

frontier

Vol. 56 : No. 31

ISSN 0016-2094

January 28, 2024-February 3, 2024

Founder-Editor : **SAMAR SEN**

On Other Pages

Comment	2
Note	3
WAR CRIMES 'Staying Alive is Luck' V Subrahmanyam	4
POINT OF VIEW Validity of The AI Hysteria Tamoghna Mitra	7
BILKIS BANO CASE A Landmark Judgement Madhu Bhaduri	8
BACK TO PRISON Pregnant Bilkis Raped, Her Family Murdered Kirtivardhan Mishra	10
'DHWAJA OF JUSTICE' Saffron Flag as the Unifying Flag Shamsul Islam	11
'MULTIPLYING WITH ZERO' Subhas is NO MORE T Vijayendra	12
DENOTIFIED TRIBES 'Born Criminals' Mahasweta Devi	13
Letters	14

Editor : **TIMIR BASU**Assistant Editor : **Subhasis Mukherjee**

Published weekly for Germinal Publications Pvt. Ltd. by Sharmistha Dutta from 44, Balaram Dey Street, Kolkata-700006 and Printed by her at Laser Aid, 35A/3, Biplabi Barin Ghosh Sarani, Kolkata-700 067.

E-mail : frontierweekly@yahoo.co.in
frontierweekly@hotmail.com

Website: <https://www.frontierweekly.com>
Telephone : 2530-0065

[Typeset by THE D-COMLASER, 60 Sikdar Bagan Street, Kolkata-4, Ph : 98361-58319]

Vote matters

PERIODIC ELECTIONS ARE NO GUARANTEE OF DEMOCRACY, albeit 'Modi guarantee' is now a new phrase in India's electoral politics. Then it is also true that democracy doesn't exist without elections. In 2024, more than half the world's population will go to polls—4.2 billion citizens, almost 65 countries, in what appears to be a stirring spectacle of electronic media made hysteria and fanaticism. Any election in India, the world's largest show-piece of democracy is a festival of masses though everybody knows elections don't change the ground reality.

Modi, who won elections in 2014 and 2019, is on the 'right' course for the third term as per opinion polls of dozens of pro-establishment media houses. In reality Modi has transformed India's constitutional democracy into an elected autocracy by way of dismantling old democratic institutions, silencing the Opposition through coercive laws and systematically eroding whatever remains of federalism, denying states their legitimate dues. India is now more unitary than what it was at the time of framing the constitution. The so-called biggest democracy without freedom of speech is all about deepening the ruling elites' impunity to do whatever they want. The space for political competition and civil society is shrinking. Election in India is no longer free and fair. Muscle power is part of the game called universal adult franchise. Criminalisation of politics is so deep-rooted that no election is free from violence. Then money is the deciding factor in every election, local or national.

Central Agencies are being increasingly used to keep opposition politicians behind bars. Also, they are treated badly in custody. Very recently a deputy commissioner in the Goods and Services Tax department in Chennai wrote a passionate letter to the President of India, making allegation that 'the Ministry of Finance has converted the Enforcement Directorate into a BJP policy enforcement directorate'. For all practical purposes these central agencies supposed to function neutrally are actually working as extended arm of BJP.

Tragically enough, Modi who won elections in 2014 and 2019 because of disunity in the Opposition camp, having no unified and alternative programme of action, to combat his party—Bharatiya Janata Party [BJP]—continues to remain in limelight by any means, fair or foul. How Modi is being courted by world leaders seems to have tied his larger than life-size image to that of "an India finally on the rise", thanks to pliant media. Only

recently the President of UAE came all the way to praise Modi for his dynamism and take part in a road show with his host. Road-show is a new fashion in political culture to mobilise voters. Perhaps the show-diplomacy was an indirect message to minority community people that all was well. During his second term, Freedom House, a pro-democracy think tank, downgraded the country's democracy rating from 'free' to 'partially free' as his government targeted critics and independent news media and blatantly followed discriminatory policies against the Muslims.

Despite global outreach, Modi's party with its dozens of frontal outfits; is tirelessly whipping up Hindu primacy while continually conjuring threats about Muslims. Modi's storm-

troopers have created an atmosphere of fear psychosis for the minorities, Dalits and tribals. India is now the biggest prison house with hundreds of thousands of innocent people languishing in jails for years without trial. Modi has wielded sedition and sweeping security laws at dissenters, opposition leaders and any critical media, 'imposing more than 700 internet shutdowns—most on Earth—since coming to power in 2014'.

Meanwhile, all political parties have started poll campaigns, resorting to all sorts of gimmicks and tricks. For the BJP inauguration of Ram Temple was a grand occasion to polarise voters on religious lines and politicise the issue. Congress too was in the same league while trying to make their presence felt by boycotting the event under the spe-

cialous plea that the temple was still under construction. Not for nothing 55 people belonging to the Hindu society in 50 countries were invited to witness the gala opening of the Temple. BJP's NRI backers reportedly donated huge sums for the construction of the Temple. Then BJP didn't miss the chance to make overtures to the Dalit voters. So, family members of Dalit icons B R Ambedkar, Jagjivan Ram, Kanshi Ram and other 'prominent people' belonging to the scheduled castes were among those invited for the January 22 consecration ceremony. In addition to so many 'guarantees' Modi is now offering 'Ram guarantee'. Maybe, Lord Ram is the saviour for Modi and his party in 2024 general elections.

□□□

COMMENT

The Epidemiological War on Gaza

DISEASE IS POISED TO BECOME an even deadlier second front in Israel's assault on the besieged Gaza Strip. On November 28, 2023 Margaret Harris, a spokesperson for the World Health Organisation (WHO), warned that the catastrophe unfolding in Gaza was likely to become even worse. "Everybody everywhere [in Gaza] has dire health needs now because they're starving, because they lack clean water, and [they're] crowded together", she said at a UN briefing in Geneva, before concluding with an ominous pronouncement: "Eventually, we will see more people dying from disease than we are even seeing from the bombardment".

Israel's ongoing war on Gaza has already killed nearly 23,000 people, with 7,000 others buried under rubble and 55,000 more injured. But what Harris was pointing to was a second, quieter war front that now stands to escalate dramatically. Since October

7th, Israel has severely reduced the entry of food, water, and fuel into Gaza, successfully creating what UN health officials say "a dire human-made humanitarian catastrophe" characterised by mass hunger, thirst, homelessness, and lack of medical services. As months pass without any meaningful relief, these conditions have produced "the perfect storm for disease", as per statement of the United Nations Children's Fund . On January 2nd, the WHO announced that there are currently 424,639 cases of infectious diseases in Gaza. Since such official counts only represent those who were able to make it to a clinic or hospital, experts assume that the true rates are much higher. A half million infectious disease cases would still have overwhelmed Gaza's healthcare system before October 7th, though many would have been treatable with food, water, and medical care. But today, amid an ongoing

assault that has destroyed 27 of Gaza's 36 hospitals, as well as the very foundations of the enclave's public health—in the form of food, water, and shelter—epidemics are likely to mean mass death.

In most wars, including in Iraq, the Democratic Republic of the Congo, Yemen, and Darfur, far more people die of disease and starvation than through direct military assault. Indirect health-related deaths—which are seldom discussed when reporting the death toll of a war—can outnumber direct deaths by more than 15 to 1. In Gaza, such deaths are likely to keep increasing even if there is a ceasefire, the possibility of which seems remote at the moment. Experts think a quarter of Gaza's population—could die from preventable health causes in the coming year.

In Israel, these grim warnings have not initiated any change of course. In fact, a vocal minority on the Israeli right has even lauded the spread of disease and starvation as a way of weakening Hamas.

There is no end in sight to the

humanitarian cataclysm Israel has manufactured in Gaza—and increasingly, no way to fully apprehend its true toll. It is already impossible to assess the scale of indirect war-related deaths in Gaza. There are no statistics on the number of children who have already died of hunger, or the number of people dying because they can't get dialysis or

chemotherapy, or obtain their high blood pressure medication or insulin. Nor can one fully know how many are dying from the flu or diarrhea; dying because the hospitals are beyond capacity; or dying from infected wounds because of a lack of sanitation or antibiotics. □□□

05-01-2024

[Contributed by Maya Rosen
of Jewish Currents]

NOTE

Areas of Acute Hunger

Bharat Dogra writes:

ACCORDING TO THE INTEGRATED Food Security Phase Classification (IPC) initiative, the highest level of acute food insecurity (Phase 3 and above—crisis and worse) as well as catastrophic hunger (the highest Phase 5) are currently recorded for Gaza. In the case of Phase 3 hunger (crisis and above) the entire population of Gaza of about 2.2 million is affected by it. About 50% of the Gaza population, comprising about 1.1 million people, are affected by emergency level of hunger, or phase 4 and above. About 25% (or nearly half a million) are affected by the highest level of catastrophic hunger situation, or Phase 5. These have worsened for the current period further compared to the previous estimates made for the period of late November to early December 2023. Nearly 90% of the population has been displaced and is concentrated in an increasingly smaller region.

The United Nations emergency relief coordinator Martin Griffiths has stated in the first week of January that 'famine is around the corner in Gaza'. He has also stated "Gaza has simply become uninhabitable. The people are witnessing daily threats to their very existence".

The Human Rights Watch has stated that the Israeli government is using starvation as a weapon by denying food and water to people.

According to the IPC, in Afghanistan 13.1 million people faced phase 3 level of hunger (crisis and worse) in October 2023, due to climate stress, economic instability and unemployment. Here it may be recalled that it was at this stage that Pakistan decided to deport a very large number of refugees to Afghanistan. The harsh winter must have worsened the situation more recently.

In the case of Sudan for the period October 2023 onwards 17.7 million people are estimated to be affected by Phase 3 hunger (crisis and worse).

In the case of South Sudan this number is 5.87 million.

In absolute number (as different from percentage of total population) the highest number of people affected by acute food insecurity or phase 3 hunger have been estimated for the Democratic Republic of the Congo. The number of those affected by phase 3 hunger here has been estimated at 25.4 million for the second half of 2023. Here it may be mentioned that according to recent reports the Israeli authorities have been trying to negotiate sending several people of Gaza to the Congo, in what they describe as 'voluntary migration'.

In the case of Haiti the number of people affected by Phase 3 hunger has been estimated at 4.35 million.

In the case of Somalia after

BOOKS BY T VIJAYENDRA

Just Released

REQUIEM FOR OUR TIMES Rs. 100

AFTER ALL IT IS ONLY HIM!

AND OTHER STORIES Rs. 70

AN INTELLIGENT BIRD'S GUIDE

TO THE BIRDWATCHER AND

OTHER STORIES

Second reprint Rs. 40

THE LOSERS SHALL

INHERIT THE WORLD

Third Reprint Rs. 60

REGAINING PARADISE:

TOWARDS A FOSSIL FUEL FREE

SOCIETY Rs. 120

THE TEACHER AND

THE CHILD LABOUR Rs. 50

For Copies Contact :

MANCHI PUSTAKAM

12-13-439, St. No. 1 Tarnaka,

Secunderabad 500017

Email: info@manchipustakam.in

Cell: +91 73822 97430

rains an improvement has taken place but despite this the number of people affected by phase 3 hunger or acute food insecurity is estimated at 5.3 million. In Madagascar also there has been an improvement and now over 1 million are estimated to be affected by phase 3 hunger.

In the case of Pakistan due to floods and other extreme weather the people affected by phase 3 hunger were estimated at 10.5 million during April-October 2023.

Regarding Bangladesh for March-April 2023 the number of people affected by Phase 3 hunger were estimated at 9 million.

These numbers are important indicators for the hunger situation at world level. However it appears that the estimates of catastrophic hunger are underestimates in the context of several countries (not for the Gaza region) and need to be revised upwards with further and closer study of the situation. □□□

[The writer is Honorary Convener, Campaign to Save Earth Now. His recent books include 'Planet in Peril', 'Protecting Earth for Children' and 'India's Quest for Sustainable Farming and Healthy Food'.]

WAR CRIMES

'Staying Alive is Luck'

V Subrahmanyam

ON DECEMBER 29, SOUTH Africa filed a case against Israel at the International Court of Justice, accusing it of genocide of Palestinians in the current war on Gaza. Perhaps South Africa, with its long history of suffering during the apartheid regime, understands the agony of the Palestinian people in Gaza. South Africa's feeling is shared across the globe in varied degrees, and recently, the overwhelming majority of the countries voted for an immediate ceasefire in Gaza.

All wars are ruthless. If the war on Gaza is directed against the belligerent army, that is, Hamas, it is understandable. But if it is targeted to commit ethnic cleansing or extermination of civilians on a large scale under the guise of 'Israel's right to defend itself' is a war crime. That is precisely what Netanyahu's 30,000 Israeli Defence Forces (IDF) and an unknown number of reservists are carrying out in the Gaza Strip in the ongoing war. The present war is the continuation of the Zionist politics of ethnic cleansing and military strategy of crushing any Palestinian resistance in future, using the Hamas attack of October 7th as a pretext.

The Hamas attack has shaken the Israel establishment to the bones. The attack was immediately followed by a barrage of air strikes into Gaza. The IDF indiscriminately pummeled human dwellings, and one hundred government buildings, ravaged dozens of hospitals, and scorched nearly 300 schools with missiles and aerial bombardments. After two weeks, its ground forces entered Northern Gaza and encircled it from three sides. Gradually, it cut off the entire northern part from the southern. Till to-

day, the death toll of civilians is 22,000 including 8200 children. It injured at least 55,243 Palestinians, including 8663 children. Al Jazeera reports that 7000 persons are still missing. Perhaps they died under the rubble. Like in any war, women are bearing the brunt in this war, too. Two-thirds of the casualties are women and children, leaving no doubts for any regarding who the targets of Israel are.

Since the October 7 Hamas attack, the IDF and armed vigilantes—the Israeli settlers in the West Bank intensified their repressive measures. Raids, arrests and killings have become routine for the Army. Since then, they killed 313 people, including 36 children, and wounded 3450. More than 3,000 Palestinians have been arrested in the West Bank and occupied East Jerusalem. Those arrested or detained included people from all walks of life. UN warned that the situation in the occupied West Bank is rapidly deteriorating and called on Israel to "end unlawful killings".

In the Hamas attack, 1139 were killed, including 274 soldiers and 38 local security officers (who are civilians but counted in the IDF's list) and 8703 people were injured. During the ground operations, Hamas killed 167 IDF forces so far. Hamas took 240 hostages, including a few foreigners. 105 of them were released in a swap for the jailed Palestinians. The families of hostages are demanding Netanyahu to do everything to bring back the remaining hostages. The families press for a ceasefire so as to facilitate the release of the hostages, but Netanyahu bent on destroying

Hamas, is least bothered about the safety of the hostages.

Israel is waging a grossly unequal war. IDF has 1,69,500 regular forces and 4,00,000 reservists. Hamas has around 20,000 recruits in its armed wing. Only 10% are trained by regular armies, and the rest are partisans. Israel is the fourth largest army in the Middle East and eighteenth in the world. It has been established as the 10th largest arms exporter in the world, selling 2.4% of all the globally produced arms. The US has been the biggest arms supplier to Israel since its formation. Most US help comes in the form of weapons grants. More than 80% of Israel's weapons imports came from the US between 1950 and 2020. Since its inception, the US has given total military assistance worth \$ 130 billion. In the last financial year, the US assisted Israel with \$ 3.8 billion, 16% of Israel's military budget. Immediately after the Hamas' October 7th attack, Biden released \$ 10 billion as Emergency fund to Israel. According to IDF, the US is "a force multiplier in this war".

Hamas is mainly funded by Iran. It collects donations from inside the Palestinian areas and diaspora living abroad. Hamas is no match to Israel in any aspect—finances, weapons and strength of armed forces, striking capabilities, and advanced weapon systems. It is an asymmetric fight, like between David and Goliath. "It's (Hamas) a relatively primitive force", says Dr Sidharth Kaushal, a research fellow and military science expert with the Royal United Services Institute.

The urban war in Gaza will go down as a war, not a war on Hamas, but a war on the Palestinian nation in history. The savagery of the war is unprecedented. Hadib Salameh, 75, a resident of Gaza who was born when the Nakba or the catastrophe

began, has been witness to many wars of Israel says: "It is the fiercest," referring to the current war in Gaza. Nakba, the first uprooting of 7 lakh Palestinians in 1948, resulted in 15,000 deaths. The present death toll has crossed more than 22,000 and is not going to stop till the Israel invasion of Gaza ends. The aerial attacks had killed only a few Hamas fighters. But the indiscriminate and merciless bombings killed civilians in large numbers. There is a common refrain among the people in this war. WHO's Chief Tedros echoed the feeling on November 10, addressing the Security Council. He said: 'Nowhere and no one is safe in Gaza'. According to the Committee to Protect Journalists, at least 69 journalists have been killed in the conflict. Amnesty International said that journalists are being deliberately targeted. More than 50 media premises or offices in Gaza have been entirely or partially destroyed by Israeli attacks.

Azmi Keswami, the Gaza analyst for the International Crisis Group, who fled from northern Gaza and has moved six times so far, says, "This war is more horrifying than any he had experienced before". Mohammed Abed, a journalist from Al Maghazi, on the attack on Christmas Day, said: "These rockets, it is like they are made to destroy mountains, not people." The New York Times analysed the bombs. It came to the conclusion that Israel used the most lethal 2000-pound bombs that have not been seen since the Vietnam War but are widely used in this war. Their killing or wounding range extends to 1000 feet away. Mothers began writing the names of their children on their hands to identify their loved ones in case they were crushed to death beyond recognition. A week after the Israeli forces entered Gaza, on October 28, Northern Gaza saw unprecedented

air strikes. BBC's Rushdi Abu Alouf said that 'the bombardment of northern areas was on a scale he had never seen before'. Israeli Defence Minister Yoav Gallant gleefully declared: "Last night, the earth in Gaza shook." U S advice to Israel to avoid civilian casualties—though it never followed in its wars from Vietnam to Afghanistan—is simply shrugged off by Tel Aviv.

Israel caused extensive damage to residential houses. An UN-led aid consortium estimates that 'more than 234,000 homes have been damaged across Gaza and 46,000 destroyed, amounting to about 60 percent of the housing stock in the territory'. The wanton destruction of homes by the likes of the Zionist regimes brought a new word to the lexicon: Domicide (mass destruction of houses). Netanyahu's government is making Gaza an unliveable place with its blitzkrieg acts. The UN Special Rapporteur on the Right to Adequate Housing, Balakrishnan Rajagopal, argued that the 'domicide' must be recognised as an international crime. 'Behind every broken stone, there is life, a story, and a family', says Ammar Azzoz, a researcher at Oxford University and the author of 'Domicide in Syria'.

The merciless Zionist government ordered even the hospitals to vacate. How can the staff shift thousands of patients, and that too serious patients from the North to the South? Even the Southern enclaves of Gaza have been attacked with rockets and gunfire without sparing hospitals and UN Schools. The closest ally, the U S, advised "humanitarian pauses" to allow aid and growing civilian casualties. Netanyahu, hubris with his obsession with destroying Hamas at any cost, went ahead with his brutally aggressive campaign, allowing the humanitarian aid that was "a drop in the ocean". More than 26 hospitals and

FRONTIER

44, Balaram Dey Street, Kolkata-700006

Phone: (033) 2530-0065

Mail: frontierweekly@yahoo.co.in

frontierweekly@hotmail.com

Site: www.frontierweekly.com

SUBSCRIPTION RATES

India [Annual]	Rs.	500
Frontier Associate [Annual]	Rs.	1000
Life Subscription [Inland]	Rs.	5000+

Make payment by Cheque/Draft
in favour of

GERMINAL PUBLICATIONS PVT. LTD.

or

FRONTIER [GERMINAL
PUBLICATIONS PVT. LTD.]

MO should be addressed to Frontier
Please add Rs. 50/- to inland outstation
cheques towards bank charges, all
remittances to FRONTIER

Payment could be made directly to
our bank accounts as given below.

Check the bank details before
transferring money. Also inform us
through e-mail after sending money.

Beneficiary Name:

GERMINAL PUBLICATIONS PVT. LTD.

Bank Name: CENTRAL BANK OF INDIA

Address: 8, Lenin Sarani, Kol-700013

Branch: Esplanade Branch

Current Account Number: 3116713216

IFSC Code: CBIN0280098

Swift Code: CBININBBCAL

OR

GERMINAL PUBLICATIONS PVT. LTD.

Bank Name: PUNJAB NATIONAL BANK

Address : 223, C. R. Avenue, Kolkata-6

Branch: Jorasanko Branch

Current Account Number: 0085050001319

IFSC Code: PUNB0008020

Branch Code : 0008020

Swift Code: UTBIINBBOBC

OR

**FRONTIER (GERMINAL PUBLICATIONS
PVT. LTD)**

Bank Name: PUNJAB NATIONAL BANK

Address : 223,C. R. Avenue, Kolkata-6

Branch: Jorasanko Branch

Current Account Number: 0085050001378

IFSC Code: PUNB0008020

Branch Code : 0008020

Swift Code: UTBIINBBOBC

*For MO, Regd. Post and Speed Post mailing
address should be written in the following
fashion :

To

FRONTIER

C/o Durbar Mahila Samanawya Committee

44, Balaram Dey Street, Kolkata-700006

West Bengal, Contact : 8240016324

55 health centres have ceased operations due to the bombing and blowing up of hospitals.

"Intentionally directing attacks against medical units and transport" is prohibited as a war crime under the ICC's Rome Statute. However, violating International laws is a congenital disease for Israel, and it has been doing this with impunity with the support of the US.

Human Rights Watch castigated Israel's defence for attacking hospitals. 'Israel's war crimes in Gaza are by design, not default', said HRW. "Despite the Israeli military's claims on November 5, 2023, of ' Hamas's cynical use of hospitals', no evidence put forward would justify depriving hospitals and ambulances of their protected status under international humanitarian law".

The gory nature of the present

URGENT APPEAL

This unique world law fortnightly—perhaps the only law journal in India which regularly publishes important foreign and international courts' decisions—as also provides copious information regarding the socio-economic/political conditions of various countries the world over and invites/publishes thought provoking articles on the pressing problems and crises faced by the people of the world in various spheres—is running on heavy losses and is IN DANGER OF BEING CLOSED DOWN SOON unless subscribers, admirers/well-wishers rise to the occasion and render crucial help in the form of causing many more subscriptions, advertisements (Rs 15,000 or more) and donations at the earliest and regularly. Hope and request all such sympathetic persons/institutions would chip in with their precious aid.

—Publisher, Editor, LAW

CONTACT

I. BALAMANI

Publisher **Law Animated World**

6-3-1243/156, M.S. Makta,

HYDERABAD-500082, India.

Ph: 040-23300284

Email: mani.bal44@gmail.com

Annual subscription: Rs. 1600/-

Life subscription: Rs. 20,000/-

war can be seen from the fact that the IDF did not care a hoot to attack the hospitals. There have been 364 attacks in Gaza and 171 in the West Bank on health care services since the military onslaught began. 553 health workers were killed. The Indonesian Hospital was attacked several times. No single hospital is functional in Northern Gaza, and 9 out of 36 hospitals partially work in Southern Gaza. In all, 729 patients and staff were killed inside the hospitals. The U N said that health system infrastructure is obliterated. The scale of destruction, the indiscriminate character of firing, the intensity of bombing or crowded localities all clearly point out that the undeclared objective of the present attack is ethnic cleansing. Out of 22 lakh Palestinians living in Gaza, 17 lakh were already refugees registered with the UNRWA. Now, they moved to the South. Where can the southern Gazans move when the rockets are pounding the residential areas and hospitals? 80% of the Gazans were forced out of their homes and became internally displaced persons. And half of them are children. The biggest open prison in the world has now become the biggest graveyard for the Palestinians. It is no exaggeration if one calls the Second Nakba.

UN Population Fund said in the first week of November that about 50,000 pregnant women in the Gaza Strip lack access to essential health services and 5,500 women are expected to give birth every day, 180 women giving birth -all in the utter absence of any medical facilities. Fifteen per cent of them are likely to experience pregnancy or birth-related complications and need additional medical care, according to WHO's bulletin dated November 3, 23. Doctors Without Borders (MSF) said on the eve of Christmas: ".nearly two million internally displaced, and

a lack of food, clean water, shelter, and health services, Palestinians in Gaza also face a heightened risk of disease. What hospitals remain operational are overwhelmed and barely functioning." Two of their doctors, one of them a surgeon, were shot dead inside the Al Awda hospital on December 11 and were killed in the Israeli attacks. "Staying alive is luck", one MSF aid worker said.

Without electricity for more than two months, 40% of the population is at risk of famine and many diseases; the aid is just trickling against the massive needs of 90% of the internally displaced population. Gaza is a colossal graveyard as a consequence of Israel's invasion. The inhuman blockade is throttling the life in Gaza. Human Rights Watch said that the Israeli government has been using starvation of civilians as a method of warfare in the occupied Gaza Strip, which is a war crime. Israeli forces have been deliberately blocking the delivery of water, food, and fuel while wilfully impeding humanitarian assistance, depriving the population of indispensable things to their survival. 'Bakeries and grain mills were destroyed. Agriculture, water and sanitation facilities were raged', said Scott Paul of Oxfam.

Defence Minister Yoav Gallant and the National Security Adviser Ben-Gvir have made public statements expressing their aim to deprive civilians in Gaza of food, water and fuel—reflecting a policy being followed by Israeli forces.

Without a ceasefire, the human suffering will not stop. The world knows it. And the majority of nations are voting for the truce. However, the US vetoed all the efforts to bring a ceasefire into effect. On December 12, the U S felt increasingly isolated in the UN with its asinine support to Israel after 153 member countries out of 193 total members voted in favour of a humanitarian ceasefire in

the U N General Assembly. Only the US, Israel and Austria voted against the resolution, while 23 countries, including the U K and Germany, abstained. Peeved by the isolation and facing intense criticism from many quarters, including from his own Party, Jo Biden lost his cool and chided Netanyahu without any impact. Biden delivered his strongest rebuke of Netanyahu's handling of the conflict yet, warning that Israel's "indiscriminate bombing" is costing it international support. Netanyahu said that the war would continue until Hamas is eradicated. "I told our American friends: Our heroic soldiers have not fallen in vain," Netanyahu said. His Foreign Minister Eli Cohen vowed to keep fighting "with or without international support".

Netanyahu began the war to destroy the Hamas, which constituted 1% of the total Gazan popu-

lation. IDF claims that it has killed 8000 Hamas fighters so far, which could not be verified, but it lost 160 soldiers and 1000 wounded, 300 of them in serious condition since the ground offensive began. But is it justified to kill more than 22000 and injure 50000, destroying the entire Gaza landscape and turning it into a mountain of rubble?

Israel is violating all the Geneva Conventions relating to the protection of civilians and prisoners of war, attacking residential areas, destroying residential houses, bombing hospitals, force fleeing people into unsafe zones—all come under war crimes.

The aggressive response of the Netanyahu regime to the Hamas attack is unequivocally a genocide. "If we say nothing about Israel's brazen slaughter of Palestinians, even as it is live-streamed into the most

NOTICE

We are getting regular complaints from subscribers that they are not getting their copies by post. Postal dislocation is rampant. It is particularly endemic in greater Kolkata postal district. Local post offices don't really deliver in many cases because of acute shortage of staff. We request our subscribers to lodge complaints to the post offices of their localities and send their e-mail IDs, if any, so that we could also send our on-line version.

—Fr

private recesses of our personal lives, we are complicit in it.", said Arundhati Roy in a recent interview. The whole world should stand with the Palestinian people and do everything possible to avert the ongoing catastrophe. □□

POINT OF VIEW

Validity of The AI Hysteria

Tamoghna Mitra

AS THE WORLD TODAY moves towards complete mechanisation it becomes more and more important to have the 'complete information' about what in reality is going on instead of panicking at every discovery man makes. With the advent of Artificial Intelligence (AI) starts a new chapter of mankind, which understandably has led to this wide-spread consternation. Because as of now there is an exceptional level of uncertainty regarding the range of what an AI can or cannot. The *book "Ajantriker Korcha"[in Bengali] highlights an insight into the world of Artificial Intelligence, making what it is understandable to all types of readers.

The book very neatly decomposes the advent of this technology in quartiles. First, who requires this

***AJANTRIKER KARCHA**
By Shankhadeep Bhattacharya
Publication SAROS
July, 2023, Rs. 200.00

technology? Second, who are making this technology? Third, how this technology works and finally what can be the consequences of such an advanced tech. The first part of the book explains how the giants of the modern-day internet work to monopolise their brands and throw a little brain teaser on how the reader might make out of what these conglomerates may use in the newly found tech. The final part of the book is what sets it apart: unlike most other books which have shown either of the two sides of AI, i.e., either it is a boon and will bring humanity the holy grail or it will

steal everyone's job (if one has watched too many apocalyptic films, AI might send a robot in the past to kill John Connor too). The author Shankhadeep Bhattacharya has provided a dual outlook to this problem. That AI has the capability to stretch far beyond the domain of human tasking and that is where AI acts as a boon. That should really not be a concern for the common folk, because the substitutability clause (AI would be used to substitute human labour) doesn't hold. The next argument is of public concern: what if instead of using the technology for welfare purposes and betterment of the society the tycoons of the software world use it for their age-old agenda of profit maximisation. There comes the problem of technical substitution. And if indeed that happens to some extent there would be large scale unemployment. This book is a brilliant read for everyone who is unsure of what this AI is; it will clear the

understanding of the tech and will enlighten people about the ward and perils of it.

To this writer AI doesn't pose a threat to anything. Firstly, if AI is used in all good purposes such as scientific, even humanitarian research to solve problems human minds are incapable of. There would be nothing better than that. This might lead humanity to another leap forward into a new age of enlightenment. This might sound a bit too utopic; so one shall consider the burning problem of what if the developers sell it for a fortune to the highest bidder. Well, they will turn into a monopoly and become richer than the Saudi king. The mass will however still be happy and rather bewildered to even think about having this kind of wealth. Nothing will

upset the mass until someone starts playing a tug of war with their livelihood. If in turn AI is mis-utilised into substituting the human labour, there will be "large scale unemployment". Now the scale is important. By 2030 the AI is likely to take away somewhere around 400 to 800 million jobs worldwide. That number of unemployed enraged and hungry people would most definitely be sufficient to cause a substantial rebellion world-wide to 'get what they want'. In truth AI would be replacing a major part of the white collared moderately high salaried individuals who constitute the majority of the upper middle class.

Still AI cannot replace a human mind, the spontaneity of the human mind, the irrationality of the human mind which leads to new inventions

to new thought processes. AI might possess an out-worldly IQ but it's the EQ which makes a human human and runs the world. No matter how advanced an AI gets the EQ it produces would be nothing but an algorithm based on extensive data analysis.

With AI there comes a distinction of job roles. There is a lot of speculation about what jobs becomes menial for a human to do and what should be taken over by a machine. Well, the boundary has already been set. The human mind has come to realise the threshold of its capabilities and will act accordingly. AI should be used to trudge beyond the limits of the human brain and forward the society to a better future and if used otherwise humans will take care of it themselves. □□□

BILKIS BANO CASE

A Landmark Judgement

Madhu Bhaduri

THE SUPREME COURT OF India, in a historic judgement delivered on 8 January 2024, has revoked remission orders passed by the Gujarat government in August 2022 on eleven convicts in what has come to be known as the Bilkis Bano case. This landmark judgement is part of a long chronicle of crime and punishment. It has caused relief and hope among a large section of people, especially the victim Bilkis Bano, whom the convicts had gang-raped, her family and her community. At the same time, the judgement has brought to a sudden end the liberty of the convicts who had been granted remission a year and a half ago and have now been ordered to return to prison. For them, it is the end of personal freedom, which they were enjoying due to an unlawful order passed by the Gujarat government.

The Court of Justice Nagarathna and Justice Ujjal Bhuyan has declared that remission was granted to the convicts on manipulation and suppression of evidence on the part of one of the convicts and by 'usurpation' of power and authority which it was not lawfully entitled to, by the government of Gujarat. This powerfully worded judgement has created much discussion and divided public opinion, which is visible in the media, especially social media.

The case goes back to twenty-two years. A young Bilkis Bano, who was 21 years old then and pregnant, was gang-raped.

She could not prevent her three-year-old daughter's head from being smashed on a rock and the murder of seven members of her family in front of her eyes. She survived because the rapists and murderers took her to dead. All of them were known

to her by name. They were her neighbours. This was in Gujarat in February 2002 during the frenzy of hate killings, which left several thousands dead. Bilkis, the lone survivor, had the courage to fight for justice. In that process, her case was shifted by the Supreme Court from Gujarat to Maharashtra, where the criminals were convicted in 2008 and were all given rigorous life imprisonment.

In an unprecedented move, the Gujarat government granted remission to all eleven convicts in 2022. Bilkis, the victim, was shattered to hear that her rapists and murderers of her family, which had gone through prolonged hardships during the years of trial when they were compelled to move from one place to another in fear of being haunted, was in danger once again.

Friends and well-wishers couldn't persuade Bilkis to renew her fight for legal justice. Her lawyer, Shobha Gupta, said that Bilkis felt tired and hunted. Without sufficient public support, she was unwilling to take on another battle in the court of law

alone, just by herself. While many people and activists were ready to file Public Interest litigation against the grant of remission to the convicts, rules made it mandatory for the victim to file case first. Finally, large public support persuaded Bilkis to approach the Supreme Court.

In August 2023, the Supreme Court began hearings of the cases relating to grant of remission to the rapists of Bilkis Bano. Along with her case, several public interest litigations were also filed for revoking the remission orders granted to the convicts of gang rape and murders. Interestingly, all the petitioners on Bilkis Bano's side (with one exception of Jagdeep Chhokar, former professor at IIM, Ahmedabad) were women, and so were all the top lawyers on her side women. On the other side, some of the top male lawyers in the country represented the Gujarat government, the convicts and the central government. During the hearings before a two-member bench headed by Justice Nagarathna, the Supreme Court gave the visual appearance of gender confrontation.

The heart of this landmark judgement lies in the revelation that under the existing laws, the rightful authority to grant remission lies with the state government where the conviction is made. In this case, the government of Maharashtra was legally responsible for considering a grant of remission because a special court in that state had convicted the criminals on charges of gang rape and murder. The judgement says the government of Gujarat unlawfully 'usurped' that right. So, the order of remission passed by it violated the law. It was legally invalid.

The Gujarat government passed the remission order with the concurrence of the Home Ministry in Delhi. The central government was also part of team defending the order of remission in the Supreme Court.

The Judgement showed that one of the convicts had filed a case in the Supreme Court in 2022 in which he had withheld important information about his having applied to the special court and the government of Maharashtra as also the CBI (The agency which had investigated the case of Bilkis Bano) for grant of remission. From all of them, he had received negative responses. He had then fraudulently received permission to approach the Gujarat government for a grant of remission.

A third and important revelation in this Judgement is that the Gujarat government granted remission on the basis of rules of remission that had been cancelled by that government and replaced by new rules circulated by the central government. The new rules do not allow for remission to rapists. It is a sad reflection on the Gujarat government that it has been complicit in violating more than one law. Some commentators have expressed the view that this Judgement can be regarded as an indictment of the Gujarat government for having violated the law of the land and in violation of rules of remission.

The team of lawyers in defence of the remission granted to the convicts argued forcefully against sending the convicts back to prison, which would amount to curtailing their freedom. The Judgement comes out clearly against "protection to a fortunate few", which it says does not come in the meaning of the rule of law.

The important element of the Judgement is the relevance of the social dimensions of the crime committed by the convicts. The current CJI, Justice Chandrachud, is quoted in the Judgement to have said that when considering the grant of remission, it should be seen if the crime was an individual one or a social crime. In current case, there is no doubt that the crimes of the eleven

convicts were clearly committed in a frenzy of hate against a particular community. On the score of the social impact of their crimes, the remission granted to the criminals has clear and wide implications.

Here, while reflecting on the social aspects on this case, it would be relevant to recall that when the eleven convicts were set free on August 15, 2022, just when the PM was upholding the honour of India's women in his speech from the ramparts of the fort, the convicts were felicitated under the gaze of TV cameras with garlands and sweets. They were praised for their 'sanskars' and for their high caste behaviour.

As one of the many petitioners who approached the Supreme Court against the grant of remission to the rapists of Bilkis Bano, this writer thinks that the Judgement passed by Justice Nagarathna will have deep relevance in years to come. It has not only held high and, above all, the value of the rule of law and equality for all, but it has also placed the social relevance of law very high. Much higher than the 'sanskars' of the higher caste.

On this historic Judgement, Bilkis Bano has expressed herself most eloquently:

"Even as I absorb the full meaning of this verdict for my life and my children's lives, the dua that emerges from my heart today is simple---the rule of law above all else and equality before all".

Has this Judgement brought to an end the long chronicle of crime and punishment, which started twenty-two years ago, or is there more to follow within and outside the courts of law? That remains to be seen.

For now, Justice Nagarathna, through this Judgement, has brought back the dominance of the rule of law above all else and equality for all. □□□

[Courtesy: Madras Courier]

BACK TO PRISON

Pregnant Bilkis Raped, Her Family Murdered

Kirtivardhan Mishra

1 1 CONVICTS SERVING LIFE imprisonment in Godhra, Gujarat were released on 15 August 2022. All of them were serving sentence in the case of gang rape of Bilkis Bano and murder of seven members of her family. After the release of the convicts, Bilkis Bano and her family expressed disappointment over the decision and approached the Supreme Court on the matter. Now the verdict in this case has come on January 8. The Supreme Court overturned the decision of the Gujarat government and cancelled the remission granted to all the convicts.

The SC order draws into focus the Centre's complicity, Modi's silence on this issue and reminds people why cases were shifted out of Gujarat. The Supreme Court Bench of Justices B V Nagarathna and Ujjal Bhuyan said that the State of Gujarat 'acted in complicity with

the convicts". Two cases related to Gujarat riots--Best Bakery and Bilkis Bano--were moved out from Gujarat to Maharashtra. The 11 convicted persons were feted with sweets and garlands after their release. C K Raulji, BJP MLA from Godhra was 'one of the two BJP leaders who were part of the Gujarat government panel that unanimously decided to release the rapists.'

On 27 February 2002, Sabarmati Express was set on fire near Godhra station. In this incident, 59 'devotees' [karsevaks] returning from Ayodhya died. Due to the incident, riots broke out in Gujarat. The fire of riots reached Bilkis's family on March 3, 2002. At that time, there were 15 other members in the family with Bilkis and her three and a half year old daughter. According to the charge sheet, Bilkis's family was attacked by 20-30 people armed with sickles, swords and other weapons. These included 11 people who were convicted.

The rioters raped Bilkis, her mother and three other women of the family. Beat them all brutally. Seven out of 17 family members died in the attack. Six went missing. Only three people could survive. These included Bilkis, a man from his family and a three-year-old child. Bilkis was five months pregnant at the time of this incident. After the brutality of the rioters, Bilkis remained unconscious for about three hours.

After the incident, Bilkis reached Limkheda police station. Where she lodged the complaint. According to the CBI, head Constable Somabhai Gori, who recorded the complaint, suppressed material facts and dis-

torted Bilkis's complaint. She was even taken to the government hospital for medical examination when she reached the relief camp in Godhra. After the intervention of the National Human Rights Commission and the Supreme Court, Bilkis's case was transferred to the CBI for investigation.

CBI started fresh investigation into the case. Investigation revealed that even the postmortem of those killed was not done properly. CBI investigators exhumed the bodies of those killed in the attack and found that none of the bodies even had a skull. According to CBI, after post-mortem, the heads of the corpses were cut off, so that the bodies could not be identified.

When the trial of the case started, Bilkis Bano started receiving death threats. After this the trial was shifted out of Gujarat to Maharashtra. Charges were filed against a total of 19 people, including six police officers and a doctor, in a Mumbai court. In January 2008, a special court convicted 11 accused of rape, murder, unlawful assembly and other charges. At the same time, the head constable was found guilty by the court of writing a wrong report to save the accused. Whereas, seven other accused were acquitted due to lack of evidence. At the same time, one accused died during the trial.

The 11 accused who were convicted include Jaswantbhai Nai, Govindbhai Nai, Naresh Kumar Mordhiya (deceased), Shailesh Bhatt, Radheshyam Shah, Bipin Chandra Joshi, Kesarbhai Vohaniya, Pradeep Vohaniya, Bakabhai Vohaniya, Rajubhai Soni, Nitesh Bhatt, Ramesh Chandna and Head constable Somabhai Gori was included. Jaswant, Govind and Naresh raped Bilkis. Shailesh killed Bilkis's daughter Saleha by throwing her on the ground.

DOORSTEP COMPOSITOR

[Contact for Bengali DTP Operator at your Doorstep]

At present, we have started a new facility, throughout India. The Bengali language is now used in many places. Thus, there is a need now to have Bengali Computer Operators for publishing in Magazines, Books, Periodicals, Souvenirs. Further, we have created this new facility for preparing Question Papers for Schools, Colleges and Universities. So, you need not send the confidential works to outside. We can go to your Office or Institution to complete such works. We shall also make them in printable formats. Moreover, the translation to Bengali is also done. You may contact us for these types of work.

However, you have to arrange or pay the expenses for our Travel and Stay. We thus also accept some amount as Honorarium; it depends on the importance and quantum of work. We sincerely expect that you will use the facility.

Please contact: **THE D-COMLASER**

BHASKAR DAS (Proprietor)

39A, Nalin Sarkar Street, Kolkata 700004

Mobile : 98361-58319

Email : bhaskar_sananda@yahoo.com

In May 2017, the Bombay High Court upheld the life imprisonment of 11 people in a gang rape case. At the same time, the remaining seven people including the policemen and the doctor were acquitted. In April 2019, the Supreme Court ordered the Gujarat government to pay Rs 50 lakh as compensation to Bilkis within two weeks.

Radheshyam Shah, one of the 11 convicts, filed a petition in the Supreme Court for remission of sentence. The court asked the Gujarat government to take a decision on the petition. After this the Gujarat

government had constituted a committee. This committee accepted the apology petition. After this these people were released.

Under Articles 72 and 161 of the Constitution, the President and the Governor have the power to commute, pardon and suspend the sentence of convicts convicted by the court. Prisoners are state subjects; hence state governments also have the right to waive the sentence under Section 432 of the Code of Criminal Procedure (CrPC).

However, section 433A of CrPC also imposes some restrictions on

the state government. For example, a convict sentenced to death or life imprisonment cannot be released from jail until he has served at least fourteen years of imprisonment. Radheshyam, who filed the petition for remission of sentence, had been in jail for 15 years and four months.

Bilkis challenged this order of the government in the Supreme Court. This order of the government can be challenged like any other government order. Hearing this, the Supreme Court cancelled the remission granted to all 11 convicts. □□□

[Courtesy: Amar Ujala]

'DHWAJA OF JUSTICE'

Saffron Flag as the Unifying Flag

Shamsul Islam

DY CHANDRACHUD WHEN took charge as Chief Justice of Indian Supreme Court (SC) in November 2022 (to relinquish office in November 2024) many of the pseudo-liberals who claimed to defend the democratic-secular polity of India manifested great happiness. They thought that the time of SC being an appendage of the RSS-BJP government headed by PM Modi was over as Justice Chandrachud was a liberal judge committed to democratic-secular polity of India. They over-looked the fact that he was believed to have been the Justice who authored the notorious Ayodhya judgment given on November 9, 2019. It was not a judgment based on legal and constitutional proprieties but a political decision full of trickeries to placate the majoritarian agenda catered aggressively by Modi and RSS.

If one needed another proof of his love for Hindutva one must take note of his love for saffron flag as flag of justice. Justice Chandrachud after performing pooja at Hindu temples of Dwarikadhish and

Somnath with his family in Gujarat on January 6 (2024) had no qualms in stating "I was inspired this morning by the dhwaja [flag] at Dwarikadhish ji, very similar to the dhwaja, which I saw at Jagannath Puri. But look at this universality of the tradition in our nation, which binds all of us together. This dhwaja has a special meaning for us. And that meaning which the dhwaja gives us is—there is some unifying force above all of us, as lawyers, as judges, as citizens. And that unifying force is our humanity, which is governed by the rule of law and by the Constitution of India". [After temple visits, CJI D Y Chandrachud flags 'dhwaja of justice' to district court lawyers' *The Indian Express*, January 7, 2024]

It is to be noted that all the above referred temples fly saffron/yellow flags and CJI Chandrachud implied that Tricolour; the Indian National Flag was not the "unifying force" but the flags flying at the temples. The above statement of CJI was, in fact, rephrasing of the statement of the most prominent

ideologue of RSS, M S Golwalkar who while addressing a Gurupurnima gathering in Nagpur on July 14, 1946, stated: "It was the saffron flag which in totality represented Bhartiya [Indian] culture. It was the embodiment of God. We firmly believe that in the end the whole nation will bow before this saffron flag." [Golwalkar, M.S., *Shri Guruji Samagar Darshan* (collected works of Golwalkar in Hindi), *Bhartiya Vichar Sadhna*, Nagpur, nd., volume 1, p. 98.]

The same Golwalkar while denouncing the choice of Tricolour as National Flag in an essay entitled 'Drifting and Drifting' in the book *Bunch of Thoughts* (collection of writings of Golwalkar, a RSS publication and Gita for RSS cadres) wrote: "Our leaders have set up a new flag for our country. Why did they do so? It is just a case of drifting and imitating....Ours is an ancient and great nation with a glorious past. Then, had we no flag of our own? Had we no national emblem at all these thousands of years? Undoubtedly we had. Then why this utter void, this utter vacuum in our minds?" [Golwalkar, M.S., *Bunch of Thoughts*, Sahitya Sindhu, Bangalore, 1996, pp. 237-238.]

This hatred for the Tricolour led

RSS to declare the Tricolour as 'evil' on the eve of Independence. The RSS English mouthpiece ORGANISER demeaning the choice of the National Flag (14 August 1947) wrote: "The people who have come to power by the kick of fate may give in our hands the Tricolour but it never be respected and owned by Hindus. The word three is in itself an evil, and a flag having three colours will certainly produce a very bad psychological effect and is injurious to a country."

RSS borrowed this hatred for the Tricolour from V D Savarkar who

declared that "The Charkha-Flag [then Tricolour used to have charkha or spinning wheel in the middle which was later replaced by Ashok Chakra] in particular may very well represent a Khadi-Bhandar, but the Charkha can never symbolise and represent the spirit of the proud and ancient nation like the Hindus." [Bhide, A. S. (ed.), Vinayak Damodar Savarkar's Whirlwind Propaganda: Extracts from the President's Diary of his Propagandist Tours Interviews from December 1937 to October 1941, na, Bombay, 1940, pp. 469-473]

It is horrendous that CJI of Indian Supreme Court who is duty-bound to safeguard the democratic-secular polity of India with Tricolour as a unique symbol of it is renegading on his OATH which he took while assuming the office as the 50th CJI on November 9, 2022! □

08-01-2024

[Link for some of S. Islam's writings in English, Hindi, Urdu, Marathi, Malayalam, Kannada, Bengali, Punjabi, Gujarati and video interviews/debates: <http://du-in.academia.edu/ShamsulIslam>, Facebook: <https://facebook.com/shamsul.islam.332> Twitter: @shamsforjustice <http://shamsforpeace.blogspot.com> (m) notoinjustice@gmail.com]

'MULTIPLYING WITH ZERO'

Subhas is NO MORE

T Vijayendra

SUBHAS CHANDRA GANGULY is no more. I and other comrades rarely referred to him with this full name. For us it was always Subhas and Bharati. Now with Subhas no more somehow it feels empty—as if half of what we have known has suddenly vanished. It is not easy for us to send condolences to Bharati.

So as long as I have known them, that is about 55 years, they have always been Subhas and Bharati, even before they were married. In those days with scarce women comrades, lot of us were in love with Bharati, but we always knew it was Subhas and Bharati.

They worked together in every-

thing. When I first knew them Subhas was still in the PG Hostel of Ballygunje Science College where they worked together in building political organisation among students.

Subhas got arrested for his political activities. After coming out he and Sanjay organised APDR [Association for the Protection of Democratic Rights]. Meanwhile Bharati got a government job but she worked almost full time for student organising and APDR.

Eventually they moved to a flat in Salt Lake. In later years Subhas developed a critic about dogmatism in Marxist practice in West Bengal and he published a book about it.

Subhas was immensely well read both in Bengali and in English. He wrote very well in both the languages. He translated Romilla Tahapar's book on Ancient Indian History into Bengali. He also wrote for Frontier and for Bengali political journals, including science journal 'Bikshan'. He got an award for his work in human rights and his acceptance speech was very profound.

Subhas was also very helpful in

sharing his knowledge. Once I wrote him about some reference in Tagore's writings. He promptly replied with the original quote and an English translation which he himself did.

Subhas had a bubbly sense of humour and he was always ready with a humorous repartee. I have recorded one such anecdote in my autobiography. I am reproducing it below.

I met Subhas Ganguly after many years. Bharati, his wife, told me that Subhas always told one story about me to all his friends. According to her, once Subhas asked me how long should one knead the flour for making chapaatis. I had replied that 'till your hands are clean.' This apparently impressed him so much that he followed this practice all his life and told his friends about it.

On hearing this I told Subhas, 'I taught you so many things and this is all you remember!'

Subhas, who is a mathematician, replied, 'In my childhood I had a Maths teacher. He once told me, 'Khoka, jatoi bado sankhya hok na kyano, shunyo theke gunile, shunyo pabe!' (Young man, howsoever big a number may be, if you multiply it with a zero, you will get only a zero!) □□□

For **Frontier Contact**

**ALAIGAL
VELIYEETAGAM**

4/9, 4th Main Road
Ragavendra Guest House
United India Colony
Kodambakkam
Chennai 600 024

DENOTIFIED TRIBES

'Born Criminals'**Mahasweta Devi**

[Mahasweta Devi, the renowned writer and social activist, won the Jnanpith Award, the Ramon Magsaysay Award, and the Padmashree. Her support for indigenous communities was immense and legendary; she along with Prof G N Devi formed the Denotified Tribes Rights Action Group (DNT-RAG) to fight the cause of tribal people otherwise ignored by the mainstream society. Following is a shortened version of Mahasweta Devi's original speech delivered in March, 2002 and, appeared as an article in Budhan, the newsletter of the DNT-RAG. In Modi's digital India of 2024 the situation for DNTs has not changed much. Mahasweta Devi passed away in July 2016. She was associated with Frontier right from its inception in 1968.]

INDIAN SOCIETY IS THOROUGHLY indifferent to the word "tribe". For India's millions of deprived ones living either below the poverty line, or on the fringe of it, the word "human rights" is non-existent. Right to have a living, proper housing, drinking water, education, electricity, health facilities, communication and right over the land, they are denied everything. And they are the people whose poverty is really a big capital for the Country's ruling powers. Showing non-development of their areas the persons in power make big projects and get money. Naturally nothing concrete is ever done. If they were lifted over the poverty line, they would not depend upon the people they elect. They know that the pre-election promises never get translated in action. Yet they cast votes. Because vote-boycott is considered an extremist attitude.

Theirs is a faceless existence. They are in India from ancient times, for thousands of years, yet the mainstream India has continually refused to recognise them. In the tribal society there is no caste division, no dowry system, divorce and widow remarriage is socially sanctioned. They are, after centuries of oppression and neglect, still so civilised! Yet the 'enlightened society' has simply refused to recognise their worth. The socially and economically advanced people have made them

bonded slaves in the unorganised sectors, have evicted them from land wherever the government has founded industries, or built dams.

Having been denied fundamental human rights, they have joined the floating population of the other poor who follow the contractors and go anywhere for a pittance. The mighty tribal culture, their fantastic dances, music, painting and wood cuttings are lifted by middlemen for a handful of coins and sold at high prices at home and abroad. The artisans receive next to nothing.

In Indian history they are seldom mentioned. So many mighty tribal peasant rebellions against the British in the 18th and 19th centuries never got a mention in the history of the Indian Freedom Struggle. The leaders of the nation, like Gandhi, Phule or Ambedkar seldom mentioned the tribals whose very existence was threatened under mainstream onslaught.

And, to the caste hierarchy, the tribals were, and are, still untouchables. The Central and state governments make special budgets for their development. Such schemes are made by people who know next to nothing about the tribals. One instance, KALAHANDI of Orissa. Famine and starvation death among Kalahandi tribals are quite regular, yet Kalahandi is fertile, grows regular crops. Of course the tribal land has been usurped by non-tribals. During famine the tribals, govern-

ment will say, are supplied with rice and wheat. Yet, no one ever made any effort to know the truth about this disjunction between a good harvest and starvation deaths of the tribals. For the Kalahandi tribals like many other tribal groups, the staple food is not rice or wheat, but according to government jargon "lesser food grains" like "Marwa, Kurthi, Kodo" etc. Tribal land gone, they cannot grow what they eat, so they starve. The "KORKU" tribe of Amravati district of Maharashtra are a forest tribe. They were food-gatherers. The rich teak forest, their home, has been depleted. Plenty has been written about them. Many good organisations and persons are sending them processed and unprocessed food in mountains. But the Korkus do not touch such food. They scour food from the vanishing jungles. This tribe is shrinking in size, losing weight and 2/3 years ago a bureaucrat summarised the Korku-question in one sentence, "This tribe is congenitally unfit to survive."

Take the Korku as the representative of Indian tribals, and the bureaucrat as Indian mainstream. The gulf is unbridgeable. And think of the big industries in pre and post-independence India. In each case there was large scale tribal land eviction and the tribals received neither land, nor money in exchange. From the time of the Tata Iron & Steel factory in British India, down to Narmada dams, the tribals are distant spectators. Their role is to see how their land is making India's wealth.

Yet, the Indian tribes constitute 8% of India's population, according to 1991 census. This too is misleading, as the last listing of tribal groups was done in 1976. Anthropological Survey of India insisted that there are 635 tribes in India. Yet Government of India recognised only 426

as tribes. 209 tribes were, and still are left out. If the total population of 635 tribes was counted, the percentage would go up.

Indian society is caste-ridden---upper castes and lower castes. The tribals are lower than the Hindu lowest caste. Government of India's sole drive is to "develop" the tribals, so that they can become like the "main stream." The privileged tribals have become like the mainstream where they have not yet received equal-acceptance but have become "Detribed."

Tragically enough, the privileged tribal people along with non-tribals, victimise the denotified tribes. These tribes, "denotified" ones, have one birth year: 1871.

In 1871, the British Government of India "notified" certain tribes as "criminals" and passed the notorious "Criminal Tribes Act of 1871." Such people were notified, who, according to the British, were nomadic cattle grazers, wandering singers, acrobats, etc. Also those who resisted the British aggression from time to time. The logic was simple. These people lived in forests, or were nomads. Only the criminals would do this. As Indians follow caste professions, these mysterious (to the British) people too are hereditary criminals. Thus history's most heinous crime was perpetuated in this Act.

From 1871-1944 this Act was amended several times, new areas and new communities were roped in. The itinerant traders lost their

livelihood with the introduction of railways, roads and outsiders entering their lives.

In 1952, Government of India officially "denotified" the stigmatised ones, without making any provisions for their livelihood.

In 1959, Government of India passed the "Habitual Offender's Act" which is not much different from the "Criminal Tribes Act, 1871".

From 1961, Government of India, through the state machineries has been publishing state-wise lists of "Denotified and Nomadic Tribes."

Between 1871 and 1952, certain communities came to be known as criminals. The local people and the police killed them, tortured them and hounded them like beasts of prey. In truth after independence, police and the political and non-political power wielders engaged them in criminal activities. They were forced to rob and steal. The police and the stolen good receivers took it all, and often had them killed. Their stigma is the curse of their life. All over India, the denotified communities are jailed, mob-lynched, tortured to death in police lock-ups. Worst of all, even India's other tribals treat the denotified tribes as "expedient ones."

In West Bengal there are 3 denotified tribes---they are Lodha, Kheria Sabar and Dhikaru. In other states, killing of denotified tribes is a regular affair. In West Bengal, where the picture is somewhat better, there occurred numerous incidents of mob-

lynching of denotified tribe people. Between 1979 and 1982, 42 denotified Lodha tribals were mob-lynched not for crimes committed, but for being born as "Lodhas."

And between 1960 and 1998, more than 50 Kheria Sabars were killed by the police, or mob-lynched. And in the Lodha cases, police took no action.

That the 1871 Act is kept alive by the Government of India is proved by countless instances. In Maharashtra certain nomadic denotified communities that sell herbal medicines fleeing from village to village as they have to obtain passes from the police to stay in one place for 4 days only. About 6 years ago, some women, belonging to the denotified "SANSI" community were arrested by police and the word "THIEF" was branded on their foreheads with hot iron. Only in October 1998, a popular TV Channel showed the denotified destitute Pardhi children on Bombay streets. The commentator said, "They look innocent, but they are Pardhis. Born criminals."

A Budhan Sabar is killed because he is born to the Sabar community. In the old India, only the upper castes had right to literacy. The lowly born ones lived outside the city. The denotified ones live outside the society. They have no right to anything. Millions of Indians are still treated as born criminals. □
[Courtesy: Dr B K Lodhi, Ex-Deputy Secretary & Director (Research), National Commission for DNTs, Government of India. Ex-Senior Fellow-ICSSR]

LETTERS

Sex for Water

Imagine being so desperate for water, you'd do anything to get it. Anything.

That's the situation tens of thousands of women and girls around the world face every single day.

And now corrupt water vendors in Kenya are taking advantage in the

worst possible way, forcing them into sex for just a few litres.

Children are being abused, women's lives shattered. They have no choice.

But here's the really crazy thing: there's no law against this vile exploitation. It's completely legal!

Kenyan women's rights groups say the government is considering a law to make this abuse illegal--and that massive show of global pressure could make all the difference.

They're asking the Avaaz community to help--let's lend our voices to some of the poorest, most vulnerable people on Earth, and demand an end to sex-for-water abuse. When

our call is huge, we'll deliver our voices to Kenya's government.

And it's not just Kenya—wherever extreme poverty bites, sexual exploitation is certain to follow. Sex for water abuse has been documented in India, Mexico and Argentina, too.

Let's join the brave women rights activists in Kenya and demand an end to this horror—add your voice now!

Bert, Mel, Julian, Nate, Patricia, Antonia, Huiting and the whole Avaaz team

Where is Democracy?

In 2023, 30 bills were passed out of 47 introduced in Parliament and the Winter Session hit a new low in India's democratic process when 146 Opposition MPs were suspended for seeking clarification on a security breach.

Recent reports show a shocking 500% rise in hate-speech cases in India in the last 7 years. CJP's year-end review highlights the resilience of India's Muslims in the face of rising hate.

CJP, Mumbai

Justice for All

Keeping a hawk eye on the most egregious hate violations on television through 2023, CJP filed eight complaints with the News Broadcasting and Digital Standards Authority, seven of which were against Times Now Navbharat; eight favourable orders came from the NBDSA.

Hate takes various shapes and forms, targets different sections of individuals and communities who are marginalised (stigmatised) but there is a common thread: it renders them open to harm and targeted violence. Hence CJP's Hate Hatao campaign against hatred and hate speech is an effort to bring to account those who seek to divide Indian society along arbitrary lines for the sake of personal and political gains. There are instances of hate speech as well hate offenders and serial hate offenders i.e people who routinely abuse their

power to make statements that are not only hateful, but also capable of inciting violence.

Citizens for Justice and Peace, Mumbai

Taliban and Sangh Parivar

Taliban destroyed the Bamiyan Buddha statue. Sangh Parivar destroyed the Babri Masjid, before TV cameras. The state Government that facilitated this was dismissed. The world was aghast. President SD Sharma called it a black day in the history of the country.

It would be interesting to see the development of justice Gogoi from telling people through a press conference that the democracy was in danger to dancing to the tune of the very forces that endanger the democracy—the unbelievable power of honey trap, to the point of celebrating his victory of delivering the Babri verdict and posing for the weird photo with his three colleagues.

Faizi S

Israel on Trial

Opening arguments began on January 11 in South Africa's case accusing Israel of committing genocide in Gaza before the International Court of Justice (ICJ), the United Nations's top court.

South Africa has asked the court to order an immediate halt to Israel's military operation, in which more than 24,000 people have been killed, as well as prevent further forced displacement, deprivation of basic necessities, and lack of access to humanitarian aid.

“Nothing will stop the suffering except an order from this court”, South African lawyer Adila Hassim told the judges in the Hague.

Israeli Prime Minister Benjamin Netanyahu, however, argues that “it is not we who have come to perpetrate genocide, it is Hamas”, which has been designated as a terrorist

organisation by many countries. The October 7 attack by the Palestinian militant group killed about 1,200 people in Israel while 240 people were taken hostage. As the hostage swap negotiations by Qatar failed in the middle, more than 100 people are still in the captivity of Hamas.

Israel described the South African allegations as hypocritical and said that one of the biggest cases ever to come before an international court 'reflected a world turned upside down'. For one thing South Africa is the only country that has raised the issue of genocide at ICJ. Despite their opposition to Israel, Russia and China didn't do much beyond issuing some harmless statements and urging the UN Security Council to convene an emergency session.

The court is expected to rule in the next few weeks on South Africa's preliminary request to end the fighting. But a final decision as to whether Israel has committed genocide could be years away, and such determinations are historically rare.

A final determination of genocide is far off: At this point, the court doesn't need to determine whether Israel has committed genocide. It only needs to decide whether the case is plausible and “whether the Palestinian population of Gaza faces a real and imminent risk of irreparable harm”.

A Reader

For Frontier Contact

D.K. AGENCIES (P) LTD.

Booksellers, Publishers & Subscription Agents since 1968

CIN: U74899DL1983PTC017169
"DK" is a registered trademark
Regd. off: A/15-17, D.K. Avenue,
Mohan Garden, Najafgarh Road,
New Delhi-110059. INDIA

Metro Station: Nawada (Blue Line)

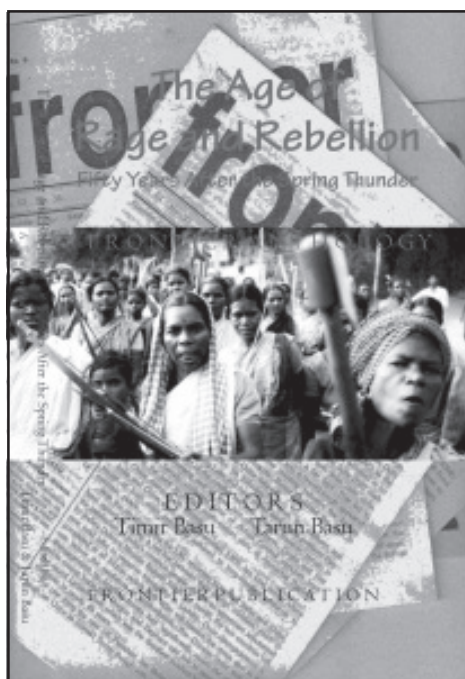
Web: <http://www.dkagencies.com>

Ph: (011) 25357104, 25357105

Fax: (+91-11) 25357103

A **frontier** Publication

Just Released



THE AGE OF RAGE AND REBELLION: 50 YEARS AFTER THE SPRING THUNDER

[Price: INR 300+ 100 for postage]

(An anthology of articles and interviews published in frontier to commemorate and re-assess the Naxalbari uprising)

Editors:

Timir Basu and Tarun Basu

Contributors: Santosh Rana, Debabrata Panda, Arup Baisya, Farooque Chowdhury, Jan Myrdal, Harsh Thakor, Bernard D'Mello, Timir Basu, Gautam Navlakha, Lawrence Lifschultz, Ranabir Samaddar, Gayatri Chakravorty Spivak, Nazes Afroz, Subhendu Dasgupta, Sumanta Banerjee, Varavara Rao, Ramachandra Guha, Dipanjan Raychowdhuri, Alope Mukherjee, T Vijayendra, Mallikarjuna Sharma and Nirmal Brahmachari

Available at: FRONTIER Office and PATIRAM STALL (College Street) MANISHA, DHAYNBINDU (College Square) and other book stalls selling regular issues of frontier.