a fragile area and with the Chinese mounting pressure at Doklam, it is difficult to comprehend the outcomes of the mind games that China is adept at.

However, for the sake of the region's development needs and the imperative to create employment opportunities within the region we need to take advantage of the Act East Policy, which none less than the present Prime Minister, Narendra Modi has taken a keen interest in giving the slogan more teeth and action points. For too long, this region has been a favourite sojourn of security forces, whose interest in its security is secondary. The primary reason why uniformed personnel patronise the region and have coined it a conflict zone is because of its rich resources and the huge amounts pumped in to secure us from ourselves. These amounts are not audited because they are "secret funds" for covert operations which go by the name of "national security." It is our own lapse that we have never sought to know more about such

¹The writer is Editor, The Shillong Times.

secret funds. During the tenure of Gen. V.K. Singh, who is now India's Minister of State for External Affairs a wing called Technical Services Division was created ostensibly to prepare, plan and execute special operations, "inside depth areas of countries of interest and countering enemy efforts within the country by effective covert means." Main areas of operations were North and Northeast India, and against adversaries in neighbouring countries. The Army's internal approvals for raising the TSD reportedly said it would "enable the Military Intelligence Directorate to provide a quick response to any act of State-sponsored terrorism with a high degree of deniability." It was asked to "cover any tracks leading to the organisation." Investigations into the functioning of the TSD found many irregularities and withdrawal of funds that could not be explained.

There have been serious allegations from political analysts that the army and para-military forces have developed a vested interest in keeping the pot of insurgency boiling, because that means a continued flow of funds. Interestingly the TSD was abolished after the retirement of Gen. V.K. Singh as it did not have the sanction of the Ministry of Defence.

These are internal strategies which actually weaken the North Eastern region and it largely happens because we don't pay attention to such issues, but keep believing the stereotypes fed to us. The fact that over 30 insurgent outfits operate in the Imphal Valley should make us ask how they survive if not from government funds. And how have such funds leaked into militants' coffers when they should be used to build roads and other infrastructure.

The possibilities for collaboration with the South East Asian countries are manifold, however the region first needs to build on its strengths and identify areas of export and import, and mutually beneficial areas of collaboration. Exchange programmes for college and university students, health tourism especially from Myanmar and Bangladesh which still lack the basic health infrastructure are opportunities for health care providers in the region to capitalise on. Tourism too needs a better and more robust planning, so that unique destinations such as the living root bridges and wild life sanctuaries are not short-sold.

The major roadblock remains the need to deconstruct the hyper-ventilated security concerns in the region. Enough harm has been done to the region by keeping it undeveloped because of the fear that better roads would make it easier for the enemy to come in. The manner in which China has developed its peripheries, should teach us lessons in

adversity. We need better communication within the region and to the rest of the country. Every State needs to have a fully functioning airport since visitors from overseas don't have the time to spend on road journeys. Our inability to access Chittagong port fully means that States like Meghalaya and Mizoram are still landlocked. The Land Customs Stations are also in very poor shape after 71 years. No one has paid attention to these important trading stations and there is more informal than formal trade happening through these centres.

V. L. Srinivasan in his essay *Roadblocks to North East India* mentions the difficulty of moving over-dimensional cargo, known as ODC. Such oversized cargo for mega-infrastructure developments such as power plants, airports, fertilizer units and other capital projects are mostly located in the hinterland of the northeast region because the prospect of moving cargo from mainland India to its northeast region, which is almost completely cut off by Bangladesh, is often the biggest challenge. But talks with Bangladesh on this communication sharing treaty both by land and sea seems to have taken an inordinately long time. This should be a priority of the Government of India, if it wishes to roll out the Act East Policy and take it from a slogan to a reality.

While each of the North Eastern States need to figure out their own economic development road map, there are areas of convergence that need to be identified. The States need a robust regional platform where all stakeholders from academia, business, economists, tour promoters, engineers, doctors and civil societies have to be involved and not just for the short-term but with a commitment of financial and other resources.

Major Roadblocks:

Governance concerns: In about four of the eight North-Eastern States, Assam, Nagaland, Manipur and Meghalaya while insurgency has come down to a large extent law and order is still an area of concern. The police are not trained to meet internal security exigencies and each time there is a threat to the peace or a violent upheaval on account of ethnic cleansing that happens with predictable frequency, the military are called to handle the situation. In Assam there are several groups till date which can block roads and call a bandh successfully without anyone holding the groups to account. In Meghalaya, this sort of blackmailing tactic by sundry groups has come to a close after the State filed an FIR against the leaders of different groups and put a figure to the losses

caused to the State institutions during the period of the bandh. The leaders are now having to appear in court regularly and have thought it better to refrain from calling unscheduled bandhs and strikes which disrupt normal activities. The private sector cannot survive in an environment that cannot guarantee a return on investments. No one is going to come to the region for philanthropic reasons. Hence, the big Advantage Assam meet recently is no reason to celebrate. So many issues need to be resolved, especially the issue of land availability. A strike team must be built, which can envisage the problems and address them before they manifest in public disaffection. Thus far people have been treated as non-citizens and their involvement in these mega business meets have been minimal. We might ask why people in the rural areas should be involved. The reason is because land is only available beyond the district headquarters in the rural areas of the State and such land most often is agricultural land. There is no certified wasteland in any of the 8 States unless you consider the abandoned coal mines in Meghalaya as barren land. And since farm lands are the bread basket of the State, who decides what land can be given away to industries? There is, as yet, no transparent policy on land acquisition, and public hearings are simply a farce because they are largely manipulated.

When people do not participate in planning and implementation of programmes, there is clearly no governance because the very word governance implies citizen participation. Indeed even in law and order there is hardly any citizens' participation. We leave everything to the police and consider them an adversarial force. To that extent we are still far from how governance in a democracy ought to be.

Extortion by militant outfits: In Manipur, Nagaland and even in Assam and Meghalaya extortion by militant outfits has not stopped and is unlikely to stop as long as governments either have a stake in it or are not committed to handling the outfits with the seriousness it deserves. It is impossible to attract investors to such States.

Which industries are suitable for the region: The states need to define their priorities and have a clear roadmap about the kind of industries that are most suitable for them. Small States would need green industries and Meghalaya for instance would do well to invite investors in the IT sector and provide them the requisite land for software tech parks. But then again a proper study needs to be first conducted to find out what the strengths and weaknesses of each State. The industrial culture that most States take for granted is yet to take roots here. If the human resource is to be imported from outside the region then employment will continue to remain a challenge.

What sort of skills are imparted: There is need to take stock of the kind of skills imparted to the youth here. These skills need to be in line with what the markets and industries require. The mismatch between supply and demand in terms of skills training needs to be addressed. In the area of skills development, are the States enunciating their own policies or is the Government of India imposing a set of skills that are out of sync with the region?

Tardy progress of projects means to overcome communication bottlenecks. National Highway 502A, project that aims to link Mizoram to a port in Myanmar and from where ships will ply to Kolkata and beyond is a an alternative to the narrow Siliguri Corridor which connects India's mainland to the seven North-Eastern States. This highway will slash the 1,500 kilometre distance between Kolkata and Mizoram by half. But the project announced in 2009 and land acquisition for which started in 2011 is yet to see the light of day as it is bogged down by corruption. But again this is a case of putting the cart before the horse, as neither Mizoram nor Myanmar really have much to sell to each other under export-imports lists. These highways that are funded, need to be monitored and not left to governments alone.

Land Customs Stations in disarray: The LCS in Meghalaya, Manipur and Nathu La are in a very poor shape where more smuggling takes place than formal trade. Not much investment has been made to modernise these trading outlets and they have only stagnated. Now with coal not passing through Dawki- Tamabil to Bangladesh, the speed at which the LCS could have taken off has only slowed down. The region's over-dependence on central funding has held it back. Tripura has succeeded because of the quid pro quo in trade with Bangladesh. After all the Palatana power plants is selling 150 MW of power to Bangladesh. If the transportation links between Tripura via Bangladesh to Kolkata starts in right earnest, that State will perhaps be the most well placed to become the model for the Act East Policy.

Taking all the above into consideration, there is a lot of ground work to be done. A dedicated team combining players from different fields, but with the common goal to charting out a course to get the North East out of the dilemma of being a land-locked region, with a poor resource use and to turn it into what it used to be before the Partition in 1947, is needed. Indeed a Department within the Ministry of Commerce or DoNER mainly to operationalise this project is the need of the hour.

Understanding India Through Some Recent Attempts at Swaraj in Ideas

Ramesh C. Shah*

In the year 1929, K.C. Bhattacharya – one of the most incisive philosophical minds that modern India could produce, delivered a lecture called 'Swaraj in India,' which, to my mind, is one of the most important texts emerging from our long-drawn-out struggle for independence. The two other texts comparable in relevance as well as coherence, are, of course, Sri Aurobindo's Foundation of Indian Culture,' and Gandhi's Hind Swaraj.' Bhattacharya had, in that essay, spoken of two dangers: 'the greatest danger,' in his view, was our blind subservience to 'the so-called universalism of reason or religion' which, being the result of a rootless education, stood more than anything else in the way of 'Swaraj in ideas.' As for the other danger of national conceit and obscurantism, 'it needed less stressing.' In his opinion, because, to quote his words, "our educated men suffer more from over-diffidence than from over-confidence. We are readier to accept others' judgments about us than to resent them."

Now, what is the nature of this cultural subjection which continues to persist even today, vitiating the very springs of our intellectual and moral life? According to Bhattacharya: "there is cultural subjection only when one's traditional caste of ides and sentiments is superseded without comparison and competition by a new caste representing an alien culture which possesses one like a ghost." In fact his lecture exhorts our countrymen to shake themselves free from it. "That's the only way," our philosopher tell us, "to experience a rebirth, that is Swaraj in ideas."

---

* Professor Ramesh Chandra Shah, Padmashri, is an eminent scholar, thinker, creative writer and critic.

Have we exorcised the ghost? Western culture was imposed upon us, no doubt. But that was an inevitable consequence of our long neglect and ultimate loss of political freedom. Moreover, we had asked for it: hadn't Rammohun Roy pleaded so strongly for it? But Roy himself could not have visualized the subsequent turn of events. He himself was the product of a Sanskrit *pathshala* and his open-eyed assimilation of the West did enable him to become the pioneer of what, has since come to be called 'Comparative Religion:' 'a fact, which, European scholarship has never really acknowledged.' As events later on proved, we were as unworthy of Rammohun Roy as of Swami Dayanand, because we miserably failed to assimilate Western culture in an open-eyed way with our old world Indian mind. "That Indian Mind," as our philosopher had so aptly put it, "has simply lapsed in most cases; for our educated men, it has subsided below the conscious level of culture."

Now, that exactly is the malady we still suffer from: self alienation, that is, the banishment of our native mind to the subconscient, resulting in what our philosopher had diagnosed as a 'shadow mind.' To quote his own words: "these ideas springing from a rich and strong life induce in us a shadow-mind that function like a real mind except in the matter of genuine creativeness."

KCB himself had not found much evidence of genuine creative work by his countrymen in his own times. Has the situation changed beyond recognition in our own times? 'It is in philosophy' – KCB had said in that essay: "that the task of discovering the soul of India is imperative for the modern India – the task of achieving, if possible, the continuity of his old self with his present day self. Genius can unveil the soul of India but it is through philosophy that we can methodically attempt to discover it.'

Now, so far as spiritual genius is concerned, no one will deny the fact that India has produced the richest crop of it throughout the last century. But, 'methodical philosophical attempts to discover the soul of India' – as KCB envisaged the problem – are hardly visible on the surface to laymen like us. As for scholarship in disciplines like sociology, history and political science, the present spectacle is rather depressing. It's dominated by shadow-minds who question the very existence and perception of India as a coherent whole politically or culturally. It's the tribe of intellectuals like Romila Thapar, Sunil Khilnani and Meghnad Desai which is increasing and not that of R.C. Mazumudar, Anirvan and Raja Rao. Recently, I happened to be reading a much talked about book called *The Argumentative Indian* by Amartya Sen, the nobel

laureate, in which the author has chosen to flaunt his sense of belonging to this very 'soul of India' in a way which would have cofounded KCB himself. Amartya Sen, in his book, invokes the memory of his grandfather K.M. Sen – the great scholar of medieval Bhakti-poetry, to prove his point, that the 'Lokayatik' (that is, the secular-materialistic) sect can lay at least as much a claim to representing the philosophical soul of India, as Vedanta or any other tradition does.

KCB had lamented, in his own day, the absence of any "distinctively individual estimates of Western literature and thought." He had implicitly recommended such a counter-movement because he felt very concerned about the prevailing confusion of ideas and ideals in his milieu. Are things any better now? He found it an imperative need of the hour 'to clear up the confusion and make it develop into a definite conflict.' This incidentally reminds me of a famous (and true) story. A Bengali professor once visited W.B Yeats – the great poet –and asked for his message for India. Yeats's response was a little bit theatrical, but very sincere and passionate. He unsheathed a Japanese Sword, brandished it before his guest and exclaimed. "conflict, more conflict. That is my message for India. Tagore talks too much of God….. my mind resents it." This was in 1935. Ten years later, we find S.H. Vatsyayan, the leading Hindi poet and revolutionary, emphasizing the urgent need to evolve and establish a critic-nation (*Alochak Rashtra)*. A nation of critics – real critics, rather than mere shadow-minds.

Infact, synthetic treatment of our values with western ideals is not called for everywhere. Wherever it seems justified by our need for self-renewal, the alien elements have to assimilated to our own life-worlds and values and not the other way round. Here we can note with some satisfaction a couple of such examples where we can recognize the efforts of some contemporary Indians minds to clear up the prevailing confusion and make it develop into a definite conflict. In a recent lecture called 'Comprehending India on or through its own terms,' Dr. Kapila Vatsyayan had convincingly demonstrated how the secret of India's comprehending itself on its incredible continuity and change lay in its ability to evolve categories which facilitated absorption, assimilation, and transformation without radical rejection. Concentrating on some seminal terms like '*sastra*' and '*prayoga,*' '*marga* and '*desa*' and '*loka,*' she has exposed the wilful distortions and gross misinterpretations that the shadow-minds operating amid our intelligentsia have inflicted on them. Her close examination of the Indian system reveals beyond a shadow of doubt that an inter-disciplinary approach was at the core of our ancestral vision and structural system.

Thus, "it was no accident that the image of man as *Purusha* has been uniformly used as a term of reference from the cosmological to the purely physical as one symbolizing coordinated activity where each part is inter-connected with the other." The most pervasive and rampant tendency in the contemporary discourse on India is to flaunt the theoretical constructs of the 'great' and 'little' traditions in sociological terms, 'classical' and 'folk' in artistic terms, which, as Dr. Vatsyayan has persuasively argued, have no real basis in the primary sources of textual or oral traditions. K.C. Bhattacharya had warned his contemporaries that, "the way to know facts is not the way to know values." But in our own times, even the facts have been jeopardized – what to speak of values! – by the shadow-minds amongst our hard-hearted and soft-hearted intelligentsia by dissociating the key terms from the original contexts in which they were used. It is in this way, as Dr. Kapila Vatsyayan has amply demonstrated, that terms like 'Sastrachar' and 'lokachar' have become sociological categories. This, as she has rightly observed, "has led to a tacit acceptance of an inherent tension between the two – a hostility rather than a continuum on differentiation within a system." "Little wonder thus, she adds: "tribal, rural, urban classification of sociologists, placed in a unilinear progressive graph, has not been able to contain the complexities of the Indian social structure."

Thus, a beginning – and a significant beginning at that, – seems to have been made in recent times, in this all-important project of understanding India on and through its own terms. It's almost a platitude to assert that India stands or falls by its spiritual-philosophical achievements which constitute the core of its age-old memoried self with its present self, is, as we have already seen with KCB, at once the most challenging and the most daunting, until and unless there appears a unique combination of spiritual philosophical wisdom and literary insights to counteract the wrongs. Sri Aurobindo in our immediate present, appear to me to have worked towards that end – more or less successful. Here we can just look at a couple of examples to indicate the significant trends.

But, why literature? – Someone may ask. The answer, I think should be obvious. Philosophy is under seize everywhere, and if it is to reclaim and reassert its central position, it has to look for lose allies. Now, India, in this respect, is in a uniquely privileged position because of the fact at here, right from the beginning, the poetic, and the spiritual-philosophical insights have worked in unison; and they can be seen to

have preserved and argumented this close collaboration throughout the history of civilization. There is little or no in-built conflict or tension between the Muses which preside over the different vocations of poet, philosopher and saint. Similarly, because of his unity at the origin, and also because of the consequent cosmogony, the in-built tension between the religio-philosophical inquiry and the scientific inquiry, so patently obvious in European history is hardly conceivable here: a cursory glance at the reactions to the publication of Darwin's "Origin of Species" in European Churches on the one hand and among the Indian religious pandits on the other hand, should be enough to reveal this difference between the two civilization.

It is worthwhile to remember with Arnold Toynbee here that "the difference in ethos between Hindu Weltanschauung and the Western Weltanschauung was an outright anti thesis."[1] The effect of Western imperialism on India was very different from what it was elsewhere. There was, as Toynbee says: "a far sharper tension here between a native spiritual force and an alien one."[2] The Russian intellectuals in comparable circumstances, were enabled to find release through the gift of artistic expression, as Toynbee himself adds – laying emphasis on their original and innovative use of the literary form of the novel. Toynbee doesn't actually say so, but, implies in effect that the Indian intelligentsia couldn't find relief through literature. Actually, one could cite several literary creations – novels as well as poems in Hindi to contest this: the poems of Nirala, Prasad and Agyega and the fictional works of Renu, Aygeya and many others, including even such Indo-Anglian novelists as Raja Rao and Mulkraj Anand do appear to have served as safety valves for releasing the pent-up emotions of Indians under the foreign yoke. These works also serve to provide an understanding of Modern India in its travails as well as aspirations. However, since India's genius is predominantly spiritual-philosophical, even these considerable literary achievements seem to fall short of our own high expectations and self-realisation, through literature which a Tolstoy or a Dostoevsky can be credited with. But we have to remember that Russia (and American too, for that matter) are comparatively very young nations. They don't have to carry the burden of millennia-old history and tradition. As Sri Aurobindo has said somewhere: "the entire achievements as well as aspirations of Indian culture is enshrined in Vyas, Valmiki and Kalidas alone." Understanding, therefore, even modern Indian writers have to prove themselves worthy of that high heritage in order to be able to do justice to their vocation as writers.

Preparing the ground for that is the first pre-requisite; poet mystics like Aurobindo, philosophers like Anirvan had done precisely that; and now, other scholars have arrived on the scene to carry forward that legacy. 'There is no reason why poetry should not be a part of the *Sādhanā* – says Sri Aurobindo in one of his letters. Prof. J.L. Mehta, an eminent philosopher and scholar in his wonderful monograph on this great patriot and sage, says that, "Within the Indian tradition its Central Vedic stream would seem to affirm the primacy of the world." Lets us listen to his further observations, helpful as they are in understanding not only the unique contribution of Sri Aurobindo, but also, simultaneously, the peculiar thrust given by India to man's search for the meaning of his life and world:

> Poetry and philosophy, both wordy affairs, are expressions of man's urge to overcome his finitude, but they never allow this distance between man and transcendental reality to lapse totally. …….India, however, discovered Yoga, following hints in the Sruti, but radicalizing its theory and practice even beyond the interiorization process envisioned in the Upanishads, and thus, found a way of eliminating the distance mentioned above…. It ran a parallel course, outside the central Vedic stream, but often with close interaction between the two. In Aurobindo, these two converge again in an internal Yoga, which takes up within itself the modern western idea of an evolutionary quantum leap in human kind.

<p style="text-align:center">*   *   *</p>

Our age differs from all the other ages in its frantic pace of change, its cultural confusion and its unique risk and challenges. We Indians now have to understand and appropriate on our own terms, an alien mode of thinking and knowing – the way of conceptual control of the universe. Simultaneously, we have to reconceive and redeem our own heritage from the tragic situation we find ourselves in – a situation of historically distorted and estranged relationship with it. The long history of Western Ideology had not recognized any worthwhile wisdom in our 'psychology': philosophy itself being a 'western enterprise.' This tacit assumption of religious and philosophical superiority can be seen at work not only in the Western attitude towards ancient India, but also towards the modern exemplars of that spiritual-intellectual tradition. One remembers Renou's contemptuous dismissal of Aurobindo's Vedic exegesis. History, however, has it own ironical twists and turns. The

West is now no longer in a position to maintain and enforce its superior stance: its theology has been eroded; its mainstream philosophy no longer concerns itself about soul or spirit or transcended truth.

As for the Song of the Sirens – the tune of the rational-scientific discourse – it is, of course4, irresistible. But, what about *The Word that speaks to the Faustian Man?* It is the latest manifestation of India in a unique and unprecendented way. The sub-title of this book (a series of volumes) is – *'A translation and interpretation of the Prasṭhāntrayī and Śankara's Bhāṣya for the participation of contemporary man.'* This is how Prof. Somraj Gupta, the author, understands and articulates the foundational difference between the Indian and the Western civilizations:

> The Greeks, we know, found man a being that lived among others…. The polis was the ontological place, the ground of man; the ground of man; beyond it lay the desert, the home not of man, but of beasts. The desert and the polis were opposites for the Greek…. The Indians on the contrary, interiorized the forest into the village or the city so thoroughly that the capital city extended to it. For the forest was not merely the home of birds and beasts but also of *ṛṣis*, seers…. The civilization that interiorises the forest to such on extent is a civilization that, in a sense, disowns itself; it does not find itself pitted against nature; rather it extendes itself into that nature…. (Vol.III p.175)

From this understanding of Indian civilization as Nature's extension, nature's step towards the divine through the human, let us go back to what the author had said in his preface to the second volume:

> Modern man finds no use in the seer that fuses the forest into civilization, for him, a system embodying his rationality is enough. The loneliness of the helpless old man does not add new dimensions to it, nor the tragedy of the unsuccessful man nor of the mad man.

This comparatist perspective becomes all the more compelling because the aithor is by no means oblivious of the fall and disgrace of the very civilization, he seeks to evoke in its pristine purity and still living exemplars. He had already diagnosed its sickness thus:

> The forest-polis civilization met its decline when the Brahmin became arrogant, holy and privileged …… the culture was ruined when caste was divorced from *Varna* ashram, the system embodying the various stages of life. Caste turns into evil when the guiding spirit of renunciation embodied in the ashram ceases to inform it.

It is this guiding spirit of renunciation that the author has sought to

re-interpret and reinstate through his startlingly fresh and original reading of the texts embodying that spirit. Besides his existentially authentic enactment of that ancestral wisdom, he has another weapon that he wields with consummate skill – his ability to evoke and yoke the internal evidence of great literature to drive home his points. Justifying this approach, he says in the preface to the first volume:

> ….Indeed if truth be told, the literary tradition of the west provides better analogies to the spirit of the Upanishads and Advaita Vedanta than its philosophers. I have often invoked Homer, Dante, Shakespeare and poets like Rilke and Wordsworth to communicate at least a part of the meaning of the Upanishadic vision…..

Somraj Gupta thus acknowledges the vital role that literary creativity has to play in our destitute times. At one place, he has underlined for us the significance of Virginia Wolf's 'the lighthouse' with a stunningly original insight. He says: 'This self, this me cannot be reduced to relationality. *When philosophy in England was trying to replace consciousness with language, literature was becoming more conscious of consciousness.'*

This is a true observation and once made, appears to be so obvious. But no one so far had drawn our attention to this fact. Must we not ponder the implications it has for the future of philosophy itself?

To understand India, it is certainly not enough to understand the particular symbols or interaction-patterns of individual situations. One must also understand the overall structure of meanings within which these particular patterns and symbols are located and from which they derive their collective shared significance. The ordinary consciousness of everyday life is the web of meanings that allow us as individuals to navigate our way through the events of our life with others. Now, it is precisely this web of meanings, which has been threatened and jeopardized in the social life of India today. Our private and public worlds no longer nourish and sustain each other: on the other hand, they produce glaring contradictions. It's not just consumerism and globalization that are responsible for the overall deterioration in the quality of our life. These are only symptoms of a malaise that lies much deeper, in the Cartesian 'Cogito' according to the author of *The Words Speaks to the Faustian Man:* "For a man who says, 'I think, therefore I am', ….nothing has self and being except the Cogito; only it has self, is the self, it alone. Everything else turns into tools or into pleasures."

Obviously, this 'Cogito' is not the Upanishad Self, but we are all infected by it. Let us now listen to Mallarme – the 19th century French

poet – product of agnosticism at its most intense. Let us see how this great symbolist poet unknowingly discovers that Upanishad Self as the occult ground of everyone:

> ….I had just drawn up the plan of my entire life's work, having found the key to myself – the centre of myself, where I dwell like a sacred spider on the principal threads already spun from my mind….

Is it mere coincidence – this image of the spider intruding into the privacy of the pure aesthete? – The sacred spider, *Urṇanābh* which has served the Upaniṣad vision so well? "I really have decomposed" – wrote Mallarme about this adventure of consciousness, "…and to think that this is what it takes to have a vision of the universe that is really whole! Otherwise the only wholeness one feels is that of one's own life.[3]

To understand India is to inhabit "this vision of the universe that is really whole." It would not be irrelevant therefore to conclude this essay with this incisive comment of Roberto Calasso on that experience of Mallarme:

> "Mallarme couldn't know that he wasn't speaking of himself, but of the self, the *Ātman*…. Prajapati appears on the scene, shrugging off the fog of centuries. Prajapati finds himself transposed into the golden age of positivism, when man is no more than physics plus chemistry, and consciousness but a vague by-product of the higher functions, something nobody has time to be bothered with. But why did Mallarme seek Prajapati without knowing him? Here modern and primordial meet and a spark is struck to create a work of absolute literature. One must reunite with the time before gods were born – when Prajapati began doing 'tapas' desiring an outward existence that would be visible and palpable. Who led Mallarme?"
> 'Destruction was my Beatrice' – Mallarme wrote to his friend – 'I am no longer the Stephen you know; but a disposition of the spiritual universe to see itself and develop itself through what I was.'[4]

Reference & Notes

[1] Toynbee, A study of history (London OUP, 1954) Vol. VIII, pp. 205-06.

[2] Ibid, p.207 (fn).

[3] Cited by Roberto Calasso in literature and the Gods.

[4] Ibid.

Desire-less Action: A Theory of Institutional Action in the *Bhagavadgītā*

Binod Kumar Agarwala*

Abstract: In the *Bhagavadgītā* Kṛṣṇa's injunction is to act without desire in many verses. The aim of the present essay is to show that through the advocacy of desire-less action in the *Bhagavadgītā* Kṛṣṇa is expounding a theory of institutional action.

    Key Words and Phrases: *Bhagavadgītā*, *kāma*, desire-less action, *karmasaṃnyāsa*

1. Injunction for Desire-less Action in the *Bhagavadgītā*

In the *Bhagavadgītā* Kṛṣṇa's injunction is to act without desire. One can cite many verses in support of this claim, e.g. BG. II.47-48: "Your concern is with action alone, never with results. Let not the fruit of action be your motive, nor let your attachment be for inaction. Steadfast in yoga perform action, O Dhanaṃòjaya, casting off attachment, being the same in success and failure. Evenness is called yoga."BG.II.55-56: "O, Pārtha! When a man, satisfied in the Self, alone by himself, completely abandons all the desires entering the mind, then is he said to be one of steady knowledge. He, whose mind is unperturbed in sorrow, from whom all craving for pleasures has departed, who is free from longing, fear and anger, is called a sage of steady ideas."BG.II.64 -65: "He attains peace (*prasādam*, gracious gift), who, following the

---

*   Dr. Binod Kumar Agarwala, Ex-Professor, Department of Philosophy, Ex-Dean, School of Humanities, North Eastern Hill University, Shillong-793022 (Meghalaya), India, Mobile No. 09436111478,
    e-mail: binodkagarwala@gmail.com

self, approaches objects with the senses devoid of longing and hate and brought under self-control. In peace (*prasādam*) originate the cessation of all his suffering; for, the *buddhi* of the tranquil-minded (*prasannacetā*) soon becomes firmly established."BG.II.70-71: "As waters enter the ocean, which, filled from all sides, remains unaltered; so, he, into whom all desires enter, attains peace; but not he who desires to satisfy desire. The person, who abandoning all desires, moves about without attachment, without possessiveness, without pride, that man attains peace." BG.V.11: "By the body, by the mind, by the intellect, by mere senses also, Yogins perform action, without attachment, for the purification of self."

2. Conception of Desire (*Kāma*)

Let us ask what exactly is the understanding of desire (*kāma*) in the *Bhagavadgītā*? A clear statement of what desire (*kāma*) is given in BG.II.62 "when a man thinks of objects (of senses), attachment for them arises, from attachment arises desire (*kâma*); from desire (*kâma*) arises anger." This is an enthymeme as one step is missing in it. From desire arises anger due to fear (*bhaya*) of the desire being not satisfied. That's why both the dual desire and anger (*kāmakrodha*) (BG.V.23, 26; BG.XVI.12) and the triad of passion, fear and anger (*rāga-bhaya-krodha*) (BG.IV.10) occur in the *Bhagavadgītā*. Clearly in the *Bhagavadgītā* desire (*kāma*) means 'attraction of sense objects'. In BG.III.37 "it is desire (*kāma*), it is anger, born of the *rajas guna* (spirited strand)". BG.VI.24 also clearly employs the term desire (*kāma*) in the sense of attraction of senses to their respective objects. It says "abandon without reserve all fancy-born desires, well-restraining all the senses from all quarters by the mind."

Regarding desire (*kāma*) Krsna in the *Bhagavadgītā* says that the senses, mind, and *buddhi* are said to be its seat (BG.III. 40). It is also mentioned in it that knowledgeable resolve is veiled by desire. It is with these three that desire veils knowledgeable resolve (*jñāna*) and deludes the embodied (BG.III.40). The senses, mind, intellect (*buddhi*) and self form a hierarchy in that order (BG.III.42). That is the reason for the injunction of BG.III.43: "Then knowing Him who is superior to intellect (*buddhi*), subduing the self by the self, slay the enemy in the form of desire that is hard to conquer." Hence, the injunction to act"abandoning all desires … without attachment" (BG.II.71) means that the impulse or motivation to act must not come from any desire.

3. Arguments for Rejection of *Kāma* as Motivation for Action

What is the reason for not accepting desire as provider of impulse or motivation for action? There are many reasons. One reason is stated in BG.II.43-44 "those who have desire have no determinate *buddhi*," i.e. they have no determinate resolve to act. It is stated in BG.II.41 'determinate *buddhi* is one, the indeterminate *buddhi* is infinitely many branched.' What it means is that desires pull *buddhi* in many directions making it indeterminate and indecisive. As desire and anger are born of the spirited strand (*rajas guna*) (BG.III.37) there is "strong impulse generated from desire and anger,"(BG.V.23) which makes it "enemy… in the form of desire that is hard to conquer"(BG.III.43). The impulse (*vega*) of desire (*kāma*) is so strong and has power that it can engage a person to do evil against his wish (BG.III.36). Because of strong impulse (*vega*) of desire *buddhi* is pulled in many directions by multiple desires making it indeterminate and irresolute.

Secondly, "When a man thinks of objects, attachment for them arises. From attachment arises desire; from desire arises anger. From anger arises delusion; from delusion, failure of memory; from failure of memory, loss of reason; from loss of reason he is utterly ruined."(BG.II.62-63) What it says is that a person propelled by desire ultimately gets ruined. Here, the role of memory in function of reason is recognized and ruination of man mentioned is social ruination, i.e. when a man's reason is destroyed he is socially ruined.

Thirdly, "the irresolute attached to the fruit (of action) because of desire, is firmly bound (to the action)" (BG.V.12). The adhesive that binds man to action is *kilbiṣam*, which is acquired by performing action out of desire. The word *kilbiṣam* is translated by the term "sin" but what it actually refers to is that, which makes the action as one's own action, that is something acquired by performing action out of desire for its result. If one because of desire performs action to get its result, i.e. satisfaction of the desire, then he is bound to action in the sense that action is attributed to him, he is held responsible for the action, he gets the blame for the action, and the action becomes "his" personal action. In the metaphysics of action (*karma*) in the *Bhagavadgītā* this happens because *kilbiṣam* is acquired. It is important point that *kilbiṣam* is acquired by performing action with certain inappropriate motivation, it is not inherited. So, there is possibility that by performing action by appropriate motivation one may not acquire *kilbiṣam*.

Fourthly, desire is insatiable (*duspūraṃ*) (BG.XVI.10), it is insatiable fire (*duspūreṇānalena*) (BG.III-39). Because of insatiable nature of desire those, who desire (objects of) desire, attain to the state of going and returning (BG.IX.21). One returns again and again to satisfy the insatiable fire of desire. It is a metaphor equivalent to another metaphor that says: a person dies a thousand deaths to satisfy his infinite desires. "He who acts under the impulse of desire, attains neither maturity, nor happiness, nor the supreme course (in life)" (BG.XVI.23). "He who desires to fulfil desires does not achieve peace"(BG.II.70). A person attains peace when he acts abandoning all desires (*vihāya kāmān*)(BG.II.71).

Fifth reason is stated when Arjuna asks: "But, by what dragged on, O Vārṣṇeya, does a man, though reluctant, commit sin, as if constrained by force?"(BG.III.36) Kṛṣṇa answers: *"*It is desire; it is anger, born of Rajas all-devouring, all sinful; that, you penetratively know, is the foe here. As fire is covered by smoke, as a mirror by dust, as the foetus is enclosed in the womb, so is this (knowledgeable resolve) covered by it (the enemy). Covered, O son of Kunti, is knowledgeable resolve by this constant enemy of the wise (one with knowledgeable resolve), in the form of desire, which is greedy and insatiable. The senses, mind, and reason are said to be its seat; veiling knowledgeable resolve through these, it deludes the embodied." (BG.III.37-40) What this argument says is that desire covering the knowledgeable resolve makes the latter dysfunctional.

An extra reason (the sixth reason) is also stated in the Kashmir recension of the *Bhagavadgītā* through introducing five extra ślokas in chapter three numbered 38 to 42 in that recension. This reason is not stated in what is taken as the standard version of the *Bhagavadgītā*. These extra five ślokas of Kashmir recension state: "Arjuna said: O Kṛṣṇa, how do these (desire and anger) come into existence? What makes them grow? What is their nature and what is their role? O son of Pārtha, these are subtle and are the biggest enemies of embodied along with the sense organs. They abide in the mind as if to increase the happiness, but in reality they exist to delude. This horrible enemy in the form of desire and anger is born from the satisfaction of belonging to a particular lineage; it is of the nature of arrogance rooted in the sense egoism, difficult to cross by the sinful ones. This enemy destroys one's happiness, it creates misery, and by continually deluding one, makes him fear. This despicable and disgraceful enemy is always in

search of loopholes, O Winner of the Wealth; it is of the nature of delusion coming out of *rajas*, and it represents the biggest problem for human beings." According to this argument desire works through various weaknesses of man and gives rise to deceptive happiness, which infact is not happiness.

4. A Gloss on Desire-less Action

To act abandoning desire does not mean that desires have to be absent while acting, it only means that desires are not to be the factor while deciding to act, i.e. the impulse or conation for acting should not come from the impulse (*vega*) of desire. *Sṭhitaprajña*, i.e. the one steady in knowledgeable resolve, casts of all desires entering the mind, indicating that desires are present in the mind (BG.II.55). In what sense does he cast of all desires? The answer is given in BG.II.70:"He attains peace, into whom all desires enter as waters enter the ocean, which, filled from all sides, remains unmoved."The idea is that he attains peace, who is not disturbed by desires in the mind. He is the one who has controlled the impulse (*vega*) of the desires. That is why BG.V.23 states: "he that is able, while still here, to withstand, before liberation from the body, the impulse of desire and anger, he is a yogin, he is a happy man." The injunction is to control the strong impulse of desire and anger, i.e. injunction is not to be moved to action by the impulse of desire or anger, even if desire and anger are present. That's why ones initiative of action (*samārambhāḥ*) has to be devoid of purposes of desires (*kāmasaṃkalpavarjitāḥ*) (BG.IV.19). BG.XVI.21 expands the list of impulses for action to be abandoned: "triple is this, the gate to hell, destructive of the self: desire, anger, and greed. Therefore, these three, one should abandon." If the motivation for action comes from desire, such action is *rājasic* action (BG.XVIII.24, 27) not *sātvika* action (BG.VIII.23).

So, from where will the impulse or conation of action come? The impulse to action (*karma codana*) is threefold, i.e. knowledgeable resolve, what is knowledgeably resolved and the knowledgeable resolver (*jñānam jñeya aparijñātā*) (BG.XVIII.18).

One may ask: how can Kṛṣṇa give injunction to abandon all desires when he himself says in BG.VII.11 "in beings I am the desire unopposed to *dharma*"? If Kṛṣṇa himself is desire unopposed to *dharma* then how can he ask for abandonment of all desires including the ones unopposed

to *dharma*? Is the complete claim of BG.VII.11 "and of the powerful I am the power devoid of desire and attachment; and in beings I am the desire unopposed to *dharma*" not incongruous? Is it not incongruous to declare that Kṛṣṇa is the power devoid of desire and attachment, which is also power devoid of desire unopposed to *dharma*, when it is also declared that Kṛṣṇa is the desire unopposed to *dharma*? The incongruity vanishes when we realize that abandonment of all desire is abandonment of desire as impulse to action, hence also as impulse to use power (so that the power has to be exercised devoid of desire and attachment), but desire unopposed to *dharma* are identified not for serving as impulse to action, but as those desires which get automatically satisfied even when they are not serving as impulse to action, when a person performs action required of him for "gathering of people into a unity" (*lokasaṃgraha*). Satisfaction of Desire is not man's business. It is stated BG.III.13 "sin do the impious eat who cook for their own sakes," i.e. those who cook to satisfy their desire for food eat only sin. It is the automatic business of deities to satisfy the desires when one performs what is required of him. BG.III.12 "nourished by the *yajña*, the devas shall indeed serve on you the desirable enjoyments." In BG.VII.20 & 22 it is claimed by Kṛṣṇa "Those whose knowledgeable resolve (*jñāna*) has been led away by this or that desire resort to other deities, engaged in this or that rite, constrained by their own nature …possessed of that faith he engages in the worship of that (form); thence he obtains his desires, these being indeed ordained by me." No doubt Kṛṣṇa declares in BG.X.28 "among cows I am the *Kamadhuk*," which is desire fulfilling cow. Earlier also it was stated in BG.III.10: "Having sent forth all that is born (men and Devas) together with sacrifices, the Prajapati said of yore: 'By this you shall propagate; let this be to you the desirable bestowing cow'.''Be it noted that even though some of our desires get satisfied through deities, there is no quid pro quo between the action and the deity-given satisfaction of desires.

This doctrine of engaging in action without desire but getting some desire fulfilled automatically through such engagement may appear as a strange doctrine. But, it is not so strange. Even in our professional life in an institution we are expected to engage in professional conduct required by the institution disregarding desires. We are expected not to tailor our professional conduct to satisfy personal desires. But the overall practice of the profession in an institution is such that even if we do

not directly engage to satisfy our desires, some of our desires get satisfied when we get lunches in meetings and salary at the end of the month. We must not forget that Kṛṣṇa in the *Bhagvadgītā* was advising Arjuna when he refused to discharge his professional duty in *cāturvarṇyam,* the classical Indian institution, as a warrior after entering the arena of war when the war bugles have already been sounded. Kṛṣṇa is advising him how to discharge his professional duty in an institution.

5. The People, Who Act Only to Satisfy Their Desires

Who are men who make satisfaction of desire their business? BG.XVI. 8 answers they are the men who say, "the universe is unreal, without a basis, without a Lord, born of mutual union, brought about by desire; what else?" BG.XVI.10-12 declares that such people "filled with insatiable desires, full of hypocrisy, pride and arrogance, holding unwholesome views through delusion, they work with unholy resolve; beset with immense cares ending only with death, enjoying desire fulfillment their highest aim, assured that that is all. Bound by hundreds of bindings of hope, given over to desire and anger, they strive to secure by unjust means hoards of wealth for enjoying desire fulfillment." This fits many professionals in any modern institution, be it Parliament or a university. What happens to such people? BG.XVI.16 answers: "bewildered by many a fancy, entangled in the snare of delusion, addicted to the gratification of desire, they fall into a foul hell." Such people hate the self in their own and others body. BG.XVI.18 claims: "given over to egotism, power, haughtiness, desire, and anger, these malicious people hate Me in their own and others' bodies." Implication is that those who make satisfaction of desire as their business cannot have the "desire for self" contrary to what is claimed by many modern scholars as they develop revulsion to self, i.e. become enemy of the self. What it means is that such people cannot identify themselves with the other stakeholders in the institution and therefore trying to tailor the institution itself to satisfy their own desire destroy the institution, which makes life miserable, i.e. hell.

6. Higher Order Desires

It may be argued that since the injunction is to withdraw senses from respective objects, one can do so with a desire to do so. That is to say

injunction can be understood as injunction to develop desire to give up sense enjoyment, i.e. to develop desire for austerities. Kṛṣṇa in the *Bhagvadgītā* does not deny the possibility of such incongruous desire (or 'higher level desire' to borrow a term from analytic thinkers) but people who have such desire are of demonic resolve. XVII.5–6 claims: "those men who practice terrific austerities not enjoined by the scripture, given to hypocrisy and egotism, endued with the strength of desire and passion; weakening all the elements in the body – fools they are – and Me who dwell in the body within; know thou these to be of demonic resolves." Such people also weaken the possibility of identifying themselves with other stakeholders in the institution. To use a modern expression, they become too 'judgemental' and due to hypocrisy and egotism 'look down' upon others, creating problem in the smooth running of the institution. They become demons in any institution.

7. *Karmasaṃnyāsa* as Proper Vesting of Action

When the actions are performed by impulse from knowledgeable resolve the actions becomes actions burnt by fire of knowledgeable resolve (*jñānāgnidagdhakarmāṇam*) (BG.IV.19). Here the burning of action by fire of knowledgeable resolve is not indicative of destruction of action; rather it indicates purification of action, transformation of nature of action. BG.IV.37:" as kindled fire turns fuel to ashes, so fire of knowledgeable resolve turns all actions to ashes." By burning fuel does not go out of existence, it merely turns into ashes, similarly the fire of knowledge transforms the nature of action. As fuel ceases to be fuel when burnt by fire, action (*karma*) ceases to be action (*karma*) when motivated by *jñāna*, as fuel turns to ashes by being burnt in fire, by the fire of knowledgeable resolve action (*karma*) turns into inaction (*akarma*) as action (*karma*) becomes properly vested action (*saṃnyastakarma*). Aproperly vested action (*saṃnyastakarma*) is an action performed by a man but whose ownership is given on to institution as person.

To understand *saṃnyastakarma* and *karmasaṃnyāsa* we have to first understand what is meant by *saṃnyāsa* in the *Bhagavadgītā*. Kṛṣṇa says to Arjuna in III.30: "Vesting all action on Me (Kṛṣṇa), with thy thought resting on the transcendent Self, without expectation, without mine-ness, devoid of fever (*jvara*), do thou fight." Here there is reinterpretation of *saṃnyāsa*. In the reinterpreted *saṃnyāsa* action is

performed by man but surrendered onto Kṛṣṇa. For in BG.III.30 Kṛṣṇa advises Arjuna to fight (i.e. perform action) "rightly vesting all actions onto Me…". Kṛṣṇa again uses the expression "rightly vesting all actions onto Me" in BG.XII.6 and expression "mentally rightly vesting all deeds onto Me" in BG.XVIII.57. *Karmasanyāsa* is not mere abandoning of action, but abandoning of action somewhere, i.e. onto Kṛṣṇa, i.e. rightly vesting action on Kṛṣṇa. This idea is further elaborated in BG.IX.27: "whatever you do, whatever you eat, whatever you sacrifice, whatever you give, in whatever austerity you engage, do it as an offering to Me." The idea is that in the *samnyastakarma* even though the performance of the action is that of man, i.e. he performs the action in the sense of participation of action, it is not his action. The performer of the *samnyastakarma* is according to Kṛṣṇa in his words "doer of action for Me" (*matkarmakṛt*) BG.XI.55. Kṛṣṇa also gives injunction "be intent on (doing) actions for Me" you will succeed in doing action for me (*madartham karmāṇi kurvan*) (BG.XII.10). In *karmasanyāsa* the action is performed but the ownership of action is transferred to Kṛṣṇa. *Samnyastakarma* even tough performed through the participation of man, its ownership and responsibility is not vested in him (action does not bind him), it is vested somewhere else. This duality of performance of action but rightly vesting of it onto Kṛṣṇa is indicated by the use of expression *yogasamnyastakarmāṇam* (BG.IV.41) The śloka BG.IV.41 reads: "him who has rightly vested actions by Yoga, whose doubts have been destroyed by knowledgeable resolve, who is self-possessed, actions bind not…" Actions bind not (*na karmāṇi nibadhnanti*) in the sense that he is not owner of the action, it cannot be attributed to him.

So, *samnyastakarma* means 'properly vested action' and it is vested properly on institution as person. So *samnyastakarma* is an institutional action as Kṛṣṇa represents the person that is an institution. Institutional action, even though performed through the participation of some one functionary in the institution, is not individual functionary's action; it is the action of the institution. The ownership and responsibility of institutional action belongs to and vests in not the individual functionary but belongs to and vests in the institution. The man who performs *samnyastakarma* is called by Kṛṣṇa in the *Bhagvadgītā* IX.27 as 'the self harnessed with the yoga of proper vesting (*samnyāsayogayuktātmā*).

How has Kṛṣṇa succeeded in reinterpretation of *samnyāsa*? He tells in BG.VI.2 "know that to be Yoga that which they call rightly-

vesting; no one, verily, becomes a Yogin who has not rightly-vested volition." He combined the traditional sense of *samnyāsa* with *karmayoga*, thereby made the necessary modification in the meaning of *samnyāsa* required by its combination with *karmayoga*. As early as BG.II.40 the essential elements of *karmayoga* were announced: "there is no destruction of effort here, there is no resulting harm," i.e. it retains the performance of action without giving rise to *kilbiṣa*. He needed to find a way for breaking the nexus between performance of action and fruit of action (*karma phala*). This Kṛṣṇa did by reinterpreting *samnyāsa*. Kṛṣṇa succeeded in combining the idea of *samnyāsa* with *karmayoga* to generate the understanding of *samnyāsa* not merely as "abandonment" but "abandonment onto" because this possibility was inherent in the traditional semantics of the term. The author of the *Bhagvadgītā* has merely elaborated a meaning in it, which had precedence in the semantic history of *samnyāsa* and its cognates. In the *Maitrāyaṇī Saṃhitā*[1] and in the *Śrautasūtras*[2] just as in *Bhagvadgītā* III.30, the place where the items are thrown down is indicated by the locative case. In the *Rāmāyana* too *saṃnyāsa* is used twice with the meaning 'deposit' or 'trust,'[3] which comes close to what the author of the *Bhagavadgītā* has in mind when he states that one should surrender action (*karma*) onto Kṛṣṇa.

8. Transformation of *Kārma* into Institutional Action

Earlier it was mentioned that action is transformed when performed not out of desire. The meaning of transformation of action (*karma*) becomes clear in light of the sense of *samnyāsa*. Transformation does not mean that there is an identified action, which can be performed out of desire for its fruits, and when it is purified by knowledgeable resolve it gets transformed and is now the same action is done without desire for fruit. That is misreading of the doctrine of the *Bhagavadgītā*. What it means is that when one performs action for satisfying desire and when one performs action impelled by knowledgeable resolve not only different actions are performed, but these actions have different nature. To put it very simply when one performs action to satisfy desire it is personal action attributed to the person himself and he is responsible for it. Such actions are not to be performed at all. But when the action is performed as professional action required by the institution in a situation, like the professional warrior action required by *cāturvarṇyaṃ* in the situation

of war from Arjuna, not only the identity of action is different but its very nature is different, as it is the action of the institution and not the personal action of Arjuna although it is performed through his participation. This is the meaning of seeing inaction (*akarma*) in action (*karma*). Such actions have to be performed, yet these are seen as inaction (*akarma*) because these are not the actions of those persons who perform them but of the institution. Seeing action (*karma*) in inaction (*akarma*) is when one see someone drowning whom he hates and he performs no action to save the drowning man even though it is required of him as a life guard of the concerned institution who runs the swimming pool. That "inaction" (*akarma*) on his part is really his personal action (*karma*) performed out of desire to harm the man who is drowning. To use modern legal terminology, in such situation even omission is an act for which one can be held responsible and is liable to be punished. This is just one difference in the nature of interested (*sakāma*) and disinterested (*niṣkāma*) action (*karma*). In the institutional context someone else's action also becomes the action of the head of the institution even when the latter is himself inactive because of the former's action is properly vested action (*saṃnyasta karma*).

9. Reconciliation of Performance and *Saṃnyāsa* of *Karma*

How does the author of the *Bhagvadgîta* reconcile the performance of the action with the surrendering or vesting of the same action to institution? The argument to reconcile the performance of action by man with the surrendering or vesting of action to institution begins with III.9 "except the case of action for the sake of *yajña*, otherwise this world is binding by action… perform action for the sake of that… free from attachment." Action performed for the sake of *yajña* does not bind man. That is to say that when a man performs action for the sake of *yajña* the action is not attributed to him. It is *yajña karma*. Here, even though the man performs the action of *yajña* but his ownership of the *yajña karma* is denied to him. All other actions, like actions performed out of attraction or repulsion of sense objects, bind man. That is to say action done out of desire for enjoyment of sense objects are such that they attach to man, i.e. their ownership belongs to man. Therefore, the advice is to perform action for the sake of *yajña* free from attachment to sense objects. When action is performed free from attachment then it cannot be man's personal action.

The idea of *yajña* is very old dating back to *Ṛgveda*. According to *Ṛrgveda, yajña* is a woven texture that holds together. "The *yajña* that is spread out with threads on all sides, drawn tight with a hundred and one divine acts, is woven by these fathers as they come near: 'Weave forward, weave backward,' they say as they sit by the loom that is stretched tight. The *Puruṣa* stretches the warp and draws the weft; the *Puruṣa* has spread it out upon this dome of the sky. These are the pegs that are fastened in place; they made melodies into the shuttles for weaving."[4] So, *yajña* is the weaving of human actions. That's why Pāṇini Sūtra 1.4.54 declares: *svatantraḥ kartā* and commenting on this Patañjali writes in his Mahābhāṣya: *kiṃ yasya tantram sa svatantraḥ? kiṃ cātaḥ? tantuvāye prāpnoti.* "Is a *svatantra* person is he who has his own thread/warp/loom? And what follows from that? It would result that [*svatantra* means] 'weaver'." So the agent is a weaver of action and not a producer or originator of action.[5] The *yajña* is nothing but introduction of solidarity in the world by the ṛsis in the Vedic period. The action required for weaving the *yajña* is not decided by attraction and repulsion of sense objects. According to *Ṛgveda* 1.164.35 "this *yajña* is the navel of the world."[6] *Nābhi* from "*nabh*, to expand, is also 'navel'. Nābhi has another meaning also. According to *Śathapatha Brāhmana* I.1.2.23 *madhyam vai nābhirmadhyamamayam* centre is navel. But it is a centre that binds, for Durgācārya in his *nirukta* 4.3.5 declares *nahanamevanābhi* that which binds is navel. According to grammar the word '*nābhi*' is derived from "*naha* meaning binding by extending through the application of the principle '*nahō bhaśca*' (*unā.* 575) by which it gets suffix *n* and *hakāra* becomes *bhakāra*. So, *yajña* is the uniting principle of everything in the world. This idea of action for the sake of *yajña* in the course of the argument becomes action for the sake of "gathering of the people in a unity" (*lokasamgraha*). But that transition will require further analysis of the idea of *yajña*.

Yajña is the earliest rudimentary idea of human practice of institution, where actions are woven together to erect a united structure of people, which was conceived as "gathering of the people in a unity" (*lokasamgraha*).[7]

Next step is to show that even if role of desire as a motivation for performance of action is denied but satisfaction of desire without it becoming motivating factor is not denied. BG.III.10 declares "having created mankind together with *yajña*, the Prajapati said of yore: 'By this you shall propagate; let this be to you the desirable bestowing

cow'." The mythical setting in the beginning of creation indicates that what is said holds good from time immemorial. The validity of what is said is prescriptive. What is indicated is that mankind is never without *yajña*, i.e. without unity and solidarity or without practice of institutions. Only in solidarity and unity, in practice of institutions, where actions of people are woven together, that mankind can prosper and survive every generation. The action has to be performed for solidarity and unity, for practice of institution, i.e. weaving it in *yajña* not for satisfying the desires. But desires get satisfied nonetheless. Since, the *yajña* is declared to be the desirable bestowing cow; it satisfies desire in its turn even though action is not performed to satisfy desire.

How does this happen? Here in BG.III.11 for the first time in the *Bhagavadgītā* the idea of *deva* is introduced and in BG.III.12 it is claimed "nourished by the *yajña*, the devas shall indeed serve on you the desirable enjoyments."[8] Deities do the activity of satisfying desire of man when man performs *yajñakarma*, which strengthens them. BG.III.13:"the righteous, who are old experts of the *yajña*, are freed from all sins; but sin do the impious eat who cook for their own sakes." Those who 'cook for own sake' means those who 'act to satisfy their own desire for sense objects.' The impious, who acts to satisfy his own desire for sense objects acquires *pāpa* or *kilbiṣa*, i.e. sin, impurities, taint, or blame. This is the adhesive that binds man to action and the action becomes his personal action. When old expert in the *yajña* performs action no sin (*kilbiṣa*) is acquired and so he is not bound to the action, i.e. *yajñakarma* does not become his personal action. Here it is to be noted that the *Bhagavadgītā* does not deny enjoyment to man in the world. But the enjoyment is given by devas (deities) automatically; men are not to perform action for the sake of enjoyment or satisfaction of desires.

In later literature the automatic satisfaction of desire when a person is performing *yajñakarma* without any attachment and without expectation of *karmaphala*, i.e. without having result on quid pro quo basis was explicitly recognized as *dakṣiṇā* (the wages of expertise).The *Pañcavimśa Brāhmaṇa* - Tāṇḍya Mahābrāhmaṇa XVI.1.13 makes a very important point: "The *dakṣiṇās* are the internal fastenings of the *yajña*; a chariot devoid of fastenings is not able to carry. Even as by a (chariot) provided with fastenings one is sure to attain the reaching of a desired goal, so he attains through this (*yajña*) provided with *dakṣiṇās* that which he desires."[9] Here the role of *dakṣiṇā* as a cohesive

force that holds the *yajña ratha* together to enable one to complete the journey of life is emphasized. This brings the idea of *yajña* very close to modern institution where one is paid wages for his role and work, without such wages the institution will fall apart. **But there is a difference between wages and *dakṣiṇā*, wages have quid pro quo relation with labour but *dakṣiṇās* are not so related to action even when they are paid in the context of *yajña*, these are independent of the specific *yajña karma* performed by a priest.**

Notes

[1.] *angiraso vai svaryanto yatra mekhalāḥ saṃnyāsyaṃs tatah śaro 'jāyata* [3.6.7]. According to this myth sara grass, which is used to make girdles, first grew at the place where the Angirases had cast off their girdles when they were about to go to heaven. Cf. Patrick Olivelle, "Contributions to the Semantic History of Saṃnyāsa", Journal of the American Oriental Society, Vol. 101, No. 3 (Jul. - Sep., 1981), pp. 266 & 270.

[2] The *Baudhaāyana Śrautasūtra*, describing the *patnīsaṃyāja* offerings, states that blades of *darbha* are placed between the wife's thighs and arranged in a straight row from the *gārhapatya* fire to the *āhavanīya*. What remains is 'thrown down' on the bed of grass covering the altar: *atha yāni atiśiṣayante tāni barhiṣi saṃnyasyati* [3.30]. The *Hiraṇyakeśī Śrautasūtra* uses the term with reference to the instruments used to construct the altar. After its construction they are 'thrown down in a pile': *sphyaḥ svastir ity utkare vedikaraṇāni saṃnyastāni yathārūpam* [8.5.23]. In the *Baudhāyana Śrauta* the term is used without connotating rejection merely to indicate the depositing of several items together in one place: *dhṛtya samidha āgnīdhrīye saṃnyasyanti* [5.16]. Cf. Patrick Olivelle, "Contributions to the Semantic History of Samnyāsa", Journal of the American Oriental Society, Vol. 101, No. 3 (Jul.-Sep., 1981), pp. 266 & 270. Cf. Patrick Olivelle, "Contributions to the Semantic History of Samnyāsa", Journal of the American Oriental Society, Vol. 101, No. 3 (Jul. - Sep., 1981), pp. 266 & 270.

[3] *etad rāyyam mama bhrātā dattaṃ saṃnyāsavat svayam* [2.107.14], *bharataḥ śirasā krtvā samnyāsam pāduke tatah ... bhrātā tu maji samnyāso niksiptah sauhrdādayam* [*2326], *sa nyāsavidhinā* [variant samnyāsavidhinā] *dattah puṇye tapasi tiṣṭhataḥ* [3.8.15]. Cf. Patrick Olivelle, "Contributions to the Semantic History of Samnyāsa", Journal of the American Oriental Society, Vol. 101, No. 3 (Jul. - Sep., 1981), pp.267 n21 & p.270.

[4.] *Ṛg Veda* 10, 130, 1-2.

5. For detailed discussion on this point see my essay, "Does the word 'svatantra' in Sanskrit mean 'independent'?: An Error in Understanding Pāṇini Sūtra 1.4.54 – 'svatantraḥ kartā'," forthcoming in Indian Philosophical Quarterly.

6. *ayam yajñ o bhuvanasya nābhih*. That this *yajna* refers to the text becomes clear as we read the whole mantra, *iyam vediḥ paro antaḥ prthivyā ayam yajno bhuvanasya nābhih / ayam somo vrsno aśvasya reto brahmāyam vācah paramam vyoma //*, "This Altar is the farthest limit of *Vāk*. This *yajna* is the navel of the universe. Soma is the semen of the stallion bursting with seed. Brahmā priest is the highest heaven of *Vāk*. The alignment of vāk with *yajna* makes it a text if we keep in mind that *yajna* itself is woven by the poets by seven threads.

7 Why yajña is the earliest conception of institution is explained in my essay entitled "*Yajña Puruṣa*: The Uniting Thread in the Continuous Development of *Śṛti* from Vedic *Saṃhitās* to *Upaniṣads*," in a National Seminar on "Neo-Vedanta" organized by the Department of Philosophy, Dr. Hari Singh Gour Vishwavidyalaya: A Central University, Sagar (M. P.) on 9th March 2016 to 11th March 2016.

8 *iṣṭān bhogān hi vo devā dāsyante yajñabhāvitāḥ*

9 *śleṣma vā etad yajñasya yad dakṣinā, navā aśleṣmā ratho vahaty, atha yathā śleṣmavatā yaṃ kāmaṃ kāmayate tam abhyaśnute, evam etena dakṣiṇāvatā yaṃ kāmaṃ kāmayate tam abhyaśnute.*

Who is Afraid of Deen Dayal Upadhyaya?

Sudhir Kumar*

> Some Reflections on Deen Dayal Upadhyaya's Vision of Chiti (the Soul of the Nation) and Dharma-Centric Bharatiya Samskriti (Indian Culture) in Contemporary Contexts.

I. Prastavana/Preface: The Context and the Contest: Who is afraid of Deen Dayal Upadhyaya?

Let us, first, confront the question head on "Why should one, or anyone, be afraid of Deen Dayal Upadhyaya's vision of Bharat?"[1] Another version of this question may be reformulated as "Who is afraid of the unifying vision of a "dharma-centric" Bharat/India that is manifest in its diverse forms as Vedantic-Bhakti-spiritual worldview (often known as Hindu way of life), Buddhism, Jainism, Sikhism and Sufi-devotion?" An unfailing answer to this question is that no Bharatiya/Indian, or for that matter, anyone, irrespective of her/his being a theist/atheist/agnostic, who believes in the inviolable significance of "dharma" as "sadachara or ethical conduct" as well as integral or holistic unity of cosmos and recognizes the differences as seemingly different forms of oneness or truth, can be afraid of Deen Dayal Upadhyaya or his dharmik/dharma-centric worldview represented in his vision of "Ekatma-Manavavad or Integral Humanism" and other writings. He is of firm opinion that "By rejecting spirituality, one can never establish harmony between humans, their actions and the outside world."[2] It is the centrality of holistic and

---

* Professor Sudhir Kumar, Professor of English, DES-Multidisciplinary Research Centre, Panjab University, Chandigarh-160014. E-mail:ksudhir62@gmail.com; Mobile: 08054368260; Address:- F-27, Sector 25, Chandigarh-160014 (India).

ekaatmak (integral) spiritual/dharmik/adhyaatmik worldview that takes cognizance of, and negotiates, the worldly differences in order to understand that underlying unity which binds the differences into oneness. This integral unity or oneness of all forms the "chiti" or the soul of Bharat as a nation. Influenced by Adi Shankara (8th century CE), Deen Dayal always stressed, in his writings and speeches, "that true knowledge is the realization of oneness of all or non-dualism; whereas ignorance is the experience of differences. We have to make all possible efforts to make our own people realize the oneness or integrality of all forms of planetary existence" (*DDUSV* Vol 1, taken from his 'Diary' entry Dated 17 January 1956, printed on the back cover). Furthermore, in 1947, he wrote his novel, *Jagadguru Shankaracharya,* reinforcing the message that Adi Shankara made a great contribution to integrate the nation – socially, culturally and spiritually. He even refers to Adi Shankara's *Manisha Panchakam[3]* (a dialogue that took place in Varanasi on the banks of the Ganges between Adi Shankara and a Chandala – an out caste. Deen Dayal underlined how Adi Shankara's doctrine of non-dualism or advaita, in its practical aspect, displayed how important it is to annihilate the caste-system, through and in one's thinking and social action both, as it is the biggest obstacle in the project of social unity so vital for national integration (*DDUSV* Vol 1, 160-165). It was Adi Shankara, according to Deen Dayal, who made the people of Bharat aware of the soul of the national life or chiti that unites the material and the spiritual. He reminds us of the significance of Adi Shankara's spiritual-cultural-social project, both in its discursive as well as performative forms, that is vital to the cause of the national integration or unity of the nation:

> In the national life of India, after Lord Krishna, Acharya Shankara came into existence to give a practical shape to the idea of fundamental unity of the nation. "One in many" through this principle enunciated by him, he, Acharya Shankara, brought about the essential unity of spiritual, material, religious, social and political aspects of our practical life. . . . What can be better tribute offered by us to this great prodigy of our nation than take a vow to follow and practice his principle of non-dualism in real life in order to make Bharatavarsha an evolved, effulgent nation. (*DDUSV,* Vol.1, 207).

Moreover, Deen Dayal holds, in consonance with the spirit or essence of our national culture or chiti, that a human being is not an individual body but an integral form of body, mind, intelligence, and soul/spirit. This integrality or oneness of all the constituents that is easily visible in the composition of an individual also manifests itself as unity of all in society transcending the apparent differences and barriers of caste, colour, religion, race, class, gender, language etc. All constituents of the nation, that is, the land, the people, and culture are suffused with and vitalized by this vital life-breath called "Virat" or "Chiti". The primary objective of all kinds of national ideas and institutions – social, political, cultural, educational and ecological is to continue to strengthen this essence or soul (chiti or virat) of the nation. Similarly, the primary national duty or rashtra-dharma of all the citizens of Bharat is to act in accordance with this vital force called chiti in order to protect and strengthen it failing which our national life will get weakened and suffer moral decline *(DDUSV*, Vol 12, p.159). Needless to say, even Sri Aurobindo, in his seminal text – *The Foundations of Indian Culture* (1918-21)[4] underlines that the Bharatiya Samskriti/Indian culture, notwithstanding its amazing diversity, emphasizes "the natural harmony of spirit, mind and body" and its "central conception is that of the Eternal, the Spirit here encased in matter" that also "enters the world of ideas and conscious morality, dharma" (*TFOIC* 2).In other words, the very consciousness of all pervasive "unity" of "being" of the living and the non-living is a characteristic feature of the soul of the nation or chiti.

At the same time, it can hardly be denied that in the present contexts of political correctness and shameless opportunism camouflaged as intellectual sophistry and ideological bigotry as exemplified through the writings of the scholars belonging to, what may easily be called, the secular left liberal combine, the dharma-centric meanings of Bharat have been flagrantly condemned as a part of Hindu fundamentalism which is so erroneously misconstrued as "Hindutva". Hindutva or Hinduness is primarily a geo-cultural concept that is not grounded in a religion or a dogmatic religious ideology called Hinduism as it is invented and so well explained by V. D. Savarkar in 1923 in the eponymous essay. The words such as "Hindutva", "Hinduism" and "Dharma" and those who hold that these concepts imply primarily a cultural, ethical and spiritual way of life are often condemned and used with all kinds of derogatory meanings in the writings of the modern Indian scholars belonging to the secular-left-liberal combine. Suffice to

say that these academics tend to ignore even the verdict of the Supreme Court of India, delivered on 11 December 1995, that clearly held and reinforced that Hindutva is a "way of life" (and, hence, is primarily a cultural concept) and has nothing to do with narrow fundamentalist Hindu religious bigotry.[5] In this context, it is worthwhile to highlight the significance of Shri Mohan Bhagawat's (Sarsanghchalak of Rashtriya Swayamsevak Sangh or RSS) recent speeches delivered in September 2018 in New Delhi. In his speeches that echo, recontextualize, and reconstruct the vision of Veer Savarkar and Deen Dayal Upadhyaya, Mohan Bhagawat reiterated the all-inclusive, integral vision of "Hindutva or Hinduness or Hindu View of Life" which, celebrates differences religious, linguistic or regional as well as reinforces an all-inclusive cultural unity (saamskritiksamanvaya) that harmonizes the differences or diversities. He categorically and emphatically stated, foregrounding the "dharma-centric" vision of Hindu view of life:

"Unity is central to our living tradition (parampara) and it teaches us how to live in harmony with each other… In the celebratory and characteristic Indian discourse of acceptance of, and reverence for diversity, it is the vision of "Unity" that is of paramount importance. It is, therefore, essential for us that we respect and accept our differences. The RSS firmly believes in its primary duty to integrate the entire society. And that is why, there is no other for RSS, not even those who oppose it today…We are the people who firmly believe in uniting all the people of India into an integral whole; we are not the ones who aspire to be free from India and Indian culture. Our effort is to integrate all, and that is why we invite all to participate in our activities….RSS envisions a society in which all are equal and there is no discrimination against anyone on the basis of caste, creed and religion."[6]

Moreover, Mohan Bhagawat reiterated the inclusivist nature of "Hindutva" by invoking Sir Syed Ahmad Khan's idea of being a "Hindu" in terms of his belonging to the unity (and not uniformity) of national culture:- " If Muslims are unwanted (in India), then there is no Hindutva. The day it is said that Muslims are unwanted here, the concept of Hindutva will cease to exist."(*TIE* Sept 19,2018, pp1-2). He quoted Sir Syed Ahmad Khan's famous statement made during his speech delivered in an Arya Samaj function where he was being felicitated to have become the first "Muslim Barrister" – "*Mujhe bada dukh hua ki aapne humko apne me nahin shumar kiya…kya hum Bharat Mata ke putra nahin hain?...arre itihaas me in badal gayi hamari puja ki padyati. Aur kya badla hai*? (I am very upset that you did not consider

me one of your own? Am I not a son of Mother India? Nothing has changed except our ways of worship…). ***Hum kehte hain ki hamara Hindu Rashtra hai. Hindu Rashtra hai iska matlab isme Mussalman nahi chahiye aisa bilkul nahin hai…jis din yeh kaha jayega ki yahan Mussalman nahin chahiye…uss din voh Hindutva nahi rahega. Woh to Vishwa-kutumb ki baat karta hai***. (We say ours is a Hindu Rashtra. Hindu Rashtra does not mean it has no place for Muslims. The day it is said that Muslims are unwanted here, the concept of Hindutva will cease to exist. Hindutva believes that that the world is a family”). (*TIE*, September 19, 2018, pp.1-2). Mohan Bhagawat further clarified that he will “respect the sentiments of those who wish to be called “Bharatiya” and not Hindu” (*TIE*, September 19.2018, p.1). The overwhelming question now is – “Who will, then, keeping in mind the unifying or inclusivist vision of Deen Dayal and Mohan Bhagawat, continue to be afraid of and pour vilest possible scorn on Hindutva or Hinduness or Hindu Way of Life?”

II. How and Why the Secular-left-liberal Intellectuals Hate Hindu/Hinduism/Hindutva: The Importance of Being Deen Dayal Upadhyaya

One may find the very seeds of this insidious secular-left-liberal hatred of “Hindu, Hinduism and Hindutva,” in the writings of Karl Marx who, displaying his rather shocking ignorance as well as visceral hatred of Bharat or its samskriti/culture, shamelessly characterized entire Bharat or Hindustan as a “world of voluptuousness and of…woes” and its religion as a “religion of sensualist exuberance,…of self-torturing asceticism, a religion of the Lingam, and of the Juggernaut; the religion of the Monk, and of the Bayadere (a dancing Hindu girl).”[7] He goes on to label Indian communities or people as “semi-barbarian” people who, afflicted with “barbarian egotism” are condemned to lead an “undignified, stagnatory and vegetative life” manifest in their “brutalizing worship of nature, exhibiting its degradation in the fact that man, the sovereign of nature, fell down on his knees in adoration of Hanuman, the monkey, and Sabbala, the cow”(*TFWOII, pp.* 17-18). Moreover, Marx legitimized his hatred and condemnation of Bharat and Bharatiya Samskriti and society, as well as justified the destruction of Bharatiya Samstriti through the imposition of colonial rule because of it historylessness: “Indian society has no history at all, at least no known history. What we call its history, is but the history of the

successive intruders who founded their empires on the passive basis of that unresisting and unchanging society…England has to fulfil a double mission in India: one destructive, the other regenerating – the annihilation of old Asiatic society, and the laying of the material Western society in India (*TFWOII,* p.29).

Hence, it is but natural for the Marxist scholars or the members of the secular-left-liberal combine (a few names are mentioned here in a suggestive manner only in order to expose how the Indic/Bharatiya Samskriti/Hindu view of life are vilified in the works of some of the Indian intellectuals) like G. C. Spivak,[8] Wendy Doniger,[9] Shashi Tharoor,[10] KanchaIlaiah,[11] Vasudha Dalmia,[12] Akshaya Mukul,[13] Arundhati Roy,[14] Ananya Vajpeyi[15] and others to disseminate through their writings and critical positions, all kinds of perversion of "dharma-centric" vision of Bharatiya Samskriti and the integral/holistic Hindu view of life. It is a foregone conclusion that all those, who rather self-righteously imagine and firmly believe that "India, that is, Bharat"[16] (and not "Bharat, that is, India,"!) is, in fact, a pronouncedly "socialist secular" democratic republic, may be or should be, quite afraid of the vision of "Dharma-centric" Bharat, (that is, India) as upheld by Deen Dayal Upadhyaya (1916-1968), the great patriot and thinker of Bharat/India. This essay makes an attempt to critically examine the significance of Deen Dayal Upadhyaya's views on the centrality of "dharma" (righteousness) that constitutes the "chiti" or the essence or soul of the rashtra/nation called Bharat, that is, India. It will also be analyzed how he contests the dominant notions envisioning India/Bharat as a "secular, socialist" state in the context of his vision of Bharat as a "dharma-centric/dharma-kendric" rashtra/nation. He aptly alerted the people of India about the dangers of deliberately ignoring the indigenous "sources of national inspiration" and performing the mimicry of the foreign ideas:

> Every nation must remember that the source of national inspiration must necessarily be located within its national territorial/cultural space. At the same time, it cannot be forgotten that if it remains located outside the national boundaries, the consequences and conditions may be fatal to national life. (Upadhyaya Vol. 1, p. 178.[17] *Translation mine*)

Deen Dayal Upadhyaya's significant insights on the inseparable link between the core values of a nation's existence and its freedom resemble what the eminent Brazilian educationist Paulo Freire said in his famous book *Pedagogy of the Oppressed* (1970) regarding the

dehumanizing impact of the oppressive education system imposed on the oppressed by the colonial power:

> The oppressed, having internalized the image of the oppressor and adopted his guidelines, are fearful of freedom. Freedom would require them to eject this image and replace it with autonomy and responsibility….Although the situation of oppression is a dehumanized and dehumanizing totality affecting both the oppressors and those whom they oppress, it is the latter, who must, from their stifled humanity, wage for both the struggle for a fuller humanity, the oppressor, who is himself dehumanized because he dehumanizes others, is unable to lead the struggle. (Freire29).[18]

> It will not be out of context here to briefly mention how the "dharma-centric" vision of such contemporary thinkers as Kapil Kapoor and Rajiv Malhotra offers a very cogent case for the decolonization of contemporary higher education and cultural institutions of India through the radical transformation of pedagogy and research. For example, in his seminal essay – "Sanskrit Literary Theory: A Rejoinder to Eleven Objections,"[19] Professor Kapil Kapoor aptly comments on the impact of cultural neocolonialism prevailing in the structures of higher education/cultural studies in contemporary India:

> "However, the "educated" Indian has been de-intellectualized. His /Her vocabulary has been de-intellectualized. His/Her vocabulary has been forced into hibernation by the vocabulary of the West. For him/her, the West is the theory and India is the *data*. The Indian academy has willingly entered into a receiver-donor relationship with the Western academy, a relationship of intellectual subordination. This "de-intellectualization" needs to be countered and corrected by relocating the Indian mind in the Indian thought… India has powerful, attested, traditions of texts and thinkers in disciplines ranging from prosody to philosophy and these are enshrined mainly in Sanskrit. By abandoning this donor Sanskrit tradition, we have become passive, uncritical recipients of Western theories and models." (pp. 37-38).

> Professor Kapoor further says that it is time we remedied this malaise afflicting the Indian academy as "there is an increasing

assertion in the country of the need to remedy this state, to reverse this data-theory relationship between Indian academy and the Western academy by relocating the Indian mind in its multiple, classical tradition of thought, in what has always been a donor tradition. This is how we follow up the political and economic freedoms by the freedom of the mind. In this perspective, in literary studies, we must reactivate Indian frameworks in the university syllabi. (*SLT,*40-41).

Similarly, Rajiv Malhotra, another eminent culture theorist, has launched an intellectual satyagraha against the predatory nature of Euro-Americo-centric knowledge-systems that are out to devour and digest the Indo-Vedic "dharma-centric" vision of life embodied in its knowledge-traditions. Hence, the urgent need to disseminate the unifying grand narrative of Bharat/India to counter the threat being posed to its cultural freedom. He rightly says:

"India urgently requires a positive grand narrative, one that will help Indians understand the benefits of being together. The challenge I am accepting is to show that India does indeed have a unifying narrative which is continuous and organic, and which does not need to be made up synthetically to keep the nation together. Our grand narrative is a civilizational one and it is imperative for us to re-discover it, for ourselves and for a role we can play on the world stage. A robust, unifying and strong national narrative must strengthen the nation militarily and help its institutions grow economically, culturally and politically."[20]

In order to illustrate how the Americo-centric left-secular intellectual discourses tend to sanitize the "dharma-centric" Indian tradition of literary theory or poetics, he critically examines, in his book, *The Battle for Sanskrit: Is Sanskrit Political or Sacred? Oppressive or Liberating? Dead or Alive?*[21] the discourses of Sheldon Pollock, the eminent American scholar of Indic studies:

 "In summary, for Pollock, kavya has been devoid of the sacred element for the most of its history, and only recently was 'religion' (as he calls it) added to kavya. My issue with him is that he excludes the sacred dimension of rasa and kavya as something inherent from the very beginning. By doing this he is undermining the integral unity of kavya with

the rest of the Vedic tradition. His agenda compels him to do this because he wants to argue that kavya was strictly political (and hence not spiritual) in nature."

III. On Chiti (the essence or soul of the nation): Recontextualizing Deen Dayal Upadhyaya

If the very source of our vision of education and education-system, even seven decades after the attainment of political freedom, remains Macaulay-driven or Euro-centric, how can we, the Indians, claim to have realized social and cultural freedom or swaraj? If both the vision of "education" and "the education-system," as they are implemented in India, remain alienated from the spirit or soul of the nation, so aptly addressed as "chiti" by Deen Dayal Upadhyaya in his speeches and writings, how long can we evade "the consequences and conditions" that "may be fatal to national life in India"- as rightly stated by Deen Dayal Upadhyaya. Deen Dayal understood the characteristic feature of Indic or what may be called the Hindu way of life according to which the very concept of "jnana/vidya/shiksha" (referred to as knowledge/ education in the western worldview)" is "dharma-centric (righteousness-centric) leading to moksha or mukti (true liberation). Needless to say, the soul of India or its "chiti" is "dharma" (righteousness, good conduct, justice, duty, right, character, morality, spirituality, law etc.). For example, Gandhi rightly says that "Essential simplicity and spirituality is the hallmark of Indian culture" (*Harijan*, February 18,1939). It is this implication of "chiti" as "sprituality or adhyaatma," in its applied form (not only in its textual form), that is the essence or the meaning of Bharat according to Gandhi and Deen Dayal Upadhyaya both. So much so that Gandhi wrote a book *Dharma-Neeti* (Righteousness and Its Practice)[22] in South Africa in order to emphasize that it is "dharma" (both as a vision of morality or spirituality as well its performance or ethical action) that constitutes the "chiti or the soul" of the nation and national consciousness. Hence, the vision of goodness or morality (dharma in its normative form) cannot be separated, in the context of Bharataiya Samskriti/Indian culture, from its performative aspect or neeti; in fact, both are one.

This manifests itself in the visions and actions of its great avataras (incarnations of the Divine as Rama, Krishna, Shiva, Shakti etc.), great rishis (seers and sages), its great bhaktas, including women bhaktas,

who came from all parts of Bharat/India and created an Akhil-bharatiya (pan-Indian) cultural consciousness for social and spiritual transformation in ancient as well as highly turbulent historical contexts, leaders (like Swami Vivekananda, Swami Dayananda, LokamanyaTilak, Jotiba Phule, Tagore, Sri Aurobindo, Gandhi, Jayaprakash Narayan, Ram Manohar Lohia, Dr. Ambedkar and others. The most visible sign of the essence of our national "chiti" is the overwhelming significance of "dharma" (righteousness or morality) and "moksha or mukti"(true liberation) which implies – social, political, economic, cultural and spiritual freedoms. In the wisdom/knowledge-traditions of India, if "dharma" (righteousness) remains the foundation of all ethical human actions and efforts aimed at ensuring the "lokasamgraha or welfare of all", the human beings are required to engage in the ethical pursuits of wealth ("artha"- which also means political economy) and desire ("kama") also. Hence, all the three cardinal principles or purusharthas – "dharma", "artha" and "kama", if practiced in accordance with "dharma" (ethical duty/righteousness), will ensure "moksha" or "mukti" (liberation), the highest goal of life. That is why, the pursuit of "jnana/ knowledge", in Indic civilizational contexts, will lead to the attainment of holistic "moksha or mukti" implying the realization of social, political, economic, cultural and spiritual freedom.

Thus, the great devotee – Prahlad, in *Vishnupurana*(1.19.41, p.89)[23] tells his father, the demon-king, Hiranyakashyipu, that the goal of "vidya/ knowledge" is "mukti" or liberation:

"TatkarmaYannabandhaaya, SaaVidyaaYaaVimuktaye/Aayaasaayaa Param Karma VidyaanyaaShilpanaipunam" (That which binds is not true action; True knowledge is that which liberates. All other kinds of action are insignificant as all other kinds of knowledge are mere crafts).

The question is – "Can our present education-system, which may well be said to be functioning as a by-product of the Macaulay(ian) project of translating Indians into brown Europeans, protect, preserve, propagate and expand the core-values or essence of Bharatiya/Indian worldview which is "dharma-centric" – aimed at character-building or ethical transformation of human beings or young Indian citizens? The answer is an emphatic and ready-made – "No!" The reason is that the present education system in India is not, and has not, for long, been in sync with the ethically loaded core of India's national and cultural consciousness, that is, "dharma" – so aptly considered by Deen Dayal Upadhyaya as "chiti" or the soul of the nation. Even the Indic or

Bharatiya philosophical systems are grounded in "dharma." For example, the first sutra of *The Purva-Mimamsa-Sutra of Jaimini* is "Athato Dharma Jigyasa"(Now, therefore, (there must be) an inquiry into the (the nature of) duty.[24] According to the first sutra of Nyayadarshana (Logic), the aim of logic or method of logical inquiry is eventually to attain "nishreyas" or supreme good or true liberation.[25] Similarly, the first sutra of the Vaisheshik Darshana (Vaishika system of philosophy) is "Athato Dharma Vyakhyasyamah" (Now, from here onwards, we will begin the discussion of dharma) and the next sutra further reinforces the significance of "dharma" "Yatoabhyudayanihshreyasasiddhi-hsadharmah" (That which makes one attain worldly well-being as well as true liberation or supreme good is called dharma).[26] But this attainment of supreme good or true liberation (moksha or nihshreyash) by constantly performing dharma does not imply a kind of escape from worldly or social duties or samanya dharma. Professor Kapil Kapoor, in his "Editorial Introduction" to *Encyclopedia of Hinduism* (Volume I),[27] rightly states that "this liberation is not individual salvation at the cost of social or general well-being. This is not so because the question of knowledge has always been discussed/located in an ethical framework. Knowledge must promote dharma. What is this dharma that knowledge must promote? It is defined in the *Mahabharata* as that which promotes the general welfare of mankind. . . .(or) *lokasangraha*, the collective well-being of the people. Knowledge informed by dharma connects the individual to the society (liv-lv)." One can also quote how S. Radhakrishnan, in his book, *The Hindu View of Life*[28] defines "dharma" in moral terms (not in religious terms) as a key to the study of the "Hindu View of Life" which is the best way to define "Hinduism or Hindutva":

> Dharma is right action. In the Rg Veda, rta is the right order of the universe. It stands for satya or the truth of things as well as the dharma or the law of evolution. Dharma formed from the root dhr, to hold, means that which holds a thing and maintains it in being. Every form of life, every group of men (human beings) has its dharma, which is the law of its being. Dharma or virtue is conformity with the truth of things; adharma or vice is opposition to it. Moral evil is disharmony with the truth which encompasses and controls the world. . . . If life is one, then there is one master science of life which recognizes the four supreme ends of *dharma* or righteousness,

artha or wealth, *kama* or artistic and cultural life, and *moksha* or spiritual freedom.

Similarly, Deen Dayal in his second lecture on "Integral Humanism" (delivered on April 23, 1965–see *DDUSV*, Vol.12,59-62) explains in detail the interconnection between and interdependence of the four "purusharthas", that is, the four ends of life. He also underscores how they should be grounded in "dharma" (righteousness) in order to sustain a good society. In his writings and speeches, Deen Dayal always reaffirms that "dharma" remains the soul or chiti of the nation which should inform our different worldviews, our national visions, objectives, policies, institutions, and their implementation, through national agencies or organizations or institutions, starting first at the local/rural/grassroot level and then moving upwards. He rightly says: "The creative confluence of land, people and samskriti (culture), which are interdependent, gives rise to what we call rashtra or the nation…. But the practices/actions that form the foundation of safety, growth, and prosperity of the rashtra or the nation, that is the result of this creative confluence, are called "dharma/righteousness." It is "dharma or righteousness" that remains the foundation of our national life; it ensures our holistic national progress which includes the material and the spiritual/moral progress ("abhyudaya" and "nihshreyas") and inseparably connects the fragment or the part or an individual ("vyashti") with the whole or "samashti"… A nation that remains "dharma-centric" in all its actions and execution of policies, proves a truly welfare-oriented nation for all the three primary constituents of the nation – the land, the people and samskriti or culture. It is this "dharma-in-practice" (not "dharma-in-theory" alone) that works as an ethical determinant of the networks of interpersonal relations, the relation between the part and the whole (or the individual and the society), between one form of whole and yet another form of the whole, between all forms of inanimate and animate entities and their behaviours/natures – making all these function in consonance with the dharmic-sanatan-parampara (eternally ethical tradition) of Bharat/India. Needless to say, it is this "dharma" that pervades all aspects of our vision of life."[29]

It is in this sense that all our national life and its constituents such as the Constitution, the legislature, the judiciary and the media, needless to say, the education system and its institutions are an important part of inculcating the chiti or the soul of the nation, (that is, the core ethical/spiritual values).

Even Mahatma Gandhi, in the eighteenth chapter – "Education" of his seminal text – *Hind Swaraj*[30] (1909) warned us, the so-called

educated (westernized-English-speaking) Indians in no uncertain terms about the dangerous social-political-cultural consequences of continuing with the Euro-centric system of education which is not in harmony with the ethical worldview (or the dharma-centric holistic vision of the people of India) and their collective consciousness:

> To give millions a knowledge of English is to enslave them. The foundation that Macaulay laid of education has enslaved us. I do not want to suggest that he has any such intention, but that has been the result….It is worth noting that, by receiving education in English, we have enslaved the nation. Hypocrisy, tyranny, etc., have increased. English-knowing Indians have not hesitated to cheat and strike terror into Indian people…It is we, the English-knowing Indians, that have enslaved the nation. The curse of the nation will rest not upon the English but upon us. (78-79)

Gandhi could easily realize that the education both in theory and practice in the colonized India was not grounded in the meaning or essence of Indian culture and society (Bharatiya Sanskriti and samaj) which may also be called the *chiti* or soul of India (according to Deen Dayal Upadhyaya). Gandhi's perception of the contemporary education system in the post-independence era in India would not have changed his comments on Indian education as reflected in *Hind Swaraj* almost nine decades ago. It is, therefore, no coincidence that Pandit Deen Dayal Upadhyaya remembers the two great visionary-activists of *swaraj* or freedom in the holistic sense – Gandhi and Tilak, in the very beginning of his important discourse on "Ekatma Manav-darshan/Manavvada (Integral Humanism)." According to Deen Dayal, the attainment of true knowledge or jnana, which should be the goal of "shiksha/education" in India or elsewhere, produces "ekatva/ekatmakata or oneness or integral consciousness" which results into the welfare of all (*sarvodaya*). Echoing Gandhi's critique of modernity and modern education system, Deen Dayal also warned the Indians that the sheer mimicry of the western education and culture has been destroying the creative power of the people of India (Upadhyaya Vol. 1, pp. 192-194). This creative power of India is the *chiti* or soul of India as a nation that gets stifled and damaged by the imposition of an alien education system which is driven by predominantly economic and materialistic goals. He rightly says that "all those laws that nurture and sustain the entire humanity as well as the whole creation are collectively connoted by the concept of

dharma. We have to contemplate the whole of life considering dharma as its very foundation. When nature including the human nature is refined or purified in consonance with those laws called dharma, it is called "samskriti/culture." It is this "samskriti or culture" that will be able to hold and sublimate the human life ethically. As I already told you, what forms the substratum of the foundation and aim, theory and ideal of this "samskriti or culture" is the unity or integrality of life." (*DDUSV,* Vol 12, pp. 56-7).

IV. The Untranslatables: "Shiksha" and "Chiti" in Indian Contexts

In his third lecture on "Integral Humanism" delivered on 24 April 1965 at Mumbai, Deen Dayal considers "chiti" (which cannot be exactly translated into English) as the soul of the nation and brilliantly illustrates with suitable examples how the mutually interdependent ethical triad of "chiti-samskriti-dharma"(soul of the nation-culture-righteousness) lies at the centre of the nation. He defines "chiti" as "innate nature" of the nation and its people. Naturally, the innate nature or "chiti"of the people of Bharat has been their firm faith in "dharma" or righteousness (not to be confused with the belief of Hindus in what is called Hinduism or Hindu religion) that informs all their ideas, institutions and efforts to forge an all embracing national or jatiya identity. It is this "chiti" that determines the direction of a nation's cultural advancement as whatever is in accordance with "chiti" adds to and provides momentum to national culture (*DDUSV* Vol.12 pp. 68-84). In the context of Bharat/India, Deen Dayal states:

> If there is any standard for determining the merits and demerits of a particular action, it is this "chiti" that remains the touchstone of making a distinction between the right and the wrong. Whatever is in accordance with "chiti" or innate nature is approved and added to our samskriti/culture. These things/ values/ideas/institutions, which are in consonance with our "chiti" are to be further developed. On the other hand, whatever is against our "chiti" or innate nature (mool prakriti, that is, being dharma-centric or dharma-saapeksha in all conditions and contexts) is discarded as perversion, undesirable and is to be avoided. Chiti, thus, is the touchstone upon which each action, each attitude or approach to or

perspective on life is tested to be accepted or rejected. Chiti, in this vital sense, is the soul of the nation. It is on this foundation of "chiti" that a nation arises and becomes strong and visible. And it is this chiti that manifests itself in the conduct of every great person of a nation.(*DDUSV*, Vol 12. p. 69)

Unfortunately enough, during the post-independence era in Bharat/India, the ruling party/parties not only ignored the dharma-centric chiti or soul of the nation but also undermined it in the name of perpetuating what has strangely been called "dharmanirapekshata-vad or secularism." This historically and culturally alien idea of secularism or "dharma-nirapekshata-vad" was imposed on a nation and civilization called Bharat that was, is and will always remain a "dharma-centric" or dharma-sapeksha civilization/nation- resulting into the considerable loss of "chiti" as well as "virat." How can one say that the Indian brand of secularism that has been defined as "sarva-dharma-sambhaav (equal respect for all religions) is not grounded in the "dharma-centric" Vedantic worldview of Bharatiya Samskriti/Indian culture that revers and celebrates (to say that Indian culture is marked by tolerance for diversity is, at best, only half-truth!) all kinds of socio-cultural and environmental diversity?.[31]

In his discourses on "Integral Humanism," Deen Dayal further connects the innate essence or soul of the nation called "chiti" with the idea of "virat" (another untranslatable cultural referent which may loosely be translated as "the whole") that is the shakti or vital power of the nation. He says that as "chiti" is the foundation of the rashtra or the nation, similarly the shakti or vital power that sustains the nation is called "virat." Virat is that collective power of action of the nation (or karmashakti) that is activated and unified through awakening of "chiti." In the life of the nation, if "chiti" is the soul, "virat" or collective power of action, remains the vital life-breath or prana. It is through vital life-breath or prana (that is the power of collective action) that all the sense-organs (that is, the different institutions of a nation) are energized. It is through "virat" that the faculty of intelligence is made alive and functional and the soul (the chiti or innate nature or essence of the nation) remains established in the body (or the nation-state or rashtra-rajya). Different constituents or institutions of a nation remain active and capable, so long as the "virat" or collective power of action (karma-shakti) of a nation remains strong. The huge network of national institutions becomes a sham if the collective power of action or virat

of a nation declines. Democracy becomes successful on the basis of the condition of "virat." The diversity of a multicultural, multilingual, multi religious nation like Bharat does not become an impediment to national integration only when the "virat" of our nation remains strong and well-developed. Differences – professional, linguistic, religious, regional etc. do exist, but a highly evolved state of "virat" unify or integrate these apparent difference into a national unity, without many conflicts and instances of violence. The people, despite their many differences, symbiotically co-exist and live in peace and harmony, like the constituents of body or the members of a family. (*DDUSV*, Vol 12, pp. 99-100).

It is obvious that Bharat as a civilization and a nation will remain ethically and materially strong, so long as its constituents such a "chiti" and "virat," as explained above, are awakened, protected, and developed through all forms of national institutions and discourses. Shiksha (which cannot be translated as education in Indian contexts as it is a much more semantically loaded term than education) is an important means to awaken, strengthen, evolve and nurture two vital constituents of the nation – the soul of the nation or "chiti" and the power of collective action of the nation called "virat." Chiti remains an untranslatable Indian/ Bharatiya concept ("chiti" etymologically comes from Sanskrit term – "chit" implying "thought," "intellect," "spirit," "soul," and it may also be tentatively translated as "understanding, the thinking mind." Williams, 581) that Deen Dayal uses to signify "the soul/the spirit of the nation." In this section, Deen Dayal's vision on education/shiksha and chiti as reflected in his *Rashtra-Chintan*[32] (Meditations on Nation), *Integral Humanism* and other writings will be discussed in brief. "Shiksha" (which comes from Sanskrit root – "shiksh"), in the Indic tradition, etymologically and epistemology, inter alia, implies – "to learn, to acquire knowledge, study, to practice, to learn from, to be able to help others, to wish to help others, to wish to give, to offer one's service to, to impart knowledge, to teach, the desire of being able to effect anything, the wish to accomplish etc." (Williams Vol 2, pp. 1277). Thus, "shiksha" is a much deeper and wider term that has more civilizational and social significations than the English term – "education." Etymologically, "education" (from Indo-European root *deuk* – meaning – to pull, to draw, to lead; Latin *educare* to lead out. See *The New Book of Knowledge,* Vol.2, pp. 1512)[33] primarily refers to the act of providing "with knowledge or training, especially through schooling/teaching;"

or the act of disciplining or training or instructing" (*The New Book of Knowledge,* p. 415). It is obvious that "education" as a term or concept cannot imply "shiksha" which has multiple meanings. It is, therefore, a common fallacy prevalent in Indian educational and cultural discourses to borrow the western terminology (primarily English) to refer to or signify the meanings which are peculiarly Indian and are untranslatable into any European language. Moreover, once the Indian scholars or readers or students internalize the western concepts to understand the dharma-centric Indian worldview or concepts, the damage is incalculable as it gradually but surely creates cultural amnesia among the Indians. In other words, "shiksha," in the Indian contexts has to be in consonance with India's *chiti* or soul as a nation. Deen Dayal makes an important observation in this regard: "When a nation is independent, shiksha (education) is imparted to children in order to develop the latent powers of children according to the true aim of the nation, (that is, to develop its "chiti" and "virat") so that they may become conscious, capable and responsible citizens of the nation. Through that shiksha (education), we are not alienated from society, but we are constantly reminded, at every step, how greatly indebted we are to society and what our duties and obligations are towards our society" (*DDUSV,* Vol.1, p. 130). Deen Dayal contrasts the systems of imparting education in ancient and modern colonial and post-colonial Bharat/India. In doing so, he severely criticizes the Macaulay-driven, package-centric, greed-based "shiksha or education" being imparted through the modern Indian education system of colonial and post-colonial Bharat:

> There (in ancient India) were no students, like the students of colonial or post-colonial India, whose power of thinking has become paralyzed because of their colonial minds, whose selfish and immoral lifestyle has completely dried up the emotional springs in their hearts, whose feelings have become atrophied, whose compassion has been blunted, where their collective capacity for collective action, industry and perseverance for social good has vanished against the backdrop of all pervasive idleness. Such thoughtless, emotionless, inertia-ridden students did not exist in ancient India. (*DDUSV*, Vol 1, p. 131).

There may be a tinge of sweeping generalization about the colonial or post-colonial education system in his statement cited above but it contains, broadly speaking, the kernel of truth. If one reads the draft

of the TSR Subramanian Committee Report for Evolution of the New Education Policy 2016[34] (which, like the Constitution of India itself,) has not been written in any Indian language (even the Hindi version of the Constitution is a translated text and does not have the legal validity as only the English text is the legally valid text of our Constitution) listed in the Eighth Schedule of the Constitution of India! More is the pity that the much awaited 230-page long TSR Subramainan Report for the Evolution of New Education Policy 2016 sporadically and reluctantly refers to the word "values" in two pages – first when it quotes a statement from the Radhakrishnan Commission Report 1948-49 on the first page. Subsequently, in the Section 1.3 (page 4) "The Way Forward," such words as " building values", "values", "value-orientation", "values are ignored" have been sprinkled here and there without ever caring to spell out or describe what these ethical values are and how they naturally emerge from the "dharma-centric" worldview of Bharat/India. It rather eloquently talks of "religion", "secularization of education", "acceptance of diversity of India's heritage, culture and history" but is shockingly silent about the sources of national unity – which, if mentioned, could have pointed to the "dharma-sapeksha or dharma-centric" Vedic vision of Bharatiya Samskriti/Indian culture. On page 11, it is emphasized again that the "Indian society is characterized . . .. by multi-lingual, multicultural, and multireligious diversity" without even once casually alluding to India's cultural unity or its underlying sources. It seems that, in order to pander to the opportunistic urgency of political correctness and accommodate the secular-left-liberal dogmatic discourses, the Subramanian Report lays stress on the greater understanding of "diversity of India" and its "heterogenous culture" (p.12) as the primary objective of education, but it is conveniently and self-consciously silent on India's amazing cultural unity and its "dharma-centric" Vedantic vision. In other words, the Report proves the apprehensions of Deen Dayal Upadhyaya about the modern education system prevailing in post-independence Bharat/India right. Now, we can no longer blame the colonial masters for not having a dhrama-centric vision of "shiksha" (education), that promotes the innovative and creative study of, and research on arts, sciences, social sciences and humanities and also makes the students imbibe the soul or essence of India's national unity or "chiti." Even if one looks at the portal named "About Department of Higher Education" (which has been updated on 25 April 2016) available on the website of the Ministry of

Higher Education, Government of India (www.mhrd.gov.in), one is surprised to notice that there is no mention of the Bharatiya or Indian "dharma-centric" perspective on education/knowledge. Nowhere has it been mentioned, in all the five rubrics/sections such as "Overview", "Vision", "Mission", "Objective", "Functions" that map up the broad trajectory of the functioning of Higher Education in India, that the primary objective of "shiksha" (education) in Bharat/India should be in consonance with its "chiti" or the soul of the nation manifest in its "dharmik or ethical values. Needless to say, according to Deen Dayal Upadhyaya, the "chiti-oriented" education necessitates the inculcation of such values as adherence to truth, pursuit of true knowledge in its multifarious aspects, compassion, self-restraint, swadeshi, sarvodaya, swaraj, ahimsa (non-violence), valour, service, acceptance of voluntary suffering for the well-being of others, sacrifice, simplicity, enjoyment of life through renunciation, oneness or integrality of existence, eco-consciousness etc. that activate the soul of the nation as well its collective power of action or karma-shakti ("virat"). It is interesting to note that Deen Dayal Upadhyaya defines the significance of "chiti" or the spirit of the nation in terms of dharma (ethical way of life), which as an important purushartha (cardinal principle of life) pervades all interrelated and interdependent aspects of life – social, political, economic, cultural and spiritual. Deen Dayal's discourse on "chiti" also reminds us of the vision of Ernest Renan, Sri Aurobindo, Swami Vivekananda, and M.K. Gandhi, to name only a few thinkers:

> Chiti", indeed, signifies nationness (rashtratva). This "chiti" or the national spirit manifests itself through the people of a country through their samskriti (culture), sahitya (literature) and dharma (ethical way of life). It is through this unity brought about by "chiti" that mutually shared tradition, history and civilization also come into being. (*RC* 116).

The paper also focuses on how Deen Dayal Upadhyaya reconstructs the "keywords" or vocabulary of culture and society that may be considered constituents or manifestations of "chiti" such as rashtra (nation)/rashtriyata (national consciousness or nationality), dharma (ethical way of life), samaj (society), samskriti (culture), samskar (cultural actions/impressions), jeevan-dhyeya (goal of life), individual and society, education, economy, swaraj (freedom), swadeshi (indigenous political economy), national language, national politics etc., with special

reference to his essays and speeches anthologized in Deen Dayal Upadhyaya's *Rashtra Chintan* and *Integral Humanism*.[35] Lastly, the paper seeks to investigate how the multivalent notion or concept of "chiti" as envisioned by Deen Dayal Upadhyaya, may, in the present contexts, help us address the flaws and fissures in the unfinished project of national integration and enable us to cope with the dangers of planetary destruction posed by the dangers of global warming and unabated consumerism.

The Sanskrit term, "Chiti" has multiple connotations – "understanding", "the thinking mind" – as it is also related to "cit" – meaning "thinking", "thought", "intellect", "spirit", "soul", and "pure thought" (MonierMonier-Williams 395).[36] In order to signify the spirit or the soul of Bharat as a nation that not only manifests in is multifarious forms or diversities but also integrates them into a unity, Deen Dayal Upadhyaya (hereafter referred to as Deen Dayalji), used the Sanskrit term "chiti" in his writings and speeches. In his thesis on integral humanism ("ekatmaka manavavada"), he defines "chiti" as a "Nation's soul" – that arouses, organizes and canalizes the power – "Virat or the life-principle" (i.e. "Prana") which "energises and activates the Nation" as a culture (samskriti) and society (samaj). Thus, it is through the unfolding of "chiti" or the spirit of the nation in its diversified yet mutually inclusive social, political, economic, aesthetic, cultural, and spiritual forms that the integrating shakti (power) or "virat" manifests itself. Deen Dayal further explains how "chiti" and "virat" function as the interdependent coordinates of Bharat as a democratic nation:

> Just as *Prana* infuses strength in various organs of the body, refreshes the intellect, and keeps the body and soul together, so also in a Nation, with a strong *Virat* alone, can democracy succeed and the government be effective. Then the diversity of our Nation does not prove an obstacle to our national unity. The differences of language, occupation, etc., are present everywhere. However, when the *Virat* is awake, diversity does not lead to conflict and people cooperate with one another like the various limbs of the human body or like the members of the family. (*IH*)

Thus, accoding to Deen Dayalji, it is through the harmonious "virat" "chiti" relationship, which may also be termed as the relationship between the power-principle and the creative or constructive principle, that the nation expresses its sense of unity in diversity. In order to

understand the significance of this creative and integral spirit (chiti) of the nation that informs the characteristics of its nationness (rashtriyata and its cognates – nationality, nationalism), samskriti (culture), samskara (cultural actions/impressions) one has to "turn one's gaze inward" (*RC* 115). The underlying power or the driving force of our commitment or "devotion to the nation and our identification with the people," which is a salient feature of our nationalism, does not emerge from either the unity of our self-interests or enmity/friendship with others. Deen Dayalji holds that the clue to this unity, or oneness or ekatmata ("ekatman") – one spirit, having the same nature, the unity of spiritual essence, the doctrine of one universal spirit- (*ASED* 230), which enables us to identify ourselves with all the diversities/pluralities in the form of patriotism and nationalism, lies in the extent to which we, the people, activate and are activated by this power called – chiti or the spirit or the soul of the nation (*RC* 115-16). He, like Gandhi, also underscores the moral basis of the spirit of the nation (or its avatar as nationalism), which does not derive its legitimacy solely in terms of either anti-colonialism or the integration of our collective and contextual self-interests. In this sense, like Gandhi and Tagore, Deen Dayalji also critiques the unbridled, aggressive western discourse of nationalism which gained ground in Bharat during our encounter with colonialism and western civilization. In consonance with Deen Dayalji's vision, one can say that since our "chiti" (or the soul of nation) and "virat" (the collective power for action to sustain our national strength or karmashakti) was considerably weak, we were defeated and overpowered by the colonial powers. On the other hand, the colonial powers were also driven by their "chiti" or their aggressive, greed-based nationalism that needs colonialism/ imperialism to conquer, subjugate and economically exploit the weak people/nations. It is worthwhile to remember here that this spirit of the nation or chiti has a much larger role and significance in the life of the nation as a whole and it cannot be equated with or limited to the spirit of anti-colonial nationalism. According to Deen Dayalji, national integration (rashtriyaekata or ekatmakata) cannot be fully worked out or realized among the people who may be politically united contextually and accidentally but are inspired by different and conflicting forms of "chiti." That is why, he asserts that unity of language, culture, civilization, ethical way of life (dharma), territory, political economy etc., which are considered as the determinants of our national integration/ unity, are themselves the result of the oneness of chiti (the spirit of the

nation or the national spirit). In other words, without the dissemination of this integral and unifying spirit called "chiti," true national integration cannot be achieved despite the commonality of other crucial factors like language, culture, religion, territory etc. He aptly says:

> The rise of the nation depends on the awakening of "chiti" (the spirit of the nation); the destruction of chiti causes the decline of the nation. In the colonized state, it is the "chiti" of the subjugated people that is trampled on or assaulted considerably weakening its impact on the consciousness of the people at large.(*RC* 116).

Therefore, true patriots or nationalists are those awakened activists who disseminate the light of "chiti" among the people even amidst darkness and apparent defeat and are of firm conviction that, by continuously strengthening the spirit of the nation, they are not only trying to make a better nation but also a better humanity or world. Our inclusive and integral nationalism at present should be more constructive as it should be rooted in our chiti which finds its excellent utterance in the Bhoomi Sukta" of *AtharvavedaSamhita* (Kanda or Chapter 12.1-63, pp. 1-10)[37] that reiterates the celebration of the following:

a. linguistic, ethnic, panthic (panth-based) diversities, the practice of core-values such as satya (truth), rita (cosmic order), ugrata (valour), diksha (acquisition of education and skill), tapas (austerity), adhyatma or brahma jnana (spiritual knowledge) and yajna (consecrated action).

b. the spirit of "samanjasya" (symbiotic co-existence) or non-violence towards others ("ma no dwikshatakashchana") or interdependent/integral humanism for universal peace and progress.

c. nurturance of all flora and fauna, all kinds of aushadhi and vanaspati and all vital elements – minerals, air, water, fire, land and space.

d. institutions of democratic ethical governance – at the local and the national (or grama and nagara) levels.

Moreover, as it is obvious from the preceding analysis that the constituents of our chiti or the spirit of the nation are, far from being metaphysical or other worldly, rooted in our everydayness or quotidian ethical existence. One may also cite here the "Vanijya Sukta" (the Trade-Mantra) of the *Atharvaveda* (Ch. 3.15.1-8) which is also underpinned by the core value of our "chiti," that is dharma, or

performance/practice of the moral duty/obligation/right conduct or action on the part of all the stakeholders of business and trade.

It is, therefore, difficult to pin down the notion of "chiti" strictly in terms of any "ism" and ideology or a singular, dogmatic perspective. Deen Dayalji relates the concept of "chiti" to our notions of "dharma" (ethical way of life – sometimes he uses chiti and dharma interchangeably) that primarily characterizes our "samskriti" (culture). He holds that "Our dharma is the soul of our nation which has no meaning without dharma. It is neither its vast territory or varied enormous population that solely forms this nation of Bharata. What is needed is a sutra or thread that binds this vast land with so many people. That sutra or integrative thread is dharma without which the very vitality of our national life will be destroyed and its driving force gone" (*RC* 120). In his lectures on integral humanism, Deen Dayalji further explained the interconnectedness of chiti-culture and dharma:

> If there is any standard for determining the merits and demerits of a particular action, it is this Chiti: whatever is in accordance with our nature or Chiti is approved and added on to the culture. These things are to be cultivated. Whatever is against Chiti is discarded as perversion, undesirable and is to be avoided. Chiti is the soul of the Nation. It is on the foundation of this Chiti (soul) that a Nation arises and becomes strong and virile. And it is this Chiti that is manifested in the action of every great man of a Nation. (*IH*)

It is important to underline that Deen Dayalji considers an individual citizen as a representative of samskriti or culture at the local, national and global or the trans-national levels/aspects and also emphasizes these "multitude of aspects" are not conflicting but are marked by "cooperation, harmony and unity" among them. It is the realization of "chiti" or dharma which eventually gives rise to what has been called integral humanism:

A system based on this the recognition of this mutually complementary nature of the different ideas of mankind, their essential harmony, a system which devises laws, which removes disharmony, and enhances their mutual usefulness and cooperation, alone can bring peace and happiness to mankind, and can ensure steady development. (*IH*)

Deen Dayal also highlighted the fact in Bharatiya parampara or samskriti, "state" is not supreme. Rather it is dharma, which is not religion, that is supreme. The ideals or the values of the nation are

shaped by its chiti or dharma. In this sense, the laws that "help maintain and manifest Chiti of a Nation are termed Dharma of that nation. Hence, it is this 'Dharma' that is supreme. Dharma sustains the Nation. Hence, we have always given prime importance to Dharma, which is considered sovereign. All other entities, institutions or authoritiers, derive their power from Dharma, and are subordinate to it" (*IH*).

Upasamhara/Conclusion:

It is in this sense that Bharatiya Samskriti (Indian culture) as well as "shiksha" cannot be "dharmanirapeksha" (as it is translated into a strange discourse of secularism as "sarvadharmasambhav"). True "shiksha" builds the national character as it imparts the values such as "service" and "sacrifice" through all kinds of ethically grounded knowledge systems. "Dharma," the ethically loaded signifier is a salient feature of our chiti or the national culture. Dharma, Deen Dayalji, further clarifies, is the innate law of integral existence, a cosmic law, that decides, just to give an example, the "propriety of behaviour in various situations" (*IH*). Dharma, thus, cannot be majoritarian or minoritarian or subaltern as it is sanatan or eternal and holistic in its essence. Dharma connects, according to Deen Dayalji, the vyashti (the individual), the samashti (collectivity – society, nation, world) and the parameshthi (the highest form of realization or reality). That is why, the "chiti" of the nation in the context of Bharat/India will be substantially damaged or destroyed if such evils (or "adharmik"/unethical practices) as caste-system, westernized education-system, absence of health-facilities for citizens, corruption in public life, communalism, religious fundamentalism, consumerism, terrorism, economic and social inequalities, oppression of women, greed-based non-sustainable developmental model, destruction of ecology, etc. continue to characterize the national life. Using this interpretative logic, "dharmarajya" or "Ramarajya" does not connote a theocratic state; but rather point to the possibility of the establishment of an ethical, good, just and inclusive society/state based on such values as satya, ahimsa, karuna, samata, nayaya, swaraj, and sarvodaya. That is why, Deen Dayalji asks us to critically re-interpret, reconstruct and re-place dharma (righteousness) in all activities and institutions of our national life as inscribed in *The Laws of Manu* or *Manusmriti* (Ch.6.92) which may also be considered as the coordinates of our chiti/dharma/samskriti: "The ten points of duty are patience, forgiveness, self-control, not stealing, purification, mastery of the sensory

powers, wisdom, learning, truth and lack of anger"[38] And, to further highlight how it is important for us to understand the significance of the soul or essence of the nation ("chiti") in order to follow the path of dharma, one may cite further from the *Laws of Manu* or *Manusmriti* (Chapter 8.15): "When dharma (justice) is destroyed, it destroys; when justice is protected, it protects. Therefore, justice must not be destroyed, or justice destroyed may kill us" (*M* 153).

The significance of "dharma-centric" vision of Deen Dayal Upadhyaya cannot be denied in the present times.

Notes

1. The following terms have self-consciously been used in the essay in order to highlight their grounding in the "dharma-centric" vision (the vision of integral or holistic spirituality) Bharat/India:

   a. "Dharma" has not been used in this essay in its much mis-translated, popular sense of "religion" which, it its invented or revealed forms, binds a community through a fixed set of rules – belief in one God, who is the only true God, in one Holy Book as the only true book, in one Messenger or Prophet or Saviour, and the practice of certain rituals and conversion etc. (In its highly restrictive and Semitic sense, it is this version of "religion" that gives rise to the notion of a theocratic nation/ nation-state.). To the contrary, "dharma" has been used in this essay as a multivalent term signifying "that which is established or firm or steadfast", "duty", "right", "justice", "morality", "righteousness", "character/nature", essential nature/quality", "sacrifice", "essence", "good works", "law" etc., that may easily be said to connote and cover the whole way of life. (See A Sanskrit-English Dictionary, Ed. M. Monier-Williams, New Delhi, Parimal, 2011, pp. 751-4).

   b. "Bharat" (for India), "Bharatiya" (for Indian) and "Bharatiyata" (for Indianness).

   c. "Hindu view of life" (for Hinduism) and "Hindutva" (in its an abstract noun form of "Hindu" – vision implying the essence of the Hindu view of life or Hinduness in place of the perverted meaning of Hindutva that is often used by the secular left liberal writers and critics to tarnish and misrepresent the emancipatory and enabling Hindu-worldview as "Brahmanical" (?), "Fascist", militant, communalist, politico-cultural ideology.

   d. "Samskriti" (in the sense of constant self-refinement or self-purification or self-improvement that requires the harmonious development of body,

mind and spirit in place of Euro-Americo-centric materialistic notion of "culture").

2. Deen Dayal Upadhyaya, DeenDayal Upadhyaya: SampurnaVangmaya Vol. 12. (Ed. Dr Mahesh Chandra Sharma), New Delhi, Prabhat Prakashan, 2016, p. 57. Further cited as DDUSV with Volume and page numbers in parentheses. (Translation into English mine).

3. See Swami Ranganathananda, Shankaracharya and an Untouchable: An Exposition of Manisha Panchakam, Kolkata, Advaita Ashrama, 2009. The Chan dala asks "Is there any difference between the reflection of the sunin waters of the Ganga and that in the water flowing by the chandala's hut; or between the space within a golden jar and that within a clay pot? Wherefrom has arisen this great delusion, which sees one as a brahmana and another as a chandala, in this inner Self-this one waveless ocean of self-existing bliss and consciousness?" (pp. 10-11). The Vedas and the Upanishads do not prescribe the existing heredity- hierarchy-based caste or varna system. The Caste-system, as it exists today, is a much later perversion of the ideal of qualities-action- nature -based four-fold Varna -system (guna-karma-swabhaava-based division of labour) which was neither hereditary nor hierarchical. See S. Radhakrishnan (Ed.) The Bhagavadgita, Element, NOIDA, 2014: Chapter 4.13 pp. 186-7).

4. Sri Aurobindo, The Foundations of Indian Culture, Pondicherry, Sri Aurobindo Ashram, 1992. (First published serially in Arya -1918-21). Further cited as TFOIC with page numbers in parentheses. One can also see how this integral consciousness or oneness of all, which is an essential feature of the "chiti " or the soul of the nation gets reflected in Guru Gobind Singhji's famous poem – "Akal Ustat" (See The Dasam Grantha (Translated into English by S.S. Kohli), New Delhi. Munshiram Manoharlal Publishers, Pvt Ltd.2016, pp. 38-63.

5. See www.sci.gov.in for the full text of the December 11, 1995 verdict.

6. The excerpts taken from Shri Mohan Bhagawat's speeches were quoted in the newspapers-Janasatta, 18 September 2018, p.1. (Translation mine) and The Indian Express, 18 September 2018 (pp.1-2) and The Indian Express, 19 September 2018, (pp 1-2). Further cited as TIE with page numbers in parentheses.

7. Marx-Engels, "The British Rule in India" (Dated June 10,1853), The First War of Indian Independence: 1857-1859, Moscow, Progress Publishers, 1978, p.13. Hereafter cited as TFWOII with page numbers in parentheses.

8. G.C. Spivak, "Can the Subaltern Speak?" in C. Nelson and L. Grossberg (eds.), Marxism and the Interpretation of Culture, Basingstoke, Macmillan Education, 1988 pp. 271-313. Spivak's essay, that remains one of the most cited texts of post-colonial Marxist feminism, is a fine example of deliberate distortion of Bharatiya Samskriti or the Hindu view of life – thanks to the metropolitan grids of manufacturing and circulating Euro-

Americo-centric discourses and getting them accepted by the communities of scholars, critics and students situated in the underprivileged nations. Spivak in this essay lambasts the Bharatiya Samskriti and its scriptures (particularly the Vedas) that, according to her, stifle the voices of women as the subaltern, and legitimize the Indian custom of Sati (the widow-immolation) even without citing any Vedic verse/mantra/sukta to substantiate her allegations. I exposed, in my research paper cited below, how hollow and unethical are Spivak's unreferenced, unsubstantiated remarks on the Vedas as the Rigveda refers to the duties of a young widow in the most enabling and emancipatory manner – asking the young widow to be courageous to come back to the normal life to perform her familial and social obligations (See Rigveda Chapter 10.18.7 & 8, pp.29, Ed. Pandit Shri Ram Sharma, Mathura, Yug Nirman Yojana Trust, 2010. Also see Sudhir Kumar: "The Postcolonial Paradox: A Gandhian Critique of Contemporary Indian Literature in English," Dialogue Vol.13. No.4. April-June 2013. pp. 127-36.

9. See how Wendy Doniger in her latest book – Beyond Dharma, Dissent in the Ancient Indian Sciences of Sex and Politics, New Delhi, Speaking Tiger, 2018 (which was first published in U.S.A as Against Dharma: Dissent in the Ancient Indian Sciences of Sex and Politics, Yale University Press 2018. Suffice to say that the aim of cultural politics involved in the naming the original title for U.S.A. readers and its changed name for Indian readers is quite obvious). Doniger, setting aside even the minimum requirement of true scholarship and objectivity, undermines the Hindu and Bharatiya Samskriti by arguing that Bharatiya Samskriti, with special reference to Arthashastra, Manusmriti, Kamasutra, the Ramayana and the Mahabharata, has always been "adharma-centric," what to say of being "dharma-centric."

10. Shashi Tharoor, in his recent book, Why I am a Hindu, (New Delhi, Aleph, 2018, hereafter cited as WIAAH), also tars the discourses of dharma-centric Indian nationalism as a form of aggressive Hinduism that degenerates into Hindu fundamentalism that is but another name of Hindutva. In order to slander the "dharma-centric" Bharatiya Samskriti, he asserts that "Yes, dharma is essential in the pursuits of material well-being, public order and good governance; but this should not mean turning public policy over to sants and sadhus, nor excluding any section of Indian society (for instance, minorities who reject the Hindu idea of dharma as irrelevant to their lives." (WIAAH, 142). Tharoor's interpretation of nationalists and thinkers as Veer Savarkar and M.S. Golwalkar as exemplars of "Fascist" kind of Hindutva turns out to be a critical disaster as he frequently distorts their views and quotes selectively to conceal the basic fact that both of them use the term "Hindu" in an all-inclusive geo-cultural (and not in a religious) and patriotic sense that makes such "dharma-centric" constructions as Hindu nation, and Hinduism

and Hindutva (as the essence of being a Hindu) free from any taint of religious communalism and Hindu fundamentalism. Moreover, both of them always affirmed that a nation is a cultural construct whereas a nation-state is a political/governmental construct. In their writings both explicitly stated that a Hindu nation would never be a Hindu (theocratic) state – as it happens in the case of nations where majority population follows Semitic religions. For example, Savarkar, in his Hindutva (1923), the text that has been subjected to gross misinterpretation, and reductio ad absurdum as well as reductio ad Hitlerum, by the members of the secular-left-liberal combine, boldly declares that "it is enough to point out Hindutva is not identical with what is vaguely indicated by the term Hinduism. By an 'ism' it is generally meant a theory or a code more or less based on spiritual or religious dogma or system." (See Hindutva, New Delhi, Hindi Sahitya Sadan, 2017, p.19 , further cited as H). Both Savarkar and Golwalkar consider three basic constituents/or required qualifications of a "Hindu" or "Hinduness or Hindutva" – (a) the common fatherland which should be considered the holy or sacred land, (b) the common jati or blood (used the term race to refer to commonness of blood or brotherhood but not in the racist sense) (c) common samskriti or culture. Nowhere does the Hindu religious identity figure in the construction of either "Hindu," "Hindu Rashtra" or "Hindutva!" So much so that he categorically stated that "a patriotic Bohra or a Christian or a Khoja, who would satisfy the required qualifications of Hindutva to such a degree as that, why should he not be recognized as a Hindu?" (H 102). Both of them never stated that the Muslims or minorities will be deprived of their citizenship and will be converted to Hindu "religion!" Similarly, Golwalkar in "Preface" to his We or Our Nationhood Defined (Nagpur, Bharat Publications,1939, further cited as We), now widely believed to be written by Golwalkar as an abridged version of G..D. Savarkar's Rashtra-Mimamsa (in Marathi), clearly points out that "in applying the Nation Concept to various communities to the Hindu Nation – but not from political point of view – not from the standpoint of State, though to some readers it may appear to be so, but solely from the point of view of the unit called the "Nation." Hence, all passing remarks to the relations between the "Nation" and the "Minority Communities" as appearing in this work are to be understood in this light…" (We, 2). Furthermore, in his famous collection of essays and speeches – Bunch of Thoughts (Bangalore, Sahitya Sindhu Prakashan, 1996, First published in 1966, Further cited as BOT), Golwalkar makes a statement regarding the condition of minorities in the Hindu Rashtra that will expose the nefarious anti-Hindu, anti-national designs of the members of the secular left liberal combine: " The answer to the so-called problem of 'religious minorities'

can be found only in the historically correct, rational and positive approach to Hindu Rashtra. Otherwise the so-called minorities are to bound to become more and more hardened in their separate shells of religion and turn into a dreadful source of disruption of our body-politic. So, all that is expected of our Muslim and Christian co-citizens is the shedding of the notion of their being 'religious minorities' as also their foreign mental complexion and merging themselves in the common national stream of this soil. As far as the national tradition of this land is concerned, it never considers that with a change in the method of worship, an individual ceases to be the son of the soil and should be treated as an alien. Here, in this land, there can be no objection to God being called by any name whatever. Ingrained in this soil is love and respect for all faiths and religious beliefs. He cannot be a son of this soil at all who is intolerant of other faiths. . . . This is the real and abiding cornerstone of national harmony and integration, subscribing to common national ideals irrespective of personal religious creeds. And it is this concept as applied to our country that we call Rashtra, the only rational, practical and right concept." (We 158-59). How can the all-inclusive, dharma-centric visions of Bharatiya Samskriti or Hindu view of life or Hindu Rashtra as espoused by Savarkar and Golwalkar, both in theory and practice, be construed as expresions of "Fascism" or "Nazism" or Hindu religious fundamentalism? Are the so-called secularists, liberals, leftists or urban naxals ready to read the primary texts of Hindu or Bharatiya Samskriti without wearing their ideological blinkers?

[11.] See how KanchaIlaiah in his rabidly polemical, anti-Hindu, anti-Indic culture texts such as Why I Am Not a Hindu: A Shudra Critique of Hindutva Philosophy, Culture and Political Economy (Calcutta, Samya, 2009; hereafter cited as Why) and Post-Hindu India: A Discourse on Dalit Bahujan, Socio-Spiritual And Scientific Revolutions (New Delhi, Sage, 2009; hereafter cited as PHI) only manage to showcase how someone's critical imbecility allows her/him to abuse Hindu traditions and Indic culture using all kinds of utterly illogical and unethical argumentative methods. In both the books, he excludes women and scheduled tribes of India from the fold of either "Dalits" or "Dalit-Bahujans" and does not discuss the glaring inner contradictions existing within the fold of the so-called "dalit" fraternity. He rants in a sort of comical critical wilderness of his own against the "diabolical seal of Brahminism and Hinduism" in order to "Dalitize" and "de-Hinduize" society thoughly (Why 130). His diatribe against Hindus (whom he considers as "spiritual Fascists") knows no bound of decency or decorum as he proclaims that Hinduism has got to be destroyed and the Hindus be offered a choice to adopt one of the spiritual democracies- either Islam or Christianity (See PHI, "Introduction" ix-xxvi, 232, 268, 288-95).

12. See "Chronology" and "Introduction" to The Cambridge Companion to Modern Indian Culture (Edited by Vasudha Dalmia and Rashmi Sadana); New Delhi, Cambridge University Press, 2012. The book opens with a sweeping denunciation of ABVP (Akhil Bharatiya Vidyarthi Parishad) activists protesting against A.K. Ramanujan's essay 'Three Hundred Ramayanas' Both the editors, ab initio, underline their claim that the innately oppressive "Brahmanical" India/Indian tradition "dates from the Vedic period." To them, the Hindu view of life, which is singularly reverential to others and is grounded in "oneness of all," is only "Brahmanical" – connoting a highly oppressive system. The "modern" Indian culture, which, according to them, is a euphemism for Hindu culture, tends to focus exclusively "Hindu texts and mythologies dating from the Vedic period" suppressing the " influences of Buddhism, Jainism, bhakti devotional traditions. . . . . Islam and Sufi traditions" (pp. xi, 1-9). The bias against holistic and integral aspect of Bharatiya Samskriti is obvious in the Introduction as well as the essays included in the book.

13. See Akshaya Mukul, Gita Press and the Making of Hindu India (NOIDA, HarperCollins, 2015). The book is yet another classic example of spreading lies about and hatred for what he constructs as "Hinduism" and "Hindu India" in his narrative in the name of scholarship, it represents the famous Gita Press Gorakhpur as a Hindutva-Workshop which has been instrumental in the making of a "Hindu/Hinduised India!" Like millions of Bharatiyas/Indians, I, too, have scores of cultural/scriptural texts and "Visheshankas (Special Editions)" on different aspects of Bharatiya Samskriti– Yoga, Samskriti, Women, Shakti, Katha, Bhakti, Upanishadas, Vedas/Vedanta, the Ramayana, the Mahabharata and a host of critical commentaries on Dharma published by Gita Press Gorakhpur, and I could not find even the faintest trace of communalism or jingoism or Hindu fundamentalism in them. Let Satya or Truth prevail! To cite only one example, in an anthology of the songs of the practitioners of Bhakti/ devotion published by Gita Press Gorakhpur- Bhajan-Samgraha (An Anthology of Devotional Hymns, Gorakhpur, Gita Press, 2006) containing the songs written by the devotees or bhaktas belonging to the medieval period. Out of the sixty-six bhaktas (66 devotees), thirty four (34 bhaktas) are Muslims, outnumbering their "Hindu" counterparts! If this is a sign of "making a Hindu India" as Akshaya Mukul proposes, Gita Press Gorakhpur should be appreciated rather than condemned by him for this project! Moreover, there was yet another important title related to Shri Hanuman Prasad Poddar and the Gita Press was published. The name of this book was Patron Mein Samay Samskriti (Ed by Achyutanand Mishra, New Delhi, Prabhat Prakashan, 2015) which, with tell-tale evidences, showed the great contributions to holistic and dharma-centric Bharatiya

Samskriti made by Shri Poddarji and Gita Press. According to Gresham's Law, the bad currency drives out the good one and so it happened to the book edited by Shri Achyutanandaji as it went almost unnoticed by the mainstream English press and media only because it was a Hindi book about the Hindu view of life, and was rooted in truth! One may also cite the case of Christophe Jeffrelot a well-known social-scientist who has consistently and unabashedly been anti-Hindu, anti-India in his writings. See his Hindu Nationalism: A Reader (Ed. Christophe Jeffrelot), New Delhi, Permanent Black, 2015.

14. Suzanna (this part of her name is often concealed by her!) Arundhati Roy's highly provocative anti-Hindu, anti-India views are routinely represented in her books such as The End of Imagination (Kottayam,D.C.Books,1998), The Greater Common Good (Bombay, India Book Distributor 1999), The Algebra of Infinite Justice, Flamingo, 2002), The Shape of the Beast: Conversations with Arundhati Roy (New Delhi, Penguin, 2008), Kashmir: The Case For Freedom (London, Verso, 2011), The Doctor and the Saint: Caste, Race and Annihilation of Caste: The Debate Between B.R. Ambedkar and M.K.Gandhi (Chicago, Haymarket Books, 2017). Her tirade against the unity and integrity of Bharat as a nation and her unnaturally high-octane diatribes against Hindus and Bharatiya Samskriti are legendary a stuff the nonsensical rhymes are made of!

15. See how Ananya Vajpeyi, in her 'Introduction' to Seminar (671 July 2015, pp. 14-18) singularly blames the Hindus (who, in her secular-left-liberal terminology, incarnate as 'Hindu Right' to fit into her scheme of things) whose political ascendency (1998-2004, and 2014 onwards), "seems to be in the process of finally burying the corpse of our collective history, and of all that we knew about the way we used to be . . . .for about three millennia before colonialism. The door is being shut on the past." Her litany of baseless accusations against Hindus and Hinduism (always condemned as Hindutva-vadi- Hindu Right) also prominently figures in her book *Righteous Republic: The Political Foundations of Modern India* (Cambridge, Harvard University Press, 2012, hereafter cited as RR). She squarely holds the rise of the "Hindu Right" or "the Hindutva takeover of Indian politics" in the 1990s responsible for developing authoritarian and exclusivist tendencies (RR 14). And she, driven by her inordinate hatred of Hindus/Hinduism, makes the Hindus villain by branding them as perpetrators of Hindutva, an ideology of majoritarian religious nationalism that distorts and instrumentalizes history in order to persecute minorities" (RR, p. 245).

16. *The Constitution of India (As on 25 March 2014)*, New Delhi, Government of India, Ministry of Law and Justice, 2014, "Part I," p.2. Hereafter cited as TCI with page numbers in parentheses.

17. Prabhat Prakashan: New Delhi, 2016 (All the quotations from Deen Dayal's works in this essay have been translated by me).
18. Penguin Books: London, 1993.
19. Kapil Kapoor, "Sanskrit Literary Theory: A Rejoinder to Eleven Objections" in National Seminar on Philosophy of Indian Poetics & Value-Oriented Education, NOIDA, International Forum For India's Heritage, 2003. pp. 37-72. Further cited as SLT with page numbers in parentheses.
20. Rajiv Malhotra, Weaving India's MAHAKATHA (Grand Narrative) for the 21st Century, Shimla, Indian Institute of Advanced Study, 2018. p.14.
21. Noida, HarperCollins Publishers India, 2016, p.210. Even his other books such as Indra's Net (Delhi; Harper Collins 2014) and Breaking India (Delhi; Harper Collins, 2011) offer a scathing yet critically cogent analysis of how systematically the anti-India, anti-Hindu, breaking-India forces have been, since India's independence, actively plotting to disintegrate and destroy the "dharma-centric" Indian civilization and also chart out a programme for liberating Indian academy from the stranglehold of Euro-Americo-centric cultural imperialism.
22. New Delhi, Sasta Sahitya Mandal, 2008.
23. *Vishnupurana,* Gorakhpur, Gita Press, 1989.
24. *The PurvaMimamsa Sutra of Jaimini* (Translated by Mahamahim Pandit Ganganath Jha), New Delhi, Cosmo Publications, 2008, Chapter 1.1, p.1.
25. *The Nyaya Sutra of Gotama* (Trans. By Nandalal Sinha and Satisa Chandra Vidyabhusana), Delhi, Motilal Banarasidass Publishers, 2016 (First published 1930). Chapter 1.1 p.1.
26. *Nyaya Evam Vaisheshika Darshana* (Ed. Acharya Shriram Sharma and Mata Bhagawati Sharma), Mathura, Yuga Nirmana Yojana, 2012. Chapter 1.1 and 2 , p.13-14.
27. New Delhi, India Heritage Research Foundation in association with Rupa & Co, 2010, liv-lv
28. S. Radhakrishnan, The Hindu View of Life, Noida, Harper Element, 2012 (First published 1927), pp. 53-4.
29. Deen Dayal Upadhyaya. Rashtra-Chintan (Meditations on Nation). Lucknow, Rashtradharma Pustak Prakashan, 1968, pp. 130-131) Hereafter cited as RC with page numbers in parentheses.
30. Navajivan: Ahmedabad, 2006.
31. See "Prithvi Sukta" Atharvaveda, Chapter 12. 1-63. The Prithvi or Bhoomi Sukta holds that the people living in the sacred land ("Punya Bhoomi") of Bharat exhibit such qualities as adherence to truth, deep understanding of the cosmic order, wisdom or profound skill in application of knowledge, valour, spirituality, and spirit of sacrifice. It displays an amazing reverence for all kinds of diversities – social, cultural, geographical, biological and ecological/environmental. pp. 1-10. The Earth Sukta (12.2, p.1) celebrates

how the people inhabiting this land, despite their differences of qualities, conduct and nature, live in a harmonious environment marked by symbiotic and integral co-existence. This "Punya Bhoomi" or sacred land is held firm by "dharma" ("dharmanadhritam"- Ch 12.17, p.4). It also repeatedly says that "let no one among us who hates the other and let there be no one in the world who should hate others (Ch.12. 18, 23, 24, 25 pp.4-5). This "Punya Bhoomi or sacred land" also gives shelter to people who are different from one another, who follow different ways of worship, speak different languages (Ch.12.45, p.8). Three signifiers- "Prithvi", "Bhoomi" and "Rashtra" are used to refer to the geo-cultural space called Bharat. This sukta celebrates diversities and integrates them in a kind of dharma-centric cultural unity. It is really amusing to hear that "sarv-dharma-sambhaav," which is a remarkable feature of our "dharmik/ethical worldview" is an equivalent of "secularism"! See Atharvaveda Samhita, Vol.2, (Edited by Acharya Shriram Sharma), Mathura, Yug Nirman Yojana, 2010.

32. Deen Dayal Upadhyaya, Rashtra-Chintan, Lucknow, Rashtradharma Pustak Prakashan, 1968; Subsequently cited as RC with page numbers in parentheses; all the quotations from this text have been translated by me)

33. Haughton Mifflin: Massachusetts, 1981.

34. *National Policy on Education 2016: Report of the Committee for Evolution of the New Educational Policy*, Ministry of Human Resource Development, Government of India; 30.04.2016 (pdf version of the Report of the TSR Subramanian Committee is available on <nuepa.org.new.NEP2016> (accessed on 9 September 2018 at 1205 AM). All references to National Policy on Education 2016 in the essay are from this pdf version cited above.

35. *Integral Humanism*, (comprises the four lectures delivered by Deen Dayal Upadhyaya in Mumbai from 22nd to 25th April 1965) Source: www.chitrakoot.org/download/Integral Humanism/Humanism/pdf accessed on 3 December 2014 at 12.30 pm. Further cited in the paper as IH (no page numbers given in the text).

36. *A Sanskrit-English Dictionary*, Sir MonierMonier Williams, Delhi, Motilal Banarasidass Publishers Private Limited, 2002. First published -1899. Further cited in the essay as ASED with page numbers in parentheses)

37. Edited by Shri Ram Sharma. Vol. 2. Yug Nirman Yojana: Mathura, 2010.

38. Wendy Doniger and Brian K Smith (Trans.) The Laws of Manu, New Delhi, Penguin, 1991. Further cited as M with page numbers in parentheses.

Artificial Intelligence - Boon or Foom for Humanity

Biswajit Mishra*

The term and theme of Artificial Intelligence or its abbreviation AI as commonly used has become one of the most talked and discussed topics in both social, electronic and traditional media and global discussion forums. And the discussions range from apocalyptic outcomes to more promising transformational shifts to a new era of abundance, wherein humanity leverages AI to overcome global problems of scarcity of natural resources, leading to a more benign future. A casual search for the word "AI" in internet search engine Google throws up close to 270 crores or 27 billion of search results. This article tries to provide a holistic picture of emergence of Artificial Intelligence and its larger impact on society, governance and even nation states away from the noise and buzz surrounding AI.

Tool Making Key Advantage of Human Beings on Earth

Human beings or Homo sapiens as a species are not the strongest, fastest and or the biggest of species dwelling on mother Earth. The human babies are most vulnerable amongst all living being new born and need extraordinary care and nuture to survive the tumultuous early years of life. Inspite of so many physical and environmental drawbacks, we as humans are on the top of the evolutionary pyramid of life on earth. And this is because human intelligence is different from animal intelligence. This difference is in our ability to augment our physical limitations by use of tools both in form of physical tools like bows -

---

* Biswajit Mishra, has worked extensively in the field of analytics, machine learning and Artificial Intelligence. Presently working as head of Cognitive Technologies for IPsoft. The largest privately held enterprise AI company.

arrows to complex symbols in form of language to help us collaborate share and create new ideas in form of art and literature. This natural instinct of tool making has helped us explore outer space using spaceships whereas chimpanzees with whom we share 99 per cent of the gene pool (based on the sequencing of the chimp genome in 2005) are jumping on the trees in forests or in zoos. From early days of our evolution, we augmented our hands by creating simple tools like stone with sharp edges as knife to extend our ability to kill powerful animals and spears and arrows to kill animals running faster than us. This pursuit of tool making has resulted in growth and development of new dimension of technology that heralded the invention of wheel, steam engines to modern jets and computers and also opened up the frontiers for Artificial Intelligence.

Computing and Birth Of AI

The desire to augment our physical limitation transcended into mental augmentation in form of primitive calculating devices like abacus that dates back to 2300 BC, used by Sumerians for calculating trade related addition and subtraction. Charles Babbage also known as father of the computer, conceptualized the first modern computer in early 19th century. For the first time in the history of human evolution, the computer could execute sequence of logical steps to get a new outcome and supplement the brain's logical capability. The computing power of computers exponentially increased from analog computers, consisting of mechanical parts like punch cards and loom to digital computers, having silicon based integrated circuits. Compared to the earlier innovation in steam engine and electricity, the new tool of computing had a new feature of "exponential" increase in computing power every two years and is commonly referred to Moore's law (Moore's Law is the observation made in 1965 by Gordon Moore, co-founder of Intel, that the number of transistors per square inch on integrated circuits had doubled every year since the integrated circuit was invented. As a result, the speed of computers doubled every two years. Moore predicted that this trend would continue for the foreseeable future). A good analogy to understand the exponential increase of Moore's law is the comparison between 1970's super computer and modern smart phone. Cray 1 the most powerful supercomputer of 1970s occupying the space and volume of a mini truck had less computing power of smart phones that we carry in our pocket. This exponential increase in computing power

Smart Phones in Pocket More Powerful then Mini truck size Supercomputers of 1970s

Cray 1 vs iPhone 5

160 MIPS (1976)
$8.8 million, 5.5 ton, 115 kw
1 app = Fortran compiler

18 200 MIPS (2013)
$1000, 112 grams, 50-600 mw
touchscreen and sensors
1,366,870+ apps

was accompanied by development of more complex step by step execution cycles in form of Programs that could perform complex mathematical calculations and could mimic the human intelligence, resulting in the development of field of Artificial Intelligence (AI). In simple term, AI is part of computer science that emphasizes the creation of intelligent machines/programs that work and react like humans.

Rise of AI

The field of Artificial has gone through cycles of boom and bust since the birth of modern computer science. In the past, the promise of developing a thinking machine faced the constraints of limited computer hardware capability and most of the research was centralized in government agencies and ivy league universities. This resulted in two periods of AI winters in 1970s and the last decade of 20th century as highlighted in the diagram Boom – Bust. However, the AI ecosystem got a major boost with the growth of internet and rapid decline of computer hardware cost of processors, memory and storage. This resulted in the democratization and spread of high power computers beyond research labs and government agencies in form of cloud computing. Any one with internet can now access massive computing infrastructure at minimal cost. Moreover, open source revolution resulted in increasing popularity of use of programming languages like Python and R that resulted in collaborative Artificial Intelligence algorithms. The abundance of digital data in form of internet, machine data coupled with decreasing computing costs propelled the growth of AI.
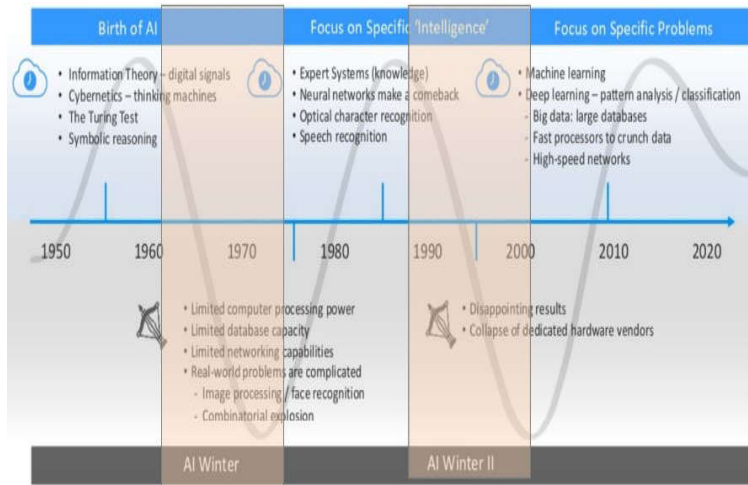
AI – General Purpose Technology – Fourth Industrial Revolution

Technology has been a key driver for human's evolutionary success on Earth. There are some technologies that are so transformational that result in dramatic shift across all the endeavours of human activities. As per economists Richard Lipsey and Kenneth Carlaw, a technology can be classified as true General Purpose Technology, if the following conditions are fulfilled (as per Wikipedia):

· It is a single, recognisable generic technology.
· Initially has much scope for improvement, but comes to be widely used across the economy.
· Has many different uses.
· Creates many spill over effects.

Like in the past, General Purpose Technologies (GPT) like printing, steam engine and electricity, Artificial Intelligence is going to result in creation of new ways of human activities and simultaneously obliterating existing societal, economic and human pursuits. It is now being considered as the fourth industrial revolution after steam engine, assembly line manufacturing and internet. displacing manual and repetitive activities in knowledge economy.

AI and Its Implications for Future of Work and the Middle Class

As Artificial Intelligence technologies become more mature and pervasive due to economics of scale, they are going to impact each and every aspect of human economic activity and in fact redefine the very nature of job. AI and its allied technologies like automation could impact almost 375 million workers globally by 2030 as per Mckinsey Global Institute analysis of jobs. This is going to impact not only blue-collar workers as well as majority of white-collar workers in office jobs including professional services like medicine and law. The rise of white-collar jobs has been the fuel that is driving the rise of middle class globally and in India too with higher say in political decision making as well as in shaping the economy of the country. Hence, AI can fundamentally alter the societal mix and surely impact the future livelihood of the aspiring middle class. A lot of Nordic countries have started experimenting with new form of income called Universal Basic Income for all citizens to mitigate large-scale job displacement due to automation and AI fuelled technologies. Hence, there is an urgent need to overhaul the complete human resource development strategy starting from schools and colleges to institutes of higher learning. The jobs of the future augmented by AI would entail more of critical thinking skills like problem solving and creativity enriched by high emotional quotient to work across diverse human networks. Yuval Noah Harari, author and Isreali Professor of History has already forewarned the creation of a large irrelevant human species called Homodeus and potential societal upheavals due to large-scale job displacement due to AI, as new jobs created by AI would need a shift to higher order of thinking skills.

Use of AI in Governance, Security and Policy Making

There is also a concerted effort by many governments to leverage policy making data in strategic decision making issues like foreign policy, national economic policy as well as in national security related issues. Unites States has already set up a nodal intelligence agency like NIA (National Investigation Agency) that uses AI methods using Deep learning Neural Net (DNN) to identify terror suspects from large-scale digital surveillance data and accordingly initiate proactive intervention. Some police departments like in the State of California have already started using advanced algorithms to predict crimes in vulnerable localities and are accordingly deploying police SWAT teams to minimize

the occurrence of crimes. AI has become a key policy initiative for all governments as they see data as the new currency to gain strategic differentiator. Policy making pilot projects are being operationalized in China and Russia to create foreign affair strategic simulation games using AI to predict the best outcome and accordingly define the policy roadmap.

AI and its Potential Catastrophe – AI Foom

No debate on AI can ever be complete without discussing upon the potential catastrophic implication on human race as symbolized in Terminator, the Hollywood movie that narrates the widespread destruction unleashed by self aware AI system called Skynet. Even in AI community there are deep delibrations and most popular of them being the Hanson-Yudkosky AI Foom Debate around algorithmic intelligence that becomes all powerful in short time. This scenario of super general intelligence algorithm being more powerful than human intelligence is referred to as the phenomenon of AI Foom. There are already rising signs of weaponization of AI in form of autonomous lethal drones that can autonomously fire lethal rockets and robotic infantry being remotely controlled thousands of miles away from main war theatre. However the more sinister use of AI is in development of spurious propaganda in the form of "Fake News" with real looking photographs and videos crafted with the use of easy to use AI technology now available to anyone with an internet connection (AI consumption has become easy with use of API known as Application Programming Interface. In this method, one can leverage powerful algorithms without any coding experience). These manipulated videos and images appear so real that it is near impossible to identify fake from real ones. The same AI technology that creates the cinematic visual wizardry in movies can unleash real life hell in form of hate crimes and mass lynching. Even the world's most advanced democracies like the recent US Presidential Elections have become victims of widespread impact of Fake News malaise.

Is AI Good or Bad!

Like any general purpose technology, AI can be used for boon in form of augmenting human intelligence like accelerating drug discovery for

finding cure for life threatening diseases, help doctors make better informed diagnosis and improving treatment outcomes or it can be leveraged for narrow minded pursuits of power over individual freedom like AI surveillance or foster hatred and large-scale social disruptions in the form of fake news creation and propagation. Hence, there is an urgent need for global regulation and safety protocol for AI related developments. A synergistic ecosystem of AI research labs – private data rich corporations like Google, Facebook and international organizations like United Nations and its affliates along with governments has to be fostered to create data governance and usage framework. The fuel for any AI development is Data and therefore the new revolutionary data compliance framework passed by the European Union, called General Data Protection and Regulation (GDPR) is a small step in the right direction. Hence, with right safeguards in place, surely Artificial Intelligence will leap frog human civilization into an era of exponential growth.

Swami Vivekananda on Education for Excellence

Jagmohan Singh Rajput*

Context

The current state of affairs in the education system is causing concern on several fronts. It comes out very clearly in most of the learned narrations on education. It is indeed intriguing, and even amazing, that the real concern is not new, it is practically same as was articulated by Swami Vivekananda over a hundred years ago:[1] "*The education which does not help the common mass of people to equip themselves for the struggle for life, which does not bring out strength and character, a spirit of philanthropy, and the courage of a lion – is it worth the name? Real education is that which enables one to stand on one's own legs.*" That the current education system is weak on this front is universally known. It needs new insights and ideas. Every effort that is undertaken in reforming education, be it education policy, programmes, implementation strategy or articulation of the outcomes, could derive immense benefit from the vision and philosophy of Swami Vivekananda on education. Gurudev Rabindranath Tagore once told Romain Rolland: "If you want to know India, study Vivekananda. In him everything is

* Prof.Jagmohan Singh Rajput is known for his contributions in reforms in school education and teacher education and institutional management. Appointed full Professor of Physics at the age of 31 years, in July 1974, he was the Principal of the Regional Institute of Education Bhopal; 1977-88, Joint Educational Adviser, Ministry of Human Resource Development, Government of India, 1989-94; Chairman, National Council for Teacher Education, NCTE, 1994-99 and the Director of the NCERT, 1999-2004.

positive and nothing negative." Even today, if someone wishes to understand the Indian tradition of knowledge quest, its systems of creating, generating, disseminating and utilizing knowledge, there would be no better resource and support than to read Vivekananda on what all he said about education, its goals, objectives, relationship to the growth of civilizations, human advancement and welfare of the people. It would also indicate how and why Indian civilization advanced far ahead of others in comprehending the basics of human existence on the planet Earth; queries on life and after life! Their contemplation was deep enough to let them internalize spirituality, human values and what could be the best and satisfying for any human being during his sojourn on earth. No one, other than Swami Vivekananda, has articulated with such a deep understanding the rise and downfall of India, the subjugation of its history, culture and heritage as a result of planned efforts to destabilize its time-tested traditional yet dynamic education system. Swami was active in a period characterised by rampant poverty, hunger, demoralization of a slave nation, and people resigned to their fate.

The British had successfully achieved an attitudinal transformation amongst the English-educated Indian elite, who were overwhelmed by the superiority of the West in every aspect, right from knowledge to culture to social systems! When Swami Vivekananda appeared on the scene, people were hesitant even to talk about independence. India needed someone to give a wakeup call, let people realize who they are, what they were missing, how they have been deprived not only of their material affluence but also of the sense of pride in their culture and heritage. Most importantly, how their minds have been made to drift away from their own people, people who were reduced to live in inhuman conditions, who had lost the will to resist injustice and humiliation. If resurgence was ever conceivable, it needed a messiah who knew India and Indians! And knowing India was no easy task in view of India's diversity of every conceivable variety in men and material, spiritual and religious pursuits and systems of governance and delivering justice. Swami had travelled across the nook and corner of India, and what he saw convinced him about the inherent unity of the Indian nation, and its people. He also realized how India could play

a leading role on the global stage in efforts to create a world of social cohesion and human dignity. One prominent instance of comprehending and then connecting India is that of Adi Sankaracharya. He realized the need to travel around, and in his short sojourn on the Earth, established shrines that strengthened the unity of minds of the people and also of the regions and places. One could also recall another example how Gopal Krishna Gokhale had advised Gandhi to 'know India' before beginning work in India after all the name and fame he had already earned in South Africa.   He dutifully travelled every nook and corner of India and could develop an understanding that could not be matched by any of his political associates in freedom struggle.

Swami Vivekananda was quick to realize the cause of the decline of a great people who claimed to be the "Children of Immortality; *Amritasya Putrah*!' They had already understood that "all this that is changeful in this ephemeral world must be enveloped by the lord!" The query; in spite of all this, and much more; why this national degradation; was answered by Swami Ji. Attitude to false superiority played the most prominent role in the downfall of the children of God! While on one hand India boasted of Taxila, attracting learners from sixty nations, its social structure gradually declined, even a journey on seas was declared sinful and invited heavy penalties. How could any system, social structure, or a civilization maintain its dynamism if it isolates itself from the world outside? In 1894 he says;[2] "*To my mind, the one great cause of the downfall and the degeneration coming was the building of a wall of custom – whose foundation was hatred of others – round the nation, and the real aim of which in ancient times was to prevent the Hindu from coming in contact with the surrounding Buddhist nations.*" In the same piece he offers the solution*: "Give and take is the law, and if India wants to raise herself once more, it is absolutely necessary that she brings out her treasures and throws them broadcast among the nations of the earth, and in return be ready to receive what others have to give us. Expansion is life, contraction is death."* Finally, in this very piece he exhorts*: "We must mix with all the races of the Earth."* The lamp that was lit by the Swami has spread its light across the nation, across the communities and the entire world now realizes India's global presence. But mere travel around and outside, opening up the sea shores and airports is only one initial step, it alone not being

sufficient to give the Indians their due on the global stage. If India is to stand up with its head high in the global community, it has to prepare its young generations that are self-assured, confident, proud of their heritage, history and motherland, and are keen to prove that they are not inferior to anyone; they have all the capabilities and potentialities to lead a global renaissance!

Revisit Education Philosophy

For a committed explorer, pursuit of knowledge is a pious job. Indian culture and tradition links it to the individual's urge to gain a better understanding of the forces of nature, and utilize that knowledge for the welfare of people, humanity and that too; without any distinction or selfish motive. He prays for one and all; men and women, of all religions and faiths, of all colours and creeds. No distinction; every soul being divine! The rishis and munis, saints and sages; they all created knowledge and disseminated it for the 'human welfare.' Things have changed in the modern world and India and Indians are no longer exceptions. Now, knowledge quest is often pursued with the sole commercial considerations getting a *Patent* earlier than others and takeover the market! Historical interventions impeded the Indian knowledge traditions and today we are just copying the trends of much –glamourised globalization, However, as we are passing through an era of weakening of sincere, committed and selfless pursuits of new knowledge, a course correction is urgently called for. Essentially, it amounts to broadening of the vision of knowledge quest that India must articulate in the current day idiom, accept and implement. How to proceed to comprehend this change was so lucidly elaborated by Swami Vivekananda:[3] "*Everyone born in this world has a bent, a direction towards which he must go, through which he must live, and what is true of the individual is equally true of the race. Each race, similarly, has a peculiar bent, each race has a peculiar raison d'etre, and each race has a peculiar mission to fill soul in the life of the world. Each race has to make its own result, to fulfil its own mission. Political greatness or military power is never the mission of our race; it never was and, mark my word, it never will be. But there has been the other mission given to us, which is to conserve, to preserve, to accumulate, as it were, into a dynamo, all the spiritual energy of the race, and that concentrated energy is to pour forth in a deluge on the world whenever circumstances are propitious.*" India needs to decipher whether, in its

eagerness to create its knowledge systems only on the lines of the west, and involve itself in competing with them, would it not be better to focus on the bent, and direction that history has allocated to India, that which has been the globally-acknowledged strength of India all along? This in a manner implies any dilution of initiatives in discovering, and utilizing new secular knowledge for the welfare of the people, globally.

In the current idiom, this is the era of knowledge power. It is also; very rightly; termed the 'age of accelerations' in view of the pace at which things are changing on all human fronts, and also what is happening to and in nature. This is also the age of universalization of "Lifelong Learning," the skills for which have to be acquired by one and all. The essence of the comprehensive process of teaching and learning that fulfils emerging education needs must be envisioned by educational planners and implementers. And that includes teachers, head teachers and those responsible for higher education and research. It includes policy makers as well. In a knowledge society, emphasis shall prominently shift to innovations and acquisition and up gradation of new skills. But most importantly, universalization of "Lifelong Learning" would succeed only if the aims, objectives, goals and learner attainments are clearly articulated, and internalized right from the initial stages of education. There could be no better elaboration of all of these than what Swami Vivekananda has given us through his vision of education that would suit India and its tradition of knowledge quest. His perceptions incorporate the ancient wisdom and his articulations present in a manner that reaffirms its contemporary relevance. All of his views are people-oriented, welfare driven and aimed at every human being realizing that he is a divine soul! In one sentence, he distils the very essence of education:[4] *"Education is manifestation of perfection already in man."* In simple terms, perfection already exists in the individual, it is to be triggered to manifest itself, the task of education and educator is to identify possible impediments, remove these, and let the manifestation take place in the natural way! The issue is; not many are convinced of the divinity of the Soul. According to Swami Ji:[5] '*The light divine within is obscured in most people. It is like a lamp in the cask of iron, no gleam of light can shine through. Gradually, by purity and unselfishness, we can make the obscuring medium less and less dense, until at last it becomes transparent as glass."* Even the uninitiated

would agree to aim at perfection, and march on the path towards excellence. Everyone could consider that within his reach. It determines the contours of what a teacher could really aim at, attempt and achieve.

To prepare an integrated person, education must aim at "life-building, man-making and character-making assimilation of ideas." Once this much is understood and internalized, education and self-learning could lead to the ultimate goal, not only of education but of life: complete freedom of the Soul! The high spiritual expectation is directly linked to the struggle of life of the downtrodden, deprived and destitute, and education must respond to ameliorate their lives:[6] "*Education which does not help the common mass of people to equip themselves for the struggle of life, which does not bring out strength of character, a spirit of philanthropy, and the courage of a lion – is it worth the name? Real education is that which enables one to stand on one's own legs."* Education has little meaning if it remains deficient in nourishing a healthy, dynamic and enthusiastic mindset of the individual to confront with confidence the challenges that are bound to occur in life, in varying measures and magnitudes. Growing up requires a critical understanding of the evils that have crept in the existing social order, their impeding impact on people and future of the society, and inspiration to combat these with the aim of ensuring a dignified life to everyone. An individual who is convinced of the Vedantic philosophy that '*Every Soul is Essentially Divine'* would never hesitate in his confidence to change himself whenever necessary. Further, such a person would have immense confidence to succeed in his efforts to bring about a positive change in the lives of those who need additional support to live a decent and dignified human life. The individual society relationship is the crux of both moving ahead in their eternal quest for higher and sublime goals of life. The entire process of education must be designed to develop an organic, effective and active relationship between the two. The society must endeavour to offer equality of opportunity of access and success to everyone. Education must nurture the values of social accountability amongst individuals, let them realize how essential is the contribution of the society in whatever they achieve in life, and important it is on their part to contribute to the society in its progressive initiatives, in accelerating the process of eradicating hunger, poverty and ill health, in bringing smile on the face of every child!

Teachers as Role Models

There is always a surprise element practically in every discourse that point out to the pace of change and the advent of instant connectivity. This change is visible in every sector of human endeavour and education is no exception. From the days of knowledge disseminating being free and considered the most pious of the tasks performed by the learned, education is now acknowledged as an industry that ensures unfettered and assured returns. Exceptions apart, it would be futile to expect new entrepreneurs to come in the sector motivated by the spirit in which illustrious persons like Madan Mohan Malviya, Mahatma Gandhi, Gurudev Tagore, Mahatma Phule, and so many others had initiated educational institutions. The existing scenario has also impacted the approach, attitude, and commitment of the teacher. It also is a fact that the need for an empathetic relationship based on mutual love, affection, care and concern, shall always remain a much-cherished expectation amongst parents and society. All those vociferously concerned about the erosion of humanistic, moral and ethical values in the society and systems, concede that the teacher remains the role model for every child who enters the school, is looked after affectionately. The smallest child observes everything about his teacher, and learns from it, develops his likings, and several of these last for life. Role models do change, but initial impressions are never fully erased. If the parents and Principal respect teachers, the child would internalize the import of respect and regard in life.

It's tough on the part of teachers who get poor quality education in teacher preparation institutions, inadequate salaries, deficient working conditions, rather regular non-teaching assignments in which they are often mistreated by even junior level Sarkari Babus, to present himself as a role model. To comprehend what a teacher contributes, let one pose a query: "Why were teachers so respected in Indian tradition? Why did kings and Emperors felt privileged in taking dust from their feet, the feet of the Guru?" One way of answering it is that a teacher is not a "mere individual, a mere self-centred paid employee or mercenary' but one who grows into an enlightened citizen, full person and a 'personality.' Such a teacher alone transforms a lay individual into a personality! Swami Rangnathanada:[7] "*As an individual, you are a genetically limited entity, confined to your own likes and dislikes, your*

own desires, your own ambitions. But as soon as you become a person, you expand, you are able to enter into the life of other people and also get response from the other people. That is the difference between individuality and personality. Personality is a richer word than individuality." In this approach, it is to be acknowledged that no child could grow to his full potential if the learning conditions are not suitable to 'him.' It is just like a seed planted that sprouts only if the soil and other conditions are suitable for it. Initial stages, sensitive care and supply of necessary inputs are to be taken care of to sustain the growth. Swami Vivekananda elaborates this in simple words that are full of critical dimensions of in-depth pedagogy and real comprehension of teacher-taught relationship: "*You cannot make a plant grow in soils unsuited to it. A child teaches himself. But you can help him to go forward in its own way. What you can do is not of the positive nature, but of the negative. You can take away the obstacles, but knowledge comes out of its own nature. Loosen the soil a little so that it can come out easily. Put a hedge around it; see that it is not killed by anything, and there are no work stops. The rest is the manifestation from within its own nature. So with the education of a child; a child educates itself.*" All that would be possible when the teacher draws out the best out of himself, has something to give, and is consistently himself growing up. There could be no compromise on this front. Swami Ji says;[8] "*The true teacher is one who can throw his whole force into the tendency of the taught. Without real sympathy, we can never teach well.*" For the taught to possess a 'character like a blazing fire,' the teacher should be a 'living example of the highest teaching.' This is not something unattainable. Those who have seriously studied the proceedings in Gurukula and universities like Taxila, Nalanda, Vikramshila, and others are convinced that the teachers there were only those who had attained the highest levels expected of a *Guru*! They knew they were involved in a pious divine task. And most importantly, they were conscious that learning takes place continuously round the clock during which their own persona is under constant watch, and in all probability, to be adopted by the learners under their charge. It should not be difficult to permeate such a spirit through teacher education courses and programmes even in the current times.

Power of Knowledge

Swami Vivekananda attached great importance to experience, and emphasised it by saying that 'experience is the only teacher;' and 'it is

practice first, and knowledge afterwards.' Only a courageous person of his stature could exhort young persons to play football instead of Reading Gita! He was the votary of every young person making his physique very strong; "walk in the mornings and evenings and do physical labour.' He had their future ahead in his mind. According to him "body and mind must run parallel.' It is indeed encouraging that Yoga now enjoys universal acceptance, not only in words but also in widespread practice across the oceans. Swami Vivekananda had persistently emphasised concentration of mind as the very essence of education. Yoga and meditation lead to mental concentration. Emphasising that the 'power of concentration is the key to the treasure house of knowledge', Swami says:[9] *"In the present state of our body we are so much distracted, and the mind is frittering away energies on a hundred sort of things. As soon as I calm my thoughts and concentrate my mind upon any one object of knowledge, thousands of undesired impulses rush into the brain; thousands of thoughts rush to the mind and disturb it. How to check it and bring the mind under control is the whole subject of study in Raja-Yoga."* He criticised the system of education that makes the mind with "crammed with facts before it knows how to think." This is the crux of the toughest challenge before the policy planners of today. Greatest of the gifts that a child is lucky to receive is that of 'power of ideas' and 'power of imagination!' Think of these two and harmonise with the instinctive curiosity and creativity and the entire content and process of education would reveal itself before you! Sadly enough, the present system totally negates this basic premise to let the children learn how to mediate, and how to concentrate. Children are deprived of total personality development, furthering their own interest and inclination, and in addition, face multifarious pressures in the name of competition and social hierarchies associated with examination performance.

Our institutions have somehow interest in several aspects that are essential for a fulsome growth and development of individual personality. So much of human energy and ingenuity is wasted because of inadequate focus on physical well-being, yoga, meditation and the power of concentration. He States:[10] *"Concentration is the essence of all knowledge; nothing can be done without it. Ninety per cent of thought force is wasted by the ordinary human being, and therefore he is*

constantly committing blunders; the trained man or mind never makes a mistake." As 'mind is but the subtle part of body,' he plead   to 'build the body with good and nutritious food,' play and walk. It is necessary as[11] *"All knowledge depends upon calmness of mind."* And this calmness when achieved leads to a balanced, empathetic and harmonious individual. Only such a society could be cohesive, balanced, caring and striving together to move ahead which has such individuals in increasing numbers. That is what education must accomplish at every stage.

Notes

1. CW. 7.147-148.
2. Complete Works, Vol. III. Eighth edition, p.148.
3. CW, III.108-10.
4. Complete Works of swami Vivekananda, Advaita Ashrama, Kolkata, 4.179 [CW].
5. CW. 7.147-148.
6. CW. &.147-48.
7. Swami Rangnathanada, Role and Responsibility of Teachers in Building up modern India, Bharati Vidya Bhavan, Kulapati K.M. Munshi Marg, Mumbai-400007, 2014.
8. CW. 7.99.
9. CW. 2.391.
10. CW. 6.123-4.
11. CW. &.72.

Dharma and Polity: *Vedic* Perspective

Brijendra Pandey*

One of the central concerns of the traditional Indian world view is the totality of man's existence for which a proper balance between different faculties of man — appetites, intelligence and spiritual life — is necessary. In addition, the traditional Indian world view does not see the achievement of this balance by treating each of these faculties as equal. It views their relationship to be best organised in a hierarchical manner with the soul located at the apex of the hierarchy and guiding, regulating and controlling both intelligence and appetites. It is only on this basis that man can qualify himself for attaining *sarvata* (wholeness). This, however, requires certain other conditions to be fulfilled. Traditional Indian idea of universalism recognizes that man is neither self-complete nor a self-defining subject as he is treated in modern times. Man, in the traditional perspective, is a member of a larger cosmic order. This larger order, represented in the *Vedic* cosmogony as seven *lokas* (realms or spheres), symbolizes the *vivarta* (transformation) of the Unknown and each of these *lokas* signifies a particular ensemble of possibilities appearing in the process of creation which finally end up *jiva* (embodied beings). Man is an integral part of this larger order 'which exceeds him in quality as well as quantity. The spheres which encompass the earth ... represent levels of conscious energy and purpose which "surround" the earth much as the physiological function of an organ ....'[1]

> The transformation of the One (*Brahman)* into the Many (*vishwa)* through the ever-pervasive and ever-occurring process of *yajna*is what is recounted in the *Vedic Bhāvavritta*. The *Vedic* likely story

* Brijendra Pandey, Associate Professor, Political Science, VHPG College, University of Lucknow; Secretary, Coomaraswamy Foundation, Lucknow, e-mail: brijendra_pandeyji@yahoo.co.in, Mobile: 09451155116.

recounts the process through which, to use a metaphor, *Vāman* becomes *Virāt* through *vivarta*; this is again indicative of the fact that the universe is contained in him. It is the manifestation of this inherent tendency in One that constitutes the process of *yajna* as a creative force. Thus, the *vishwa*, as we learn from the *Vedic Bhāvavritta*, is the outcome of the *sarvahuta yajna*, as reflected in the *Purusha Sukta*, in which the *Purusha* offers himself as the sacrificial food (*medhya*); and it is from this primal sacrifice that the constitutive principle of the cosmos are engendered. It is these constitutive principles that are subsumed, in the *Vedic* perspective, under the rubric of *Rita.*

Cosmos is not a thing among others; rather it is embracing whole and background of reality against which all existent things exist, including the quaternarian structure of reality in the mode of existence, articulated as *amartyas, martyas, Prithivi,* and *Dyau*. Cosmos, as Jonas points out, 'is considered to be the perfect exemplar of order, and at the same time, the cause of all order in particulars, which only in degrees can approximate the whole.'[2]

It is true that particular components of the cosmos can approximate the whole, only in degrees. However, it is also true that the totality has no being except through the expression of these particulars and the individual particulars have no 'being' except by means of their mutual relation, both with the totality and with other particulars that constitute the whole.[3] It is this fitting together of different parts of the cosmos with each other as well as with the whole of the cosmos with its creator that is the basis of the traditional idea of universalism.

This harmony is symptomatic of the manifestation of the One through manifold *rupas* that make the *idamsarvam*. In this harmony the dignity of man's mind and will was felt to consist not specifically in their differences from one another but in the variety of their characteristic individuality, thrown into relief, precisely, by their mutual relation and their unity as component differentiated parts of one whole.[4]

The *Vedic srishtividyā* treats the cosmos only as *praket*, that is, visible signs of the *apraket*, the invisible presence behind the visible presence. There is an emphasis on and willing acceptance of the transcendental trans-individual entity, which ever-exists behind the ever-changing, impermanent world of phenomena, the *idamsarvam*. The second dimension of the *srishtividyā* is the story of creation, of the process through which the One becomes Many and in so becoming, he fashions the cosmos as the perfect exemplar of order. The third

dimension concerns the question of man's role in maintaining the cosmic order by modelling his life pattern in conformity with the paradigmatic principles of the cosmic order. This dimension posits the idea that of this living well ordered cosmos man is an integral part and is related to God by virtue of his being the abode of the *Purusha*, the divine entity. Thus, the *Veda* treats man as a part of the divine. As a part of the divine, man has to actively relate himself to the divine in him. To relate to the divine is to apprehend the order underlying the cosmos. The universe as cosmos must be distinguished from the lifeless world that is nothing more than a concourse of cause and effect, as modern physics understands it, while the cosmos is fully ordered and well-regulated.

It is the understanding of the universe as cosmos that alone can restore the original unity between man and God. It is this understanding, again, that reminds man that he is not self-complete, nor he is autonomous, free of all restraints — moral or social; he is a part of a larger order and has, therefore, to conform to its constitutive principles. The original unity can be restored, if lost, or activated, if dormant or passive, only when, as Cicero puts it, man 'contemplates the cosmos and imitates it.'[5] To understand the cosmos by contemplation in a proper spirit prompts man to realize order in his own life and, through it, sustain the cosmic order.

Thus, the message the cosmos has for man is quite clear, even though it is seldom heeded in our times:[6] Man as a part of the cosmos must conform to the pattern it displays. Man must shape his existence in accordance with the principles that undergird order and regularity in the cosmos. As such, order in the cosmos constitutes the paradigm of thought-ways and work-ways of man and establishes the 'necessary connection between the apotheosis of the universe and the ideal of human perfection.'[7]

Contemplation of the cosmos presages the establishment of a proper relationship with the external world, when man conforms to the constitutive principles of the cosmos. In Jonas' words:

> It is based in the interpretation of his existence in terms of larger whole, whose very perfection consists in the integration of all its parts. In this man's cosmic piety submits his being to the requirements of what is better than himself and the source of all that is good.[8]

To submit to the requirements of the whole does not by any means signify the straight jacketing man's freedom. As *Chhāndogya Upanishad* underlines, man becomes *swarat* (self-sovereign) only when he submits

to the in-dwelling *Purusha*. This natural relationship can become salubrious and benign only when man realizes that he is not just a part like other parts making up the universe, but through the possession of a mind, a part that enjoys *identity* with the ruling of the whole. Thus, the other aspect of man's proper relationship with the universe is that of uplifting his own existence, confined as it is as a mere part, to the essence of the whole of reproducing the latter in his own being through understanding and action.

Thus, the real significance of the cosmos, the universe reflecting order and regularity, is not only that it is a structure incorporating different parts of the cosmos, the cosmos itself and its creator. It also signifies certain intelligible principles, which, when realized in the life of the individual, becomes the instrument of not only the installation of order in man's interior, but also of safeguarding and preserving harmony in the lived world. It is in this sense that the *Vedic srishtividyā* details the way cosmos has come into being and the principles of order that underlie it become relevant. Thus, *srishtividyā* helps us to understand the world we are part of, how it has come into being, and how we must shape our life, as well as our environing socio-cultural system so that we can contribute to the preservation and sustenance of the cosmic order we are part of.

Thus, *srishtividyā*, as a likely story of the transformation of the One into Many, offers not only the map, as it were, of the cosmos, it also constitutes the source for deriving the principles of harmony and regularity in the cosmos. The cosmic order, then, provides a paradigm which can be used for ordering the interior world of the individual, as well as the environing world, both social (political) and natural. It is also the *srishtividyā* that constitutes the fountainhead of culture in the sense of *samyakakriti*. Culture in this sense signifies that it educates men in the ideal vision of the pattern of life, a vision that is salubrious not only for the individual but also for both society (polity) and nature.[9]

All these pervading, encompassing energies, purposes, functions, entities form a compact, cohesive and organic system in the *Vedic* perspective. As an organic system of purposeful energies, the cosmos symbolizes a metabolism of which interdependence and exchange of mutually supportive and sustaining gifts and benefits constitute important characteristics. As an integral part of this organic cosmos, it is incumbent on man to preserve the cosmic structure and protect it from possible harms. This he can best do by completely identifying himself with the cosmos and organizing his life activities in accord with the values and

norms underlying the cosmos. In order to be able to do so, man must know what kind of structure the cosmos represents and how this structure can be well preserved.[10]

Thus, the *Veda* recognizes that there are two orders of man's existence, i.e., his mundane life and his life of spirit. Needless to say, that every society is, as Voegelin points out, 'organized for survival in the world and, at the same time, for partnership in the order of being that has its origin in world-transcendent divine Being; it has to cope with the problem of its pragmatic existence and, at the same time, it is concerned with the truth of its order.'[11]

Given this, it becomes necessary to work out a scheme which interlinks these two orders of human existence and yields insights and principles that help in making such a linkage between what *Chhāndogya Upanishad* (I.8.9) calls *asyaloka* (this world) and *asauloka* (heavenly world) benign and beneficial for both. And, as the *Veda* insists, this can be ensured only when man attains *sarvata* and relates himself meaningfully, with the cosmos, its structure and its underlying principles. This means the wholeness of man must incorporate the three dimensions — *ādhidaivika* (the domain of gods), *ādhyātmika* (the domain of the psyche), and *ādhibhautika* (the domain of nature), of man's existence and integrate them in a benign, well-integrated system of true universality. It should by now be clear that the *Veda* pertains to both the spiritual and pragmatic aspects of man's existence. To see in the *Veda* simply the articulation of inner experience of the Beyond is to miss its wider ramifications.

It is in this context of traditional idea of universalism that the role of political world needs to be examined. The main question which must provide the frame of reference for this examination is, whether the political world is ultimately nothing more than an imaginative construct that has no ontological foundation? If the creation of the public order out of private passions is the only way of establishing political community, then, it is nothing more than imaginative construct which must undergo changes, even radical changes, and is swayed by changing fashions of preferences and opinions. But, then, the problems created by the externalization of men defy solution. If these problems are to be solved, it, then, becomes necessary to comprehend the political sphere as a part of the larger realities that become translucent when the realization dawns that 'God and man, world and society constitute a primordial community of beings.'[12] This realization engenders the confidence that man can escape the harsh consequences of his finitude

by consciously acknowledging and acting upon the primordial fact of his membership in a larger order.

It must, however, be noted that this primordial community is simply a possibility; the partnership in the cosmic community has not yet become a real partnership. In order to make this partnership real, what is necessary is to create an institutional arrangement that can effectively link the finite with the absolute as the ground of the primordial community. And since the political sphere constitutes the prominent, effective and indubitably the most visible institutional arrangement in this regard, it must be the means of linking of the finite with the absolute.

Thus, the problem pertaining to the political sphere is the conflict between the finiteness and absoluteness, the givens of nature and society and transcendental values associated with the realm of the absolute. In seeking the solution to this conflict, the political has to be grounded in ontology. Once the political comes to be grounded in ontology, the political order that comes into being functions as what Voegelin calls "a shelter" with the help of which man attempts to give to his life a semblance of meaning.[13] Such a political order is capable of reaching the emotional and spiritual centre of man's existence and makes it possible for individuals to outlive their fragmentary personal lives by a projection into the life of a larger community. As such, the political order provides a structure of meaning into which the single human being can fit the results of the biologically and spiritually (productive, procreative) energies of his personal life, thereby (relieving) his life from the (disordering) aspects of existence that always spring up when the possibility of life ending in annihilation is envisaged.[14]

The shelter function of political order is to impregnate man's world with meaning, so that man transcends his own finitude, on the one hand, and acquires, by being attuned to higher realities, sufficient strength and courage to resist and overcome temptations that threaten to disturb order in his interior and make him a *kāmāchara* (a person who follows the dictates of his desires). It does not mean that desires have to be completely annihilated. What is meant is that the desires must be ruled by a superior faculty in man's being, so that the depredations of desires are checked from dragging the soul into the mire of corruption. This superior faculty is none else than the soul which happens to be the sensorium of divine. In order to be able to perform its role of a superior faculty fairly and effectively, the soul must submit to the suzerainty of the *Purusha* (literally, the citizen dwelling in the *pura,* that is, man) for man to

become what *Chhāndogya Upanishad* (VII.25.1) calls *swarat* (self-sovereign). It is only on this basis that man can be at peace with himself and his external world. It is also only on this basis that the man's interior can be well-ordered and provide a firm ground for installing a benign order in the external world.[15]

The real function of the public order is not merely to enforce certain rules and regulations. The real function is to use these rules and regulations to instil in the minds of individuals the awareness of the wholeness of their collective life and to animate them with the consciousness that, as an integral part of the collectivity, it is incumbent on them to preserve and sustain its wholeness. This can be done only when they are able to see the essential relatedness between the good of one and the good of all. To order human energy in such a way that its diverse uses by a multitude of individuals do not produce tension and distortion in collective life and relations is to employ a trans-individual principle for ordering and organizing collective existence. The main objective of this principle is to link different components of the community of the people with each other in a principled relationship. The need for order arises precisely because the community of the people is characterized by diversity. However, the creation of order is meant not to eliminate or suppress diversity; recognition to diversity must be given. It is sought to organize different components in such a way that energy of different components finds its own direction and fulfilment without, however, creating roadblock for others. When this principle is applied to and employed in managing political affairs of a particular community to give a definite shape by actions taken by individuals and groups for realizing their purposes, political order emerges.[16]

Thus, the *Vedic* perspective considers man to be an integral part of a larger order presided over by the Absolute. It also posits the idea that beings in this world are like so many sparks of the Absolute. By virtue of this, they are a part of the divine and are endowed with the capacity to recover their divinity if they have lost it or have become unconscious of it. If the divine part in them were ascendant and dominant, they would not require ruled by any agency external to them, nor well they need to be controlled or punished by *danda*. But, since, the divine part is not active in all or, if active, not in the same measure, both a ruler and the arrangement of *danda* are required to protect and preserve the rule of *dharma*. But for any system of governance to be an effective instrument of protecting and preserving the rule of *dharma*, the ruler must himself have no personal stake in the act of governance. This

means that he himself first, be fully governed in his thinking and acting by *dharma* and should not use his power or authority to promote his own self-interest as something apart from the good of all.

The requirement that the ruler must accept the sovereignty of *dharma* means that the act of rulership is essentially a conjunction of what, in the *Vedic* perspective, is recognized as *Brahma* (*sacerdotium*) and *Kshatra* (*regnum*). It is true that *kshatra* derives its authority to rule from its submission and conformity to *dharma.* However, *regnum* is also the surrogate of power and is susceptible to power drive. It is therefore, necessary to curb the power drive of the ruler by making the act of ruling as a conjoint of two different but complementary principles, characterized in the *Vedic* perspective as *Mitra-Varuna, Kratu-Daksha*, etc. In this conjoint, it is the *Brahma* part that is the dominant partner, whose counsel and advice, the ruler must heed. As a dominant partner, *Brahma* counsels the ruler about the right course of action and therefore, is a necessary counterpart to the waywardness of power. It is also ruling element since, endowed as it is with a deep-knowing intelligence, it has the necessary knowledge of what is right thing to do in a particular context of action. It is in this context that the fact that rulership is a partnership between wisdom and power.

In addition, what the *Vedic* perspective underlines is that the ruler is not the source or maker of law; he is only the enforcer of law as interpreted by those who know *dhārmic* tradition and reflected in *vyavahār* that is, tradition, custom, conventions etc. In this sense, what is important in this regard is that law is not made; it is already given through various authoritative interpretations of *dharma* which is supposed to be an impersonal or transpersonal (*apaurusheya*) source of origin. *Dharma* is thus something that is formulated in principles of right conduct on the basis of the primordial insight into the structure of cosmic order. Thus, law in this context does not mean something that is the product of human will; it is eternal and abstract and assumes a concrete shape through interpretation and embodiment in personal and social practices. And since the ruler has to submit himself to the overlordship of *dharma*, his main functions are limited to security of people and of the territory, ensuring the well-being of the people, preventing the basic characteristics of the social system from being distorted and the resolution of conflicts according to the *dhārmic* principles. That is why the *Vedic* perspective makes it utterly clear that the real overlord of the ruler is not his whim, nor his caprice, nor even his discretion, but *dharma* which is *Kshatrasyakshatrama*.

What also needs to be emphasized in this regard is that the *Vedic* perspective does not assign centrality to the political order either for integrating the diverse components of society into a unified whole or for making the people just or, at least, to keep them on the path of justice. In the *Vedic* perspective, it is rather the social system that has to bear the major responsibility of making men truly men. The fact that the social order projected by the *Vedic* perspective is in the real sense of the term, cosmion, that it is a replica of the cosmic order which, through its foundational ideas, institutional arrangements, practices and processes enables its members to transform and shape their lives in the light of the experience or, at least, conscious awareness of the divine ground of being. It is by virtue of this that men become virtuous and lead a life of righteousness. It is only the righteous men who can understand what justice is and why it is necessary to act righteously and sustain the *dhārmic* order.[17]

It is against this philosophical and theoretical background that the relevance of the *Vedic* vision of universal principles for political order must be examined and determined. It does not need to be pointed out that the *Veda* is the celebration of the soul's attunement to the divine ground of being. As such, the *Vedic* vision has a great deal to do with the question of what kind of political order is most suitable for human well-being. In view of this, any fruitful discussion of political order must articulate and clarify the relationship between the apolitical and the political. And since the structure of the apolitical is derived from the perception of what the cosmos is like, it is essential not only to explicate the constitution of the cosmos as a whole but also to adumbrate and elucidate the way this constitution impinges on the human world and provides, even prescribes, the way human nature should be cultivated and the kind of institutions, both social and political, must be devised to safeguard, protect and defend the values that are seen to be quite indispensable for good life.

In exploring these questions, it is essential to understand the *Vedic* word view and its metaphysical and philosophical ground as reflected in the *Vedic* cosmogony or *Bhāvavritta*. This will allow us to explicate the constitution of the cosmos as a whole. It will, then, be necessary to work out the implications of *Vedic* cosmogony for human nature, on the one hand, and social institutional arrangement, in general, and political order, in particular, on the other. What is of special interest here is the relationship between *sacerdotium* and *regnum* or between *Brahma* and *Kshatra*. The discussion of this relationship will provide

the framework within which the respective merit and relative importance of society and politics, on the one hand, and *dharma* and law, on the other, can be judged.[18]

<p style="text-align:center">xxxxx</p>

Thus, as we have seen, the entire Indian polity is merely an application to politics the perennial principles of the cosmic order. The Indian political theory has a sound metaphysical basis. Indian political thinkers speak of the Divine origin of king and not of the Divine rights of king as the modern Western exponents of Divine-origin-theory claim. In continuity with *Veda*, this principle also finds its dearest expositions in *Niti-granthas* like *Shukraniti* and *Nitisāra*, and epics and *Purānas* like *Rāmāyana, Mahābhārata* and *Bhāgavatam*. In these, virtues and qualities of the king have been enumerated in the most elaborate manner and there it is said that the king is composed of Divine particles. The idea behind calling the king — 'God-incarnate' is not simply to portray a vast range of his powers but, it is also to portray the tremendous nature of the responsibilities and extraordinary requirements of abilities. Kautilya has made king synonymous with state only in the sense that the nature and character of Royal power (dependent upon Spiritual Authority) determines, ultimately, the nature and character of the state. In this connection, it is pertinent to point out that Saint Thomas Aquinas has compared the priest to the navigator and the king to the carpenter. This simile has profound significance. It is impossible for a king to be 'active' if he is not conversant with the principles of Order, the Cosmic Law (because 'action' without 'contemplation' is empty agitation). A king can properly order a state only so long as he has a fair knowledge of the true ordering principle. The Christian Saint philosopher Ambrose and Augustine have written in their texts that a polis can be governed only by one who knows the laws of the cosmopolis. The same holds true regarding the Indian tradition of politics.

As explored earlier, Indian political tradition has its paradigm in the relationship of *Indra* and *Brihaspati*; *Indra* signifying the active principle, while *Brihaspati* symbolising the contemplative principle. It has been repeatedly emphasized that the king is to the priest, as wife is to husband. In other words, the king is representative of the subordinate principle, while the priest is the representative of the Ultimate Principle. This is why, it has been said that the original glory belongs to the priest and the radiance of the king is the borrowed glory. This *Indra-Brihaspati*

relationship is the archetypal relationship and any understanding of politics is possible, what Michael Oakeshott has said: 'only in the context of eternity.'

And, that is also why that all the great sages and authors of political treatises always speak of '*Arthashā*stra' only in the context of '*Dharma Shāstra*.' This also explains why *Arthashāstra*has been regarded as a '*Up-veda.*'

Thus, it should be very clear that the archetypal relationship of the *Indra* and *Brihaspati* is the bed-rock of Indian political thinking. Following the same equation, the king represents the element of '*Rajas*'(activity), while the priest or the *Brāhman* represents the element of '*Sat*' (Light or Truth); and it is *Sat* which determines *Rajas* or activity because *Rajas* divorced from *Sat* is meaningless agitation, a circular movement or a brute activity. The ideal behind subordinating *Kshatriya* to *Brāhman* is to keep the active principle forward looking, pure and conducive to goodness. Here, the importance of *Rajas* is very significant in the way that it is *Rajas* only which can win over '*Tamas*'(darkness) in the guidance of *Sat*. *Sat* alone cannot overcome *Tamas*. It is in this light that the central role of Indian *Rāj-dharma* should be appreciated.

This principle has already been made explicit by Ananda Coomaraswamy through the elaboration of the concept of the 'temporal power and spiritual authority.' Like modern political theory, 'power' and 'authority' are not synonymous terms in Indian political thinking, nor are they ordinary terms where authority is sought in public opinion and power is sought in manipulation of institutions by the individuals. For Indian political thinkers, authority is a transcendental principle. It cannot be and must not be horizontalized. It resides in the Author of the universe of which the Sages and Seers are worldly representatives. The Sages represent authority because they have revealed the Cosmic Law (like Plato's philosopher-king who sees behind the '*phenomenon,*' the presence of '*Naumenon*'). Because of this, Cicero says: 'Ancients know the Truth,' and because of this, Kautilya recommends '*Vriddhopasevinam.*' In the same sense, Plato's 'Statesman' is one who looks 'beyond the political,' or what Eric Voegelin says, who is 'meta-political.' Statesman is involved 'in politics' because that is his vocation but he is not 'of politics.' Since, he belongs to things above and beyond, political order is an aspect of the Cosmic Order, and likewise, its principles and paradigms cannot be of human creation or manipulation.

The Eastern doctrines were unanimous (as also were the ancient doctrines of the West) in asserting that contemplation is superior to

action as the unchanging is to change. It is in virtue of the relation so established that *Brāhman* is said to be the type of the stable being and *Kshatriya* of the mobile or changeable being; so also, all the beings of this world are connected more particularly with the one or the other according to their nature, for there is a perfect correspondence between the Cosmic and the human orders.

Thus, we see that the nature of traditional Indian polity is essentially based on sound universal and spiritual principles. All the treatises on politics begin with the statement that 'the art and science of government are merely a pathway to liberation of man.' Politics, thus, enjoys an instrumental value, but it is a sacred instrument and not a utilitarian instrument which modern pragmatism or the instrumentalist philosophy regards it to be. Indian political thinking does not posit state or politics in Hegelian terms. State is the actualization of the Supreme Substance only in so far as it leads to the Supreme Substance.

This tradition of political thought in India continued right upto the eighteenth century, and thinkers and scholars kept it alive either by way of writing independent treatise or by writing commentaries on the old classics. Among these outstanding political thinkers and commentators, the names of Gopal (*Rājaniti-kāmadhenu*), Laxmidhar Bhatta (*Rājadharmakānda*), Devan Bhatta (*Rājanitikānda*), Chandeshwar (*Rājaniti-ratnākar*), Mitra Mishra (R*ājaniti-prakāsh*), Neelakantha (*Nitimayukha*), and Anantadeo (*Rājadharma-kaustubha*) are worthy of mention.

But 'modern' political thought in India represents both continuity and discontinuity. The political thought of the nineteenth century is representative more of discontinuity as we find a long and living tradition suddenly growing thin, and new and alien winds blowing the Indian firmament. Professor A. Appadorai is quite perceptive when he says that 'the political thought in India during the last one hundred years is a blend of Indian tradition, Indian experience under the British rule and Western (i.e. French, American and British) political experience and thought.'[19] With the advent of the British Empire, their liberal ideology made an entry into the minds and manners of Indian intelligentsia. The English classical liberalism sets the agenda for the mainstream political thought in India. The liberal emphasis upon rights and freedom in all spheres: religious, social, political and economic became the motto of the colonial masters and their Indian collaborators. They wanted to cast India in a liberal mould and this necessarily had a degenerating impact on its political consciousness. In the name of social, political and

religious reforms, many fundamental principles of Indian culture were subjected to questioning and revision.

Indian liberals like Rammohun Roy, M.G. Ranade, R.C. Dutta and Gopal Krishna Gokhale — all proceed along rationalistic and secular lines. Through them and others, liberalism in all its splendour and forms — religious, social, political and economic — came to dominate the scene. One striking characteristic of their political thinking is this that, with few exceptions, it is concerned solely with the question of proper relationship between an imperial power and a colonized country. It seems so natural because a slave nation has only the problem of freedom as its paramount problem; all other questions and issues will necessarily take a back seat. The liberal political thinkers of modern India have been basically concerned with such questions, as the nature of an imperial power, the rights of a subject nation, the proper limits of an imperial government, the issue of social reforms, etc.. This fact has restricted the scope of modern Indian political thought. We find that basic problems of political theory, for example — nature and end of the state, problems of liberty and authority, principles of justice and political obligation, etc. do not figure in the writings and speeches of modern Indian political thinkers.

If the nineteenth century was the century of overwhelming for India by the English liberal ideals, the twentieth century found Indian thinkers negotiating strong winds of socialism. Thinkers like Narendra Deva, Ram Manohar Lohia, Jayaprakash Narayan (J. P.) were busy fashioning an Indian brand of socialism. Besides, thinkers like Jyotiba Phule, B.R. Ambedkar, Ramaswamy Naicker raised issues regarding the Indian social system and vehemently attacked the *Varna* system.

But, as mentioned earlier, it is a bit perplexing that modern Indian political thought is as much a representative of continuity with the past as with the break with the past. However, there is reassertion of the ancient ideals as well. It is also important to note that there were many thinkers who have gone beyond the contemporary concern and pondered over the fundamental issues of political thought. The thought and spirit, turn and tinge of Bankim's novels and poems are characteristically national/ Indian; through his dramas and songs, he struck a fatal blow to emergent social and political ideas. Through various images and characters, Bankim pointed out that Indian nationalism was rooted in spiritual and moral tradition of the land and a political regime which is opposed to it, cannot be the natural form of government and therefore, it has to be destroyed at any cost. In the beginning of the twentieth century, the

Theosophical Society, particularly Annie Besant, came forth to highlight the glorious history of India and the futile attempts made by the British masters to rule over a great culture that was India. Almost contemporaneous with Bankim and Annie Besant, Bal Gangadhar Tilak also talked in these terms in Maharashtra and played a vital role in strengthening the historical and cultural roots of Indian nation by celebrating *Ganapati Mahotsava* and *Shivaji Mahotsava* at public level. Moreover, he laid great emphasis on the abiding significance of national education. Tilak's political philosophy was a reassertion of the cultural foundations of Indian nationhood. *Swarāj* was to him, not a mere political freedom but a restoration of the spiritual and moral essence of India. Then, on the one hand, Rabindranath Tagore and Sri Aurobindo gave superb exposition of Indian vision of politics, while, on the other, Vivekananda was a leading example and most powerful exponent of 'preservation by reconstruction.' And, Mahatma Gandhi, in his short but illuminating work *Hind Swarāj* makes a fervent appeal to his countrymen not to be carried away by the ideas and institutions of modern Western civilisation which is but 'a nine-day wonder.'

Thus, political thought in modern India exhibits an amazing range of ideas and ideologies, sometimes old pushing back new, and other times, new overshadowing the old. The traditional ideals and modern ideologies are in continuous interaction. Therefore, the nature and structure of modern Indian political thought presents a problem and predicament to any serious student of it.[20] But, we can come out with a fair amount of understanding of its nature and structure if we hold in mind this fact that political thought in modern India is not a single steady stream flowing in a regular course, but a large river with a lot of currents and cross-currents; somewhere fathomable, but many times too deep and uncertain. It is a queer blend of many and diverse current originating from both, within India and outside India.

References and Notes

1. J. Needleman: *A Sense of the Cosmos: The Encounter of Modern Science and Ancient Truth*, Doubleday & Co., New York, 1975, p. 17.
2. Hans Jonas: *The Gnostic Religion*: *The Message of the Alien God and the Beginning of Christianity*, Beacon Press, Boston, 1963, p. 242.
3. Collum: *Manifest Unity: The Ancient World's Perception of the Divine Pattern of Harmony*, Rupa & Co., Calcutta, 1995, pp. 59-60.
4. *Ibid.*: p. 60.
5. Cicero: *De Natura Deorun,* II.II.II.

6. With this shift, man's umbilical cord connecting him to the divine and the cosmos the God created is cut; as a result, man is cast on the surface of the globe and is forced to make the best of it. Man is reduced to his physical frame, his senses, his will to live his passions, his power of memory, foresight and pragmatic reasoning and, last but not the least, his fear of death. The fall from the grace of God signifies the rise of man who must use whatever power he has with a view to fulfilling his ordinary life-needs which form the basis not only of his felicity but also helps his own formation as a distinct and distinctive personality. Given the primacy of the quest of felicity, life comes to be based on the ever greater utilisation of goods and services. These goods and services are supposed to be continuously expanded through the exploitation, transformation, or manipulation of nature with the help of ever improving technology. Such a life must induce a never ending competition, even conflict, among individuals and groups for access to and control over scarce societal resources.

This state of affairs produces its own inadvertent consequences which man must confront and try to neutralise, if not eliminate. First, man's needs are disassociated from any higher end of life and become the ground of their own legitimation; that is, they acquire auto-legitimation and become autotelic. As a result, all needs are treated as of equal value, each of which is supposed to be proper pressing for fulfilment. Man loses the sense of discrimination of which needs are important and which not. He must, therefore, seek to satisfy all desires that arise in his interior. By doing so, he becomes what Plato characterises as 'the slave of many mad masters.' And, secondly, needs become endless in the sense that they proliferate endlessly. The proliferation of needs makes it necessary to develop more efficient technology capable of exploiting nature more effectively facilitating the fulfilment of ever-proliferating needs. This makes the problem created by the endlessness of needs more acute, especially in a situation where the fulfilment of ordinary life needs becomes *sine-qua-non*e of man's felicity and his development.

It is against this background also that we can appreciate the need for a world view and a social order based on this world view that can succeed in bringing about a stable and reliable reconciliation between the good of one individual and the good of all individuals. But, as we have seen earlier, modern man is primarily and essentially a natural man who attaches the greatest importance to the fulfilment of ordinary life-needs and becomes, as a consequence, blind to the need of self-development based on spiritual quest. As a broken totality, the substance of man and society comes to be overlaid with a coat of biological phenomena that smother the spiritual and moral awareness and tends to replace the spiritual order of society with an order favouring only biological survival. It is, therefore, not surprising that man has to devote all his energies to ensure

his survival first and then luxury for cultivating what he calls culture. It is the combination of these two elements that defines the good life of modern conception. However, the search for luxury and the good things of life reduces man to the level of an externalised being who is nothing more than a receptacle of interests. Also, it is because of this that politics is transformed into a process of reciprocal resistance that pits liberty and equality against each other. As a result, the smooth functioning of the public order is disturbed and order itself faces the possibility of grave jeopardy (Ramashray Roy: *Gandhi and Ambedkar: A Study in Contrast*, Shipra Publications, Delhi, 2006, pp. 98-99).

7. Cicero: *op.cit.*
8. Hans Jonas: *op. cit*., p. 246.
9. Ramashray Roy: *Modernity and the Search for Wholeness* (*Sarvata*) *Second Ananda Coomaraswamy Lecture*, Coomaraswamy Centre for Traditional Studies, Lucknow, August 21, 2010, pp. 9-10.
10. Ramashray Roy: *Political Order*: *The Vedic Perspective*, Indian Institute of Advanced Study, Shimla, 2002, p. 12.
11. Eric Voegelin: *Order and History*: *Plato and Aristotle*, Vol. III, Baton Rouge, Louisiana State University, Louisiana, 1957, p. 2.
12. Eric Voegelin: *Order and History*: *Israel and Revelation*, Vol. I, Baton Rouge, Louisiana State University, Louisiana, 1956, p. 1.
13. Eric Voegelin: *History of Political Ideas*, Vol. I, Missouri University Press, Columbia, 1997, p. 225.
14. *Ibid*.: p. 226.
15. Ramashray Roy: *Political Order: The Vedic Perspective*, *op. cit.*, p. 21.
16. *Ibid*.: pp. 324-325.
17. *Ibid*.: pp. 334-336.
18. *Ibid*.: pp. 26-27.
19. A. Appadorai: *Indian Political Thinking in the Twentieth Century*, Oxford University Press, New Delhi, 1979, p. 151.
20. One of the unresolved questions facing political philosophy in India today is that of the relationship which should exist between traditional Indian political philosophy and western modernity. Indian classical political philosophy emerges from an original insight. ... In contrast to the traditional insight, what can one say of the insight that guides modern Indian politics from about the middle of the nineteenth century, but especially from about the middle of the twentieth century? It is safe to say that, except for some (idealist thinkers), the import of ancient insight has been largely neglected. Modern Indian political philosophy has been preoccupied with modern western political philosophy, with liberalism, and especially with socialism. Marxist socialism, in many instances, has become the opium of the Indian intellectual. The theory of planning has attained the status of a modern *shruti* (revelation) [Anthony J. Parel and Ronald C. Keith (ed.): *Comparative Political Philosophy: Studies Under the Upas Tree*, Sage Publications, New Delhi, 1992, pp. 20-21].

Book-Review

On Learning to Learn: An Introduction**

Lakshmi Narayan Mittal*

"Schooling is not the same as learning." This is the opening sentence of the World Development Report 2018 (just out), whose theme is learning to realize, education's promise. The ASER Report says that just under three quarters of students in grade III could not solve a two digit subtraction such as 46-17, and by grade V half could still not do it. "Nelson Mandela had once said that Education is the most powerful weapon we can use to change the world." The world over, including the so-called advanced countries are facing learning crisis. Worldwide, hundreds of millions of children are reaching young adulthood without even the most basic life skills. The WHO has laid down ten core life skills – self awareness, empathy, critical thinking, creative thinking, decision-making, problem solving, effective communication, interpersonal relationship, coping with stress and coping with emotions. Education must transform society by equipping children with moral, material and spiritual knowledge. This is why the 164 nations committed to 'Education for All' have included 'life skills' as a basic learning need for all young people. But is learning really matters in our schools? This learning crisis is a moral crisis. Even as learning goals are receiving greater rhetorical support, in practice, many features of our education system conspire against learning. In this light, the present booklet ignites

* Dr. Lakshmi Narayan Mittal, H-899, Old Housing Board Colony, Morena-476 001 (M.P.)

the reader to think for alternatives. Yet the present educational syllabus alienates us from our roots. We are taught that what is our own is rotten old timed, outdated, takes us back to the stone age. There is only information which becomes outdated by the lapse of time and hence useless. We are not taught to observe. Much can be learnt through observation, can we learn from our environment, by talking to our elders, by conversing with the so-called illiterates, uneducated village folks?

Thus, the booklet really shakes a guardian of a school going child. However, somewhere illustrations could have been included like what 'SIDH' has experimented with, like (i) आसपास से शिक्षा (ii) दिखना नहीं होता (iii) mutual learning between communities and schools (iv) Migration (the village go to cities etc.) (v) schooling is not education (vi) talim – which provides a learner a compass to show him the direction (vii) Non-institutionalized alternative discourse (viii) समझ understanding (ix) Reality is bigger than belief (x) भारतीय चिन्त (xi) decolonizing by cutting the culture of modernity (xii) जानना और मानना मान्यता और वास्तुविकता।

SIDH evolves a framework of स्वतन्त्रता and स्वराज. स्वतन्त्रता is about the unfolding the power that is inherent in each individual. स्वराज is liberating the power inherent in each individual to have confidence to rapport with the world around. Doing away with textbooks, engaging everybody with one another, understanding assumptions that form the basis of our perceptions are some of the means adopted by SIDH to enhance LEARNING..

If some more points could have been included with the booklet, it would have given an in-depth insight. But the effort of 'Asli Shiksha' is laudable. Madhya Pradesh is 75 per cent rural and Morena though a Commissionery Town, is really a rural-urban fringe. In the month of October, 2018 the then government announced filling up of about 12,000 posts of school teachers as contractual (labour). Lakhs of students are trying their luck. Two or three groups came to me for guidance. I showed them the booklet 'Learning to Learn: An introduction,' though they were unable to read (English), but could understand the content when explained. They say, they got inspiration and might know more if material is provided to them in HINDI. The two pictures of an experiment which Pawan did with children of his school, inspired them and agreed with the answers. Almost all of them have rural roots. They are in the city because of their guardian had jobs in the city or are here to get coaching. But almost all of them objected to the word 'असभ्य'. It hurts their self-esteem, though they say they are lost in the city.

Please think over the issue and perhaps change the Word 'असभ्य'.