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Ideal of Equality VS Scramble for Power

Prem K. Chumber

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The most common dilemma we human beings face is to bring equality in our society while at the same time struggling to acquire more and more power. Search for equality and efforts to gain, enhance and maintain power clash with each other. Another equally common dilemma is about the incompatibility between the goals nations pursue within their domestic sphere and their foreign policies. It is known to all of us that those nations which boast of the inherent culture of their respective democratic societies could be seen acting dictatorially when they bring some other nation(s) under their control be it in a colonial or neo-colonial set-up. British rule in India is a case in point. This dilemma of democracy at home vs dictatorship abroad has its roots in what called phenomenon of 'nationalism'. Since the treaty of Westphalia (1648), the idea of the sovereignty of the territorially demarcated state boundaries divided the humanity into 'we' and 'others'. 'My nation' as distinguished from 'other nations'. The others were reduced almost into aliens/enemy especially in military terminology.

The sharp division between the internal (domestic) and the external (international) often goads nations to seek equality within their sovereign territorial jurisdiction and pursue their power related goals in the anarchic domain of the globally contested political sphere. This division between internal and external political realms has its own peculiar logic to function which is linked with the all-pervasive dilemma of ideal of quality vs scramble for power. The desire to bring equality within leads to hunt for resources and markets abroad. When this practice becomes infectious among the powerful states it leads to serious confrontation between them. The last century's two world wars occurred within its first half were the outcome of the imperialistic scramble for more and more power.

Yet another less articulated but equally important factor related with the blind rush for power is the phenomenon of over-exploitation of the natural resources. It leads not only to the fast depletion of our natural resources but made their consumption poisonous too. Corona-19 is the latest outcome of our such uncaring and often over-exploitative approach towards Mother Nature! Power creates lust for more and more profit. Whereas, equality asks for restraint. It demands for sharing of what we have and a collective living. Power is individualistic. Equality is collaborative. Power pushes for war. Equality leads us to peace. But for the peace to prevail we need to decouple our ideal of equality from the scramble for power. Let us pray together that in the New Year 2021 ahead equality triumphs over power.

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WISHING YOU ALL VERY HAPPY, HEALTHY AND PROSPEROUS 2021

Agriculture, State and Market: Understanding Current Farmers Protest

Farmers' protests, especially those of Punjab, have a distinct historical context. It is also embedded in what Malcolm Lyall Darling, reputed British Administrator and agricultural expert on Punjab, called 'The Punjab Peasant in Prosperity and Debt' (the title of one of his seminal writings on Punjab agriculture). The assiduous farmers of Punjab are often remembered only for their Green Revolution contributions. However, preceding their salutary contributions during the massive British Canal project and its accompanying process of land cultivation by establishing canal colonies which now fall in West Punjab, were much earlier shining episodes such as that which arose with the entry of the Persian wheel in this region in the 16th century, as well as a turbulent history underscored by repeated

(1921-25), Guru ka Bagh morcha (1922), and Jaito da morcha (1924-25) add further lustre to a heritage of relentless struggle against injustice and the restoration of civil and religious rights. The genesis of the current agitation, which has galvanised peasants across India, can be traced to these pre-independence agrarian agitations in Punjab.

History seems to repeat itself as the farmers from the states of Punjab, Haryana, Uttar



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invasions through the Khyber Pass until the establishment of the Sikh Kingdom by Maharaja Ranjit Singh in 1799. Peasants fought for their freedom and their land, first under the command of Five Pyare and twenty-five Singhs sent by Guru Gobind Singh along with Baba Banda Bahadur, and later guerrilla warfare through various Sikh Misls. During this long and chequered history, the hardy peasants of Punjab were engaged primarily in either valourously fighting for the restoration and protection of their freedoms, or tilling their land. It was also they who faced brutal persecution at the hands of the alien forces but were never subjugated or demoralised either under the Mogul rulers before the establishment of the Sikh Kingdom, nor the late partition of the vast province of Punjab when they left behind their rich agricultural fields through force of circumstances - fields which that they had developed with their sweat and blood from the then barren land. The Pagri Sambal Jatta movement of 1907, Neeli Bar da Morcha of 1938 (Bannay Uttey Adho-addh) in West Punjab, Anti Bandobast (land Settlement) agitation of Amritsar of 1938, Harsha Chhina Moghamorchas of 1938, Charik morcha of 1938, the Muzara movement (PEPSU) of 1948-51, and the Khush-hasiyati Tax morcha (anti betterment levy agitation) of 1959 are well-known Punjab peasants' agitations, and they speak volumes of their struggles for self-respect, protection of land rights, and above all, their livelihoods. Further, the sterling contributions of peasants of Punjab in the organisation and conduct of Ghadar movement (1913-1948), Gurdwara Reform movement (1920-25), Babbar Akali movement



Pradesh and Rajasthan contend with the travails of winter on the periphery of Delhi for the fear of the loss of their hard-earned ownership of land - as is loudly made clear during the peaceful ongoing protests. It is being interpreted by some as a continuation of the proud tradition of peasant revolt, as mentioned above, bearing aloft the banner of justice and opposition to dictatorialness of any hue. What made the farmers gather and camp at the borders around Delhi has been interpreted differently in different quarters. Contesting interpretations based on politics are being played, directly or indirectly, on the implications of the three controversial farming laws. While the government steadfastly continues to claim that these laws are for the benefits of the farmers and the same has been reiterated during all the meetings convened by it with various agitating farmer organisations as well as at different public forums across the country, the farmers, agricultural labourers, and people from various other directly or indirectly affected occupations, continue to view them with hostility and almost unanimously want a complete rollback of these impugned farming laws.

The arguments given by the central government have received support in the writings of some well-known agro-economists as well as public scholars like Ashok Gulati, Gurcharan Das, Swaminathan S Anklesaria Aiyar and Arvind Panagariya among others. However, anti-laws arguments are also -- and rather more boisterous -- being supported by a larger number of economists and public scholars -- Sardara Singh Johl, Arun Kumar, (Contd. on next page)

Agriculture, State and Market: Understanding Current Farmers Protest

(Continue from page 1)

Sucha Singh Gill, RS Ghuman, Pramod Kumar, Surinder Jodhka, Gian Singh, D. Narasimha Reddy, Kamal Narayan Kabra, R. Ramakumar, Vikas Rawal, Devinder Sharma and P Sainath among others -- who question the very paradigm within which these laws are framed and finally enacted. The central government, as is generally argued, insists that given the plethora of production of wheat and rice, the APMCs and MSP-based system of sale and purchase has become unviable for these two main MSP based crops in Punjab and Haryana. It is further argued that the central government finds it difficult to create more storage facilities for the wheat/rice rotation crop yields of north-western India, and neither does it believe that the country needs any more wheat and rice. It has asked farmers to shift to pulses and the cultivation of seeds for edible oils.

Yet another argument raised in the support of the new agriculture laws, is the depletion of groundwater since rice is a water-guzzling crop. It means that the laws were enacted not keeping in views, as claimed, the benefit of the farmers but as a countermeasure to the lack of storage capacity by the government as well as to preclude the ongoing water depletion process in states of Punjab and Haryana. In other words, the abolition or the weakening of APMC and MSP in the long run will end the system of assured fixed prices of wheat and rice crops, and thus eventually force the farmers to stop the sole rotational cultivation of them. There also lies another fear -- namely that since the central government is washing its hands off of the wheat and rice procurement process, then concomitantly, the current supply of wheat and rice to the poorest sections of the nation under the Public Distribu-

tion System will also cease to exist. This is what liberal market logic states. In short, the three recently enacted laws are strongly suspected to be more in response to the above-mentioned three factors: Water depletion, lack of storage facilities, and the pressure of liberal market forces. Thus the farmers and their interests seem of no consideration at all in their enactment.

Now the question arises as to who first asked the farmers to grow wheat and rice in rotation at the cost of a large variety of other crops being grown on the fertile land of the pre-green revolution phase in Punjab? Punjab farmers were lured under various schemes of mechanised agriculture processes to enhance wheat and rice yields to extricate the nation from the 'ship to mouth' existence of those times. However, with the passage of time, the rotation crop system of wheat and rice became their mainstay. Until the threat of food scarcity was over, no one bothered about the lowering level of groundwater in Punjab and Haryana, or the disastrous impact of pesticides and insecticides on the health of the soil and its crop products. Moreover, the overproduction of wheat and rice did not occur overnight. Efforts could have been made long before in commensuration with the required average national annual requirement of food grains and the total area to be brought under wheat rice cultivation. There should have been better planned regulatory mechanisms for the diversification and the optimal use of areas under cultivation, for instance for crops like pulses and seeds for edible oils. Farmers in Punjab and Haryana have in the past proven to be very forthcoming in adaptation to new agriculture skills. If they could convert their farms into the 'national food bowl', then the same energies could have been chan-

nelised towards the production of pulses and other crops as per the food requirements of the country. But that was not done for reasons best known to the agriculture policymakers in our country.

In the light of the above discussion, it will be both an injustice and sheer opportunism to force farmers to abandon the wheat rice rotation crop system in the guise of freedom to sell their produce anywhere in the country wherever they deem fit. What must not be forgotten is that the liberal market logic is based on profit and only profit. And the profit follows the logic of accumulation of wealth at one end and proliferation of poverty at large in the society. It does not care about any other value whatsoever. And since the farmers did not chose the rotation crop system on their own, they should not be so crassly abandoned now to fend for themselves at this crucial moment when they and their land are enmeshed in the duality of both a negative economic spiral, as well as an ecological one, from the cultivation of these two cash crops. An crucial aspect, to which no provision whatsoever has been extended so far, is that during the transitional period the farmers' current minimum living standard needs to be vouchsafed for in the foreseeable event of their shift to new crops and crop patterns. Such an ambitious scheme should, among other things like training and other contact programmes, provide adequate assurance for sufficient financial help to compensate for the anticipated losses incurred by farmers due to the abandonment of wheat/rice crop cycle following the possible alternate enactment and implementation of suitable agriculture related laws.

Moreover, the current crisis was the outcome of a one-sided de-

cision taken by the central government in enacting the three laws: Key stakeholders were not taken into confidence. This gross neglect is not without precedent insofar as farmers are concerned - neither were they taken into confidence during the launch of the green revolution project in the late 1960s.

Had the framers aware of the depletion of groundwater and the mindless use of pesticides and insecticides on the health of the soil, livestock, and humans, they would have certainly sought a more viable alternative for overcoming the challenge of the national scarcity of food. Now, and especially when farmers are keenly aware about the likely negative fallouts of the current legislation and are correspondingly thoroughly opposed to their implementation in whatever form, it would be in the larger interest of the country to withdraw this legislation first and then to sit with all the stakeholders together to craft a comprehensive viable solution to the immediate issues of the overproduction of wheat and rice, storage crisis, depletion of groundwater, and deteriorating health of the soil, as well as mapping out workable mechanisms for viable agricultural markets for desired future produce, all in alignment with the long-term ecological sustainability of such trajectories.

The legitimate centrality of the paramount importance of the heit (interest) of the kisans and their associated landless agricultural labourers must not be viewed onerous, but be both recognised and upheld in this entire process - something which has been conspicuously absent in the government's current approach which is widely seen to be both corporate-friendly and Pilate-like during the ongoing farmers' protests.

Name Changed

I, Virender Singh Dhillon
s/o Parmjeet Singh
Resident of:
3469 W. Benjamin Holt Dr., Apt 498
Stockton, CA-95219, USA
Now I have changed my name
From: **Virender Singh Dhillon**
To: **Virender Singh**
All concerned kindly note it.

I, Gurpreet Singh Ghotra s/o Jamer Singh
Resident of: 1176 Bacchus Dr.
San Jose, CA-95122
Now I have changed my name
From: **Gurpreet Singh**
To: **Gurpreet Singh Ghotra**
All concerned kindly note it.

I, Ranjeet Singh s/o Gurdev Singh
Resident of: 234 Maypole Rd.
Upper Darby, PA 19082
Now I have changed my name
From: **Ranjit Singh**
To: **Ranjeet Singh**
All concerned kindly note it.

I, Dilawar Singh Rai s/o Gian Singh
Resident of: 3765 W Mckinley Ave.
Fresno, CA-93722
Now I have changed my name
From: **Dilawar Rai**
To: **Dilawar Singh Rai**
All concerned kindly note it.

FUNDAMENTAL RIGHTS

By Acharya Sri J.B. Kripalani
[Select paragraphs from the
Thirteenth Rajaji Birthday Lecture
delivered on 7th January, 1978
at the GIPA, Bangalore]

History in India

It must be remembered that the idea of Fundamental Rights of the citizen was nothing new in India. It had a long history. The All Parties Conference under the Chairmanship of Motilal Nehru opined that: "It is obvious that our first law should be to have our fundamental rights guaranteed in a manner which will not permit their withdrawal *under any circumstances.*" (Italics mine).

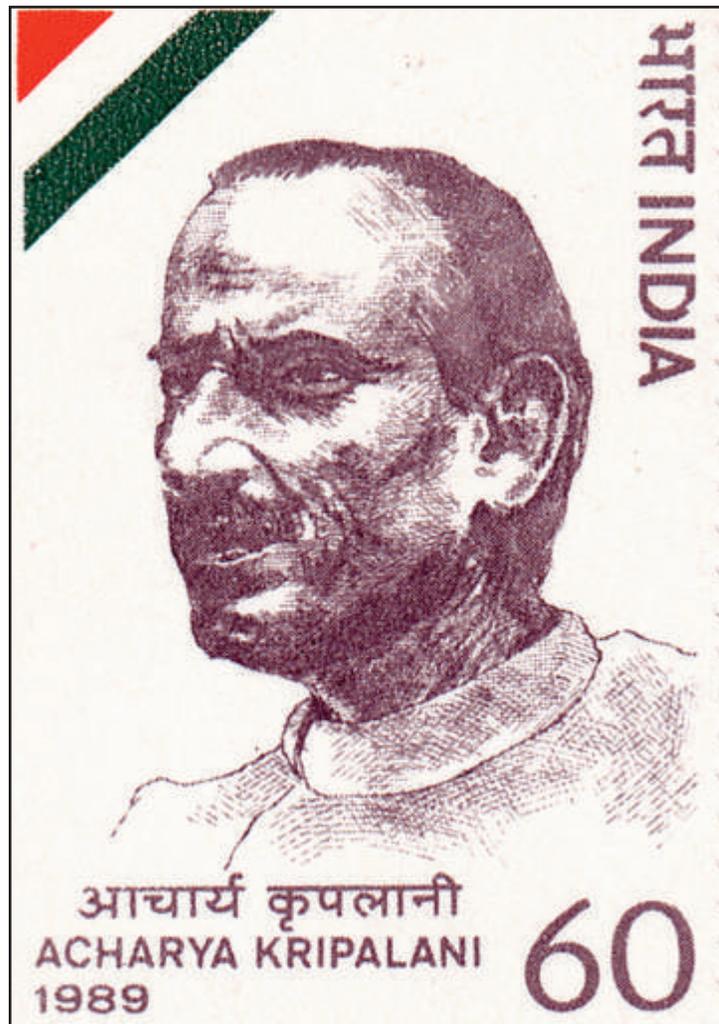
In 1945, a non-party Committee under Sapru explained the need for fundamental rights. It said: "In the peculiar circumstances in India, fundamental rights are necessary, not only as assurances and guarantees to the minorities but also for prescribing *a standard of conduct for the legislature, the Government and the judiciary.*" (Italics mine)

In 1945, at Simla, when the leaders of the Congress and the Muslim League met the Cabinet Mission, Jawaharlal insisted that, to the three subjects, Defence, Foreign Affairs and Communications, which the Centre would deal with, must be added the subject of the fundamental rights of the citizen. This suggestion of his was accepted. Even the Muslim League did not object to it.

The Working Committee of the Congress, too, emphasised the need for the "guarantee of fundamental rights of each individual, so that he may have full and equal opportunities of growth and further, that each community should have opportunity to live the life of its choice within the larger framework".

Congress was always anxious to safeguard the fundamental free-

doms of the people. When in the thirties, it was not possible to start a civil resistance movement, Jawaharlal initiated the formation of the Civil Lib-



erties Union.

Gandhiji, when he did not want to hamper the war effort of the Allies in India, decided to start the individual civil resistance movement on the issue of freedom of speech in connection with the war. By its history and tradition, the Congress always stood for the safeguarding of the citizens' Fundamental Rights.

Conditions in India

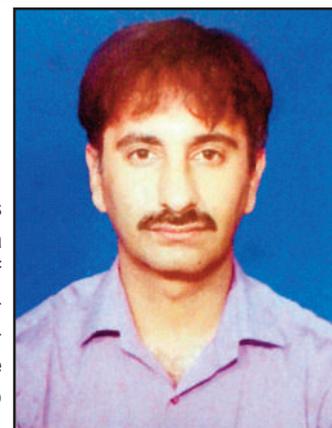
In the light of the Preamble are formulated the Fundamental Rights of our people. In India, there are additional and special circumstances for guaranteeing fundamental rights. Ours is a big country, divided into several States. It has a Federal Constitution. The old territorial divisions had generated local loyalties to regional languages and traditions, customs and conventions. These had to be reconciled with the larger loyalty to the whole of India. It was, therefore, necessary that such provisions should be made in the Constitution that an Indian citizen should be able to live in any part of the country and be free to seek employment and engage in any

profession without let or hindrance, in any part of the motherland. Such and other like rights, if they were declared as inviolable, would work for the overall unity of India. It is a fact that some State Governments have put various restrictions in some such matters even today. Fundamental Rights which could be enforced in law courts would put a stop to the fissiparous tendencies present in the

country. India is also a land of many religions. Unless the right to freely profess, practise and propagate one's religion is guaranteed in the Constitution, the fanatical religious zeal of the majority may make short of the liberty of conscience, belief, faith and religion of the minorities. This fact was realised only when the 24th Amendment to our Constitution was discussed in Parliament in the year 1972. At first, the Muslim members were in favour of supporting the amendment but, when they realised the full implication of the amendment, the Muslim and the Christian members of Parliament either remained neutral or voted against it.

The danger to the minorities is real and not imaginary. Even today, the overwhelming majority of members in our Parliament are Hindus. If a wave of fanatical Hinduism sweeps over the country and Hindu members come under its influence, they can declare India as a Hindu State, like Pakistan, which is a Muslim State. There, even the members of a Muslim sect, the Ahmediyas, have become second-class citizens.

Therefore, for safeguarding the religious rights of the minorities and for the smooth working of our democracy, it was necessary that certain natural and basic rights of the individual be declared as inviolable, beyond the power of interference by the governments and the legislatures.



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DECLARATION OF RIGHTS

All Parties Conference Delhi, 1928

The Committee recommend that the following articles be incorporated in the Constitution of the Commonwealth as the fundamental rights of the people:-

1. All powers of Government and all authority, legislative, executive and judicial, are derived from the people and the same shall be exercised in the Commonwealth of India through the organisations established by or under, and in accord with, this Constitution.
2. No person shall be deprived of his liberty nor shall his dwelling or property be entered, sequestered or confiscated, save in accordance with law.
3. Freedom of conscience and the free profession and practice of religion are, subject to public order or morality, hereby guaranteed to every person.
4. The right of free expression of opinion, as well as the right to assemble peaceably and without arms, and to form associations or unions, is

hereby guaranteed for purposes not opposed to public order or morality, or the law relating to defamation for the time being.

5. All citizens in the Commonwealth of India have the right to free elementary education, and such right shall be enforceable as soon as due arrangements shall have been made by competent authority.
6. All citizens are equal before the law and possess equal civic rights.
7. There shall be no penal law whether substantive or procedural of a discriminative nature.
8. Every citizen shall have the right to a writ of habeas corpus. Such rights shall not be suspended except by an Act of the Central Legislature in case of war or rebellion.
9. No person shall be punished for any act which was not punishable under the law at the time it was committed.
10. No corporal or other punishment

involving torture of any kind shall be lawful.

11. There shall be no state religion for the Commonwealth of India or for any province in the Commonwealth, nor shall the State either directly or indirectly endow any religion or give any preference or impose any disability on account of religious belief or religious status.
12. No person attending any school, receiving State aid or other public money shall be compelled to attend the religious instruction that may be given in the school.
13. No citizen shall by reason of his religion, caste or creed be prejudiced in any way in regard to public employment, office of power or honour and the exercise of any trade or calling.
14. Every citizen shall have the right to keep and bear arms in accordance with regulations made in that behalf.
15. Men and women shall have equal rights and citizens.

Srinivasa Iyengar was of opinion that the following articles should be added and if necessary the Hindu Law be modified to that extent.

"All castes are hereby declared and guaranteed to be on a footing of perfect equality, no superiority or inferiority of any caste and no hierarchy of castes shall be recognised or given effect to by the State for any purpose."

"The State shall not treat or allow to be treated any community in India as an untouchable community but shall recognise it as having the same status as other communities." J. Nehru agreed with this proposal.

Source Courtesy: Resolutions of the Conference and Report of the Committee of the Conference regarding a Swaraj Constitution for India

February-March 1928

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Bakshi Tek Chand
K.N. Katju
B.R. Ambedkar
K.M. Munshi

Provincial Constitution Committee

Vallabhbhai Patel (Chairman)
P. Subbarayan
B. Pattabhi Sitaramayya
B.G. Kher
Brijlal Biyani
K.N. Katju
Phulan Prasad Verma
Harekrushna Mahatab
Kiran Shankar Roy
Jairamdas Daulatram
Ujjal Singh
Rohini Kumar Choudhury
Chaman Lal
P.K. Sen
C.M. Poonacha
Radhanath Das
Satyanarayan Sinha
Rafi Ahmad Kidwai
Mrs. Hansa Mehta
H.C. Mookherjee
Rajkumari Amrit Kaur
J.B. Kripalani
Shankarrao Deo
R.R. Diwakar
S. Nagappa

Committee on Chief Commissioners Provinces

B. Pattabhi Sitaramayya (Chairman)
N. Gopaldaswami Ayyangar
K. Santhanam
Deshbandhu Gupta
Mukut Bihari Lal Bhargava
C.M. Poonacha
Hussain Imam

Drafting Committee

B.R. Ambedkar (Chairman)
Alladi Krishnaswami Ayyar
N. Gopaldaswami Ayyangar
K.M. Munshi
Muhammad Saadulla
B.L. Mitter
D.P. Khaitan**
N. Madhava Rau
T.T. Krishnamachari

Expert Committee on the Financial Provisions of the Union Constitution

Nalini Ranjan Sarkar* (Chairman)
V.S. Sundaram*
M.V. Rangachari

Linguistic Provinces Commission

S.K. Dar* (Chairman)
Panna Lal*
Jagat Narain Lal

* Not an Assembly Member
** Died in 1948

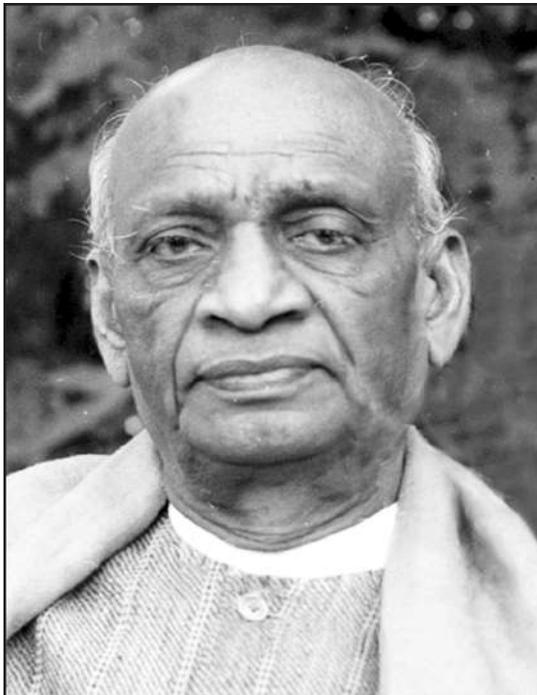
PATEL'S SPEECH

(At the first meeting of the Advisory Committee, February 27, 1947)

Gentlemen, I thank you most sincerely for the honour - the great honour - that you have conferred upon me by reposing your confidence in electing me as chairman of a committee which is composed of various interests. This committee forms one of the most vital parts of the Constituent Assembly and one of the most difficult tasks that has to be done by us is the work of this committee. Often you must have heard in various debates in British Parliament that have been held on this question recently and before when it has been claimed on behalf of the British Government that they have a special responsibility - a special obligation - for the protection of the interests of the minorities. They claim to have more special interest than we have. It is for us to prove that it is a bogus claim, a false claim, and that nobody can be more interested than us in India in the protection of our minorities. Our mission is to satisfy every one of them and we hope we shall be able to satisfy every interest and safeguard the interests of all the minorities to their satisfaction. Let us hope that our deliberations will be so conducted that we can disillusion those who are looking with a critical eye from outside that we know how to conduct

our business and we know how to rule better than those who claim that they can rule others. At least let us prove we can rule ourselves and we have no ambition to rule others. In this committee, therefore, we begin our work today with a determination and a desire to come to decisions not by majority but by uniformity. Let us sink all our differences and look to one and one interest only, which is the interest of all of us - the interest of India as a whole.

Today's work is the work of election to certain sub-committees for which the Resolution of the Con-



SARDAR VALLABHBHAI PATEL
CHAIRMAN
Advisory Committee on Fundamental Rights,
Minorities and Tribal and Excluded Areas

stituent Assembly has laid down certain directions and these committees have also been asked to finish their task within a certain period or to report to the Constituent Assembly within that period. Our committee as a whole has also been asked to report within three months. It is quite possible that we may not be able, or the committees may not be able, to finish their work within that period because the committees have to wait for their full formation because the representation is not full and therefore it is possible that we may have to ask for more time. But at the same time, you

have seen the recent pronouncements of the British Government. They have fixed a date within which complete transfer of power is to take place and therefore it is our duty to act as expeditiously as possible and finish our task to help the main Constituent Assembly to have our report before it and our report may be such as would give them least possible trouble.

For the present, the President has been good enough to nominate three members to the committee. The rest of the places have been kept vacant for a purpose which you all know. We have a certain number of seats reserved for the Muslim minority provinces. Those seats - I think seven - have to be filled in by the Muslim League and it is better that we should give them more time to take their position and then if they come in their names will be put up and the President will be good enough to nominate them. The three names who have been nominated for the present are: Mr. A.V. Thakkar, Mr. M. Ruthnaswamy, Mr. Raj Krushna Bose. The rest will be nominated later. So we now have 53.

Source Courtesy: The Framing of India's Constitution Select Documents, Vol.2

Right to Equality and Rights to Freedom

Munshi's Note and Draft Articles on Fundamental Rights, March 17, 1947

SUB-COMMITTEE ON FUNDAMENTAL RIGHTS, February - April 1947

Article III

Right to Equality

(1) All persons irrespective of religion, race, colour, caste, language or sex are equal before the law and are entitled to the same rights, and are subject to the same duties.

(2) All citizens are entitled to equal opportunities in all spheres, political, economic, social and cultural.

(3) Women citizens are the equal of men citizens in all spheres of political, economic, social and cultural life and are entitled to the same civil rights and are subject to the same civil duties unless where exception is made in such rights or duties by the law of the Union on account of sex.

(4) (a) Untouchability is abolished and the practice thereof is punishable by the law of the Union.

(b) All persons shall have the right to the enjoyment of equal facilities in public places subject only to such laws as impose limitations on all persons irrespective of religion, race, colour, caste or language.

(5) All citizens are entitled to equal opportunity:

(a) in matters of public employment and office of power and honour;

(b) in the exercise of trade, profession or calling; and

(c) in the exercise of franchise according to the law of the Union; and no citizen shall be denied the right on grounds of religion, race,

colour, caste or language.

(6) All citizens of the Union have the right to reside in any part of the territories of the Union that they chose, to settle there, acquire property, and pursue any means of lawful occupation, subject only to the restrictions imposed by the law of the Union.

(7) Every citizen has the right to emigrate to countries outside the Union and the right of expatriation.

(8) All citizens within and without the territories of the Union are entitled to the protection of the Union.

(9) No citizen may be handed over to a foreign government for trial or punishment.

(10) No person shall be denied equal protection of the laws within the territories of the Union.

Article V

Right to Freedom

(1) Every citizen within the limits of the law of the Union and in accordance therewith has:

(a) the right of free expression of opinion;

(b) the right of free association and combination;

(c) the right to assemble peacefully and without arms;

(d) the right to personal liberty;

(e) the right to be informed within twenty-four hours of his deprivation of liberty by what authority and on

what grounds he is being so deprived.

(f) the right to the inviolability of his home;

(g) the right to the secrecy of his correspondence;

(h) the right to maintain his person secure by the law of the Union from exploitation in any manner contrary to law or public morality; and

(i) the right of free movement and trade within the territories of the Union.

(2) The press shall be free subject to such restrictions imposed by the law of the Union as in its opinion may be necessary in the interest of public order or morality.

(3) The conduct of research and/or the publication of the results thereof shall be free subject to the restrictions imposed by the law of the Union in the interests of a fair return to those responsible for the results and of national defence.

(4) No person shall be deprived of his life, liberty or property without due process of law.



(5) Every citizen has the right to choose the government and legislators of the Union and his State on the footing of equality, in accordance with the law of the Union or the unit as the case may be, in free, secret and periodic elections.

Greetings and Good wishes to The Ambedkar Times and The Desh Doaba

"The media's the most powerful entity on earth. They have the power to make the innocent guilty and to make the guilty innocent, and that's power. Because they control the minds of the masses." - Malcolm X

There is no point in mentioning about the importance of media in our lives particularly for those who live and enjoy freedom of expression in the open and democratic set up. It gives birth to 'Expressions of Freedom' as my senior colleague in the diplomatic fraternity, Ambassador Bal Anand has asserted in his book "Expressions of Freedom". The Ambedkar Times and the Desh Doaba has done well in this regard both in freedom of expression and expression of freedom over the years particularly with reference to the rights and aspirations of the under-privileged and marginalized in India and abroad. It is not an easy job to launch and run a paper particularly in a foreign land. But my friend Prem Chumber and his associates could do it in California in the USA with a great success. I thought of taking this opportunity, when we generally greet our friends and relations and wish them all the best on Christmas and New Year, to greet and applaud Chief



Editor Prem Chumber and the Ambedkar Times and the Desh Doaba further success and prosperity in the years to come. These media organs have been of great help in disseminat-

ing the much needed information and bring into focus the interests of the society particularly the weaker sections.

The Ambedkar Times and The Desh Doaba are rightly dedicated to the mission and thought of Babasaheb Ambedkar and Babu Mangu Ram Mungowalia. Both these champions of equality and fraternity were aware of the importance of media and started their own papers like The Mooknayak and The Adi Danka which became the mouthpieces of the concerns and interests of the downtrodden in those difficult days. It may not be out of place to mention that another scion of Chumber family, C.L. Chumber elder brother of Prem Chumber was also a dedicated activist. He also started and edited The Qaumi Udariya in Jalandhar which was dedicated to Manyawar Kanshi Ram. Prem Chumber carried on and

moved forward the caravan in the USA. It is a matter of great satisfaction.

It is a matter of concern that in India the under-privileged and marginalized do not have access to the main stream media. It is not good for our democratic polity and unequal society. We should support and appreciate the good job done by the small players like The Ambedkar Times and The Desh Doaba in filling the gap. More is needed to be done as Corazon Aquino rightly said, "The media's power is frail. Without the people's support, it can be shut off with the ease of turning a light switch."

**Happy New Year to the readers of
The Ambedkar Times and
The Desh Doaba**



Ramesh Chander
Ambassador - I.F.S. (Retired)
91-99885-10940

J.C. JOHARI ON THE CONSTITUTION AS A CONGRESS DOCUMENT

"As already pointed out, the Constitution of India is a Congress document for the simple reason that the Congress not merely acted like a national political organisation in winning seats for the grand Consembly. More than that it became the Parliament and the Interim Government in addition to serving as the sovereign constitutional convention at work. That is, the Congress was all - the party, the Government, the Constituent Assembly - even the country. In fine, the Congress came to serve like a great political organisation of a great nation entrusted with the great work of framing the fundamental rules of the Fundamental law of the land.

"It is rightly said: "The Constituent Assembly was a one party body in an essentially one-party country. The Assembly was the Congress and the Congress was India. There was a third point that completed a right triangle, the government (meaning the apparatus of elected government both provincial and national), for the Congress was the government too. The Assembly, the Congress, was, and the government were, like the points of a triangle separate entities, but linked by overlapping membership, they as-

sumed a form infinitely meaningful for India.

"The statement that the Indian Constitution is virtually a gift of the Congress Party in return for the great confidence that the nation reposed in it and by virtue of which it became the repository of the power transferred by the British after a lot of political wrangling, does not imply that it was the Congress as a whole that should have credit of being the architect of the Basic Law of the Land. Rather, it was a small section of the top leaders like Nehru, Patel, Prasad and Azad - what Austin calls the 'Congress oligarchy'.

"It was the small section of the top leadership that constituted the core of the Congress Working Committee and that first took all important decisions and then prompted the Drafting Committee to shape the language of the Draft Constitution accordingly. More than that, it was this top leadership that played a very effective role in the debate of the Assembly. The result was that either the House was taken under influence by these leaders, or the whip was issued to keep the possible opponents under control. It should, however, be borne in mind that the Congress oligarchy

normally refrained from placing an unduly heavy hand on the voice of the members speaking against its wishes. The main desire of the top leaders was to achieve somehow the consensus invariably on matters of great significance. (From J.C. Johari's "Indian Government and Politics")

Dr. B.R. Ambedkar on the Congress Party in the Constituent Assembly (according to J.C. Johari).

"The fact of the leadership of the Congress oligarchy with the most prominent role of Nehru, in collaboration with Patel, dismisses the case of Ambedkar's being the "Father of the Constitution". Ambedkar was a non-Congressman having no place in the real decision-making body of the Congress oligarchy. The real role of this great constitutionalist should, therefore, be discovered in his unparalleled skill and competence in giving the form of draft constitutional provisions to the wishes of the top Congress leaders and then defending the work of the Drafting Committee in the House with such a force of argument that the draft provisions eventually became parts of the Constitution. As a matter of fact, he was a 'constitutional manoeuvrer whose industry and diligence was a wonder to all'

and, as Dr. Pattabhi Sitaramayya paid his glowing compliment, "a steamroller intellect, he brought to bear upon his magnificent and tremendous task, down all palms and short puppies. Whenever he felt to be right, he stood by regardless of all consequences." "Ambedkar himself realised this fact and at one stage he said: The task of the Constituent Assembly would have been a very difficult one if it had been merely a motley crowd, a tasselled pavement without cement, a black stone here and a white stone there in which each member of each group was a law unto itself. There would have been nothing but chaos. The possibility of chaos was reduced to nil by the existence of the Congress Party inside the Assembly which brought into the proceedings a sense of order and discipline. It is because of the discipline of the Congress Party that the Drafting Committee was able to pilot the Constitution in the Assembly with the sure knowledge as to the fate of each article and each amendment. The Congress Party is, therefore, entitled to all the credit for the smooth sailing of the Draft Constitution in the Assembly". - **Source Courtesy:**

Socialist India, Vol.X, 1975

Why the farmers' protest is led by Sikhs of Punjab

The Khalistan movement in the 1980s may have limited support for Punjab's Sikhs in the battle with the Indira Gandhi govt. But in Modi govt's farm laws, they have a worthy cause.

The ongoing farmers' protest against the Narendra Modi government's new agricultural laws isn't just a battle to secure a legal guarantee for minimum support price, or seek repeal of the three legislations. The battle is also to stop India's rich capitalists from smuggling out farmers' labour power without paying the cost – and there are several reasons why farmers from the Sikh community are at the forefront.

The Sikh farmers of Punjab were the first to grasp the danger when Parliament passed the three controversial bills in a great hurry, without a discussion or taking farmers' unions into confidence.

The last time Sikhs of Punjab were locked in a battle with the government was in the early 1980s, when the Indira Gandhi administration had sent troops into the state to curtail the rising insurgency. But if the emerging Khalistan movement restricted

wider support then, the Sikh farmers now have a worthy cause – and they have galvanised the country's farming community and generated nationwide support. They will go down in India's history as the frontline heroes of the farmers' movement.

Toe to toe

The Rashtriya Swayamsevak Sangh (RSS) and the Bharatiya Janata Party (BJP) government – with help from its campaigners like Kangana Ranaut – are trying to portray Punjab's Sikh farmers as 'Khalistani terrorists'. But it won't be easy. The Sikh farmer-youth are not only more educated, they are also globally spread out and can give a fitting reply to the Hindutva army. If the RSS-BJP allow their loose cannons to go after them as they did against Kashmiris, after the abrogation of Article 370, India as a nation will be in danger. The Sikh farmers can fight the battle better than any other state's farming community in the country.

They are equally aware of what might constitute as a political gimmick. Modi rushed to one of the gurudwaras in New Delhi and knelt before the Guru Granth Sahib but the Sikh farmers know why he was doing it. They remained unmoved.

It is this awareness and conviction that has blunted the Hindutva attack on them and also made farm-

ers from across India join them in the movement. They understand the tactics deployed by the likes of Kangana, who repeatedly uses terms like 'Khalistani terrorists'.

But the film industry from different regions, including Bollywood, is turning towards the farmers' fight for justice and survival. They have rightly described the farmers as 'food soldiers' of India. Without the 'farming soldiers' producing food, there won't be 'standing soldiers' on the borders. The RSS-BJP government never recognised the farm soldiers as nationalists but only adored big business families as real nationalists.



Dignity of labour

Another reason why Sikh farmers have taken up the cudgels is to defend the labour, which is accorded great dignity in Sikhism. And it has roots in the relative undermining of casteism among Sikhs.

Majority of Sikh farmers are Jats. Historically, they too belonged to the Shudra varna who suffered indignities at the hands of Dwijas (Brahmins, Baniyas and Khatri) in united Punjab. Once Guru Nanak Dev established Sikhism and his and other Sikh Gurus' teachings and hymns were compiled together into the religious scripture Guru Granth Sahib, it laid the foundation for the community's liberation from the varna order and the indignity of labour.

It brought self-respect among the Shudra labourers, changing their status from that of an undignified community in a hierarchical system into one of equal and dignified members. Today, no farming community of India is as self-respecting as that of the Jat Sikhs. This is not to say that Dalit Sikhs, who are also known as mazhabi Sikhs, do not face social discrimination in Punjab. They do.

But the Sikh community is not as casteist and varna dharma practitioners as the Hindutvawadis are. Dalit Sikhs have their own Ravidasi gurudwaras around the world.

They are also fairly well-educated than the Dalit community in any other part of India. They have an independent spiritual and social identity, though largely part of Sikhism. Although the Hindutvawadis want to portray Sikhism as part of Hinduism, their efforts don't bear much fruit because Sikhs realise these are just methods of co-opting. Sikhism has already got global recognition as an independent religion.

Moreover, any Sikh with sufficient knowledge of Guru Granth Sahib, irrespective of gender, can become a Granthi, unlike in Hinduism. Though Arya Samaj allows women

nationalists. Without promoting the dignity of labour by the nation's ruling class, no nation can develop. The government doles out slogans like Swachh Bharat and Atmanirbhar Bharat but they would mean nothing without injecting the dignity of labour in the spiritual-religious system.

A living contrast

Sikhism lays stress on 'Sarbat da bhalla' (working towards the common good of all) and kar seva (doing physical work for the common good). These two ideas are part of the Guru Granth spiritual ideology, which runs counter to the varna dharma ideology

of the Hindutva forces. The Sikh Gurus established the concept of dignity of labour at a time when the idea was almost unknown to the Brahminical spiritual, social and political ideology.

The Shudra/Dalit farmers and labourers in the Hindutva ideology are disrespected and considered undignified human beings, despite being the pillars of India's food production system outside Punjab. The Modi government has

not done anything to change this fundamental belief of caste and varna, and make farm work dignified in the spiritual and social system. What it has done instead is brought laws that would allow monopolistic capitalists to exploit the poor farmers even though they never participate in the socio-economic changes or spend their wealth on the wellbeing of the people at large.

priests to recite shlokas and perform marriages, there is no liberation for women in labour participation in that sect too. Such gender-neutral involvement in spiritual and production process in Sikhism, unlike in Hinduism and also Islam, and their collective labour participation and efficiency in farm production, made Punjab India's food basket. The RSS-BJP never called for such caste-free and gender-neutral participation in agrarian production. On the contrary, they emphasise on maintaining the parampara of varna dharma.

The advancement of Punjab agriculture is rooted in the social base of everybody working on the farm with dignity. Thus, Punjab has evolved as a separate cultural entity within Indian federalism. The state produces a lot of wheat and milk, and the notion of 'Kar Seva' (labour service) even in gurudwaras has attracted global attention.

The gurudwaras – particularly the Golden Temple of Amritsar – are known for their langars where any visitor can have free food and even rich members of the Sikh community freely participate in labour. Such a culture of labour service without invoking the caste cultural indignity in temples is not there on the agenda of the RSS-BJP, even though their members and supporters routinely project themselves as authentic Hindu na-

not done anything to change this fundamental belief of caste and varna, and make farm work dignified in the spiritual and social system. What it has done instead is brought laws that would allow monopolistic capitalists to exploit the poor farmers even though they never participate in the socio-economic changes or spend their wealth on the wellbeing of the people at large.

The Sikh farmers are now part of a strong global community with agrarian production knowledge as their backbone. They have migrated to the US, Canada and Australia to furrow the forest lands and have become respectable citizens of those countries. They are a major political force in Canada now. India must learn from them with humility. And the RSS-BJP too must rein in its forces that are constantly working to demonise the Sikh community. The more they do that, the more they will be exposed before the world, not just in India.

KANCHA ILAIAH SHEPHERD

28 December, 2020

The author is a political theorist, with an upcoming new book *The Shudras – Vision for a New Path* co-edited with Karthik Raja Karuppusamy (Penguin). Views are personal.

Source Courtesy: The Print



D. C. Ahir

The Ad Dharm Movement and Dr. Ambedkar

When in 1915 Dr. B. R. Ambedkar was giving final touches to his Ph.D. thesis at Columbia University in New York, a Punjabi youth, who

had gone to America a few years earlier, was involved in a dangerous mission of smuggling guns from California to the Punjab for inciting mutiny in India. This Punjabi youth later became famous as Babu Mangu Ram, the founder of the Ad Dharm Movement. Mangu Ram was born in a small village Mugowal in district Hoshiarpur, Punjab on 14 January, 1886 in an untouchable family; his father was a leather merchant. As by then the doors of education had been opened to all by the British rulers, Mangu Ram was sent to the school in the nearby village, Mahilpur, but the treatment meted out to him by the Hindu teacher was far from human. Like Bhim Rao in Satara, Mangu Ram too was made to sit outside the classroom. Not only that, even the teacher would not teach him directly; he was invariably given lesson through a Muslim student. Somehow, Mangu Ram passed his middle examination and joined high school at Bajwara, a nearby town. Here too. He was subjected to the same humiliation, and was made to sit outside the classroom. One day, it rained so heavily that in spite of taking shelter under a tree, Mangu Ram was completely drenched. And when the snow-balls, accompanied by high velocity winds, fell like missiles on him, he was unable to bear it any longer. So, he ran to take shelter inside the classroom. As soon as he had entered the room, the teacher saw him, and instead of showing any sympathy, he started beating him with a stick for having come inside. Weeping and crying, Mangoo Ram went out, and somehow reached his home.

Unmindful of the insult and beating, Mangu Ram again went to the school next day. As soon as he reached there, he was surprised to see the teacher in the process of purifying the classroom by sprinkling water on the wooden table, chair and the tats on which the students used to sit. On seeing him, Brahmin teacher cried out, "Oh Chandal, you have come again". Fearing another beating, Mangoo Ram hastened back, never to go again to the school. And that was the end of his education.

With his education coming to an abrupt end, Mangu Ram became unemployed, and bit frustrated too. In 1909, he, along with some other young men from the village, went to California, U.S.A. in order to earn some money by working in the Peach Orchards of Fresno and elsewhere in the San Joaquin valley of central California. Instead of earning money, he, however, became involved in the activities of the Ghadar Party, an international network of militant Punjabi



nationalists led by Lala Hardayal. By his sheer devotion and sincerity to the cause of India's freedom, he came to be regarded as the most dependable and reliable member of the organization. In 1915, Mangu Ram volunteered to be one of the five Ghadarites accompanying a shipload of guns and propaganda material headed for India. This ship was unfortunately intercepted by the British as Batavia, and was sealed. It remained sealed for nearly a year, with the five Ghadarites as prisoners inside. In the meanwhile, they were prosecuted in absentia, and sentenced to death for taking out the weapons illegally on the ship. On hearing the capital punishment, some patriot Indians in Germany decided to help the imprisoned Ghadarites. Somehow, they managed to smuggle the prisoners out from the sealed ship, and sent them in different directions. Mangu Ram was put in a ship going to Manila. By mistake,

however, the ship reached Singapore. Unfortunately for Mangu Ram, here he was recognized by some traitor Indians who had earlier worked for the Ghadar Party. They informed the Police. By now, for running away from Batavia, death warrants had been issued by the British Government to be executed wherever any one of them was found. Accordingly, the Singapore Police began preparing for his execution. Then a miracle happened. Just half an hour before his execution, a gentleman named Barde, whom Mangu Ram had never seen or met, came, caught him by the arm, took him out of the Thana, and putting him on the same ship in which Mangu Ram had come, he asked the Captain of the ship to sail for Manila. By the time the Police swung into action, the ship had crossed the Singapore Port Limits. Having failed to intercept the ship, the police caught hold of some drunkard; executed him to cover up their lapse, and announced that Mangu Ram had been executed. This news was later published in the Indian Newspapers.

For the next 7-8 years, Mangu Ram hid in the Philippines, and during this period he had no contact with his family as no letters could be written

for fear of being intercepted. Taking him, therefore, as dead, his wife married Mangu Ram's elder brother, who was a widower. The validity of the death warrant issued by the British Government lapsed in 1924. Then Mangu Ram thought of returning to India. Accordingly, he came back to Punjab in 1925. Soon thereafter, Mangoo Ram became involved in another kind of freedom struggle, the liberation of the untouchables, the people among whom he was born, and the people who were meekly suffering the atrocities of the Hindus. Babu Mangu Ram's association with the Ghadar Party had broadened his outlook, and sharpened his skills as an organizer. Soon he found a band of like-minded young men involved in the social work, and began organizing them in order to liberate the downtrodden from the clutches of the Hindu social slavery.

Encouraged by the response to his



ideas, Babu Mangu Ram convened a Conference at his village Mugowal in district Hoshiarpur on 11-12 June, 1926. Addressing the largely attended Conference, Babu Mangu Ram proclaimed that the Untouchables constituted a separate Qaum, a religious community like the Muslims, Sikhs and Hindus, and those they were the original inhabitants of this country. Hence, the movement was named as Ad Dharm; and its leaders devised distinctive costume, bright red turbans and shashes; coined a new sacred mantra or symbol, "So-hang" and exhorted the people to call themselves as Ad Dharmis.

The primary object of the Ad Dharm was to give the untouchables an alternative religion. Its another object was to reform the society from within. As social movement, the Ad Dharm exhorted the people to abstain from immoral practices; to lead a life of purity and piety; to discard the use of alcohol, drugs, give education to boys and girls, and to treat all men and women equal in the society. On the whole, the movement was aimed at giving the untouchables a sense of pride and dignity as members of the Ad Dharm.

The headquarters of Ad

Dharm Mandal were established in Jalandhar city from where the movement was organized in a systematic manner, and the devoted missionaries spread the message far and wide in the Punjab, and even beyond. Since the Mandal had accepted Sahib Shri Guru Ravidass Ji as its spiritual leader, the movement became primarily popular amongst the Chamars, and they readily adopted the nomenclature of Ad Dharmi.

At the time, Babu Mangu Ram was organizing the untouchables of the Punjab under the banner of Ad Dharm; Dr. Ambedkar was fighting a similar battle in another part of the country. Though they were thousands of miles apart, yet their ideas and methods of struggle were almost identical. Both believed that the present day Scheduled Castes are not Hindus, and that their salvation lies only in being independent of the Hindu religion. Both believed in self-help and advocated peaceful means to achieve their goal. Both laid the greatest emphasis on 'education'. Babasaheb considered "education" the key to all progress, and Mangu Ram says that only "education can lead us to Sachkhand (the realm of truth)." Again, Babasaheb exhorted the people to follow the Three Commandments of 'Education, Agitation and Organization' to gain power. According to Mangu Ram, the poor have three kinds of power: "Qaumiat (collective solidarity), Mazhab (spirituality) and Majlis (organization)".

Within a year of its founding, the Ad Dharm movement created quite a stir in the Punjab by constant rallies and conferences, if forced the Government of the day to take notice of the problems of the untouchables. One of the reasons of the poverty and exploitation of the untouchables was the pernicious system of beggar, the system under which they were forced to live at the beck and call of others and were obliged to do a great deal of work without any remuneration whatsoever. The Ad Dharm Mandal agitated against the system of beggar, and demanded its abolition. The Mandal also agitated for repealing the Punjab Land Alienation Act which prohibited the untouchables from buying even a small piece of land. The Ad Dharm movement reached its peak at the time of 1931 Census. As a result of their sustained propaganda, more than half a million untouchables declared themselves as Ad Dharmis. This showed the organizational skill of its leaders. "The massive support", as says Mark Jueregensmeyer, "created political capital, and Mangu Ram used that capital in political ways. Ad Dharmi candidates stood for public offices and an alliance was created with the Unionist Party. In both instances, scheduled caste leaders supported by the Ad Dharm organization achieved public positions".

Courtesy: Dr. Ambedkar and Punjab by D. C. Ahir