

frontier

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'NATO Is Dead'?

WITH AMERICA RELUCTANTLY WITHDRAWING FROM NATO, panic seems to have gripped European capitals. It's not yet dead but the empire is crumbling. On March 3rd, Timothy Ash of elite British state-connected 'defence' think tank Chatham House made a series of startling proclamations in an interview with Bloomberg. His topline message was stark—"NATO is dead." He spoke following the very public February 28th Oval Office fallout between Volodymyr Zelensky and Donald Trump. The impact of that debacle reverberates today, with questions abounding over continued US aid and intelligence sharing with Kiev, pending the Ukrainian leader's sign-off on a White House-endorsed minerals for security agreements deal.

Ash's analysis is evidently echoed by European leaders. A day later, EU Commission President Ursula von der Leyen outlined a €800 billion plan to "rearm" the bloc. Many member state chiefs reportedly "largely endorse" the plan, which calls for Europe to "become more sovereign, more responsible for its own defence and better equipped to act and deal autonomously with immediate and future challenges and threats." Nonetheless, polls indicate European citizens oppose increased defence spending, and contractors warn this grand scheme will "take time" to realise.

If NATO truly is dead, it represents another long-overdue nail in the Empire's coffin. It is also yet further confirmation that the US-dominated uni-polar order, which has wrought untold death, destruction and misery over the past quarter century, is no more, and never to return. Residents of the Global South can breathe a collective sigh of relief—meanwhile, in a bitter irony; the same Western states that aided and abetted Washington's unchallenged hegemony now find themselves defenceless.

The uni-polar world was forged in an incendiary baptism of airstrikes and atrocity propaganda in Yugoslavia, March–June 1999. For 78 straight days, NATO relentlessly blitzed civilian, government, and industrial infrastructure throughout the country, killing untold innocent people—including children—and violently disrupting daily life for millions. While the US oversaw the ruinous campaign, both publicly and privately, British Prime Minister Tony Blair was an ardent advocate of even greater belligerence against non-military targets, despite the grave concerns and warnings of government legal advisors.

Then again, NATO's assault was in itself completely illegal, conducted

without UN Security Council approval. Such an intervention would've been unthinkable during the prior decade. Throughout the 1990s, Washington carefully constructed the chimera of a world united behind US leadership by ensuring UN backing for all its overt imperial actions across the globe. The bombing of Yugoslavia represented an unprecedented, highly controversial break with this strategy, specifically intended to serve as an exemplar thereafter.

An eerily prescient April 1999 *New Statesman* article noted NATO's unauthorised bombing was no "one off", but "just the beginning" of a "brave new world", in which the military alliance acted autonomously as a worldwide "riot squad". In this

context, whenever China and/or Russia could plausibly use their Security Council vetoes to block US intervention overseas, NATO would simply invoke the UN Charter's self defence clause to strike whenever and wherever its members perceived a "threat", without hindrance or any consideration for international law.

In return for serving as the Empire's dependable, unquestioning dogs-bodies, protecting US economic interests abroad, and purchasing all Washington's exorbitantly-priced, barely functional military equipment, European governments were granted a sense of invincibility, courtesy of NATO's Article 5. In the meantime, their armies and industrial bases could be left to rot, safe in the delusion America and newer alli-

ance allies would come to the rescue and do the fighting and dying for them if they were ever attacked. As George Soros wrote in November 1993:

The Ukraine proxy war has brought this suicidal upshot of the uni-polar world into sharp relief. Despite the Trump administration's determination to end the conflict, European leaders show no sign of backing down, desperately scrambling to make up the vast shortfall in financial and military assistance abruptly created by the cessation of Washington's aid. As yet, no credible solution to this glaring deficit between rhetoric and reality has been proposed. Even Ukrainian leaders admit "nobody can replace the US when it comes to military support." □□□ [Contributed]

COMMENT

And Now *Chhava*

AS COMMUNAL HATE IS ON THE rise through the use of History on political battle grounds, new dimensions are being added up to this during the last few years. Apart from the propaganda and indoctrination through RSS Shakha, social media, IT cell of BJP, the mainstream media, particularly many TV channels and now many films have been added up to the prevailing misconceptions among the society.

In the recent past *Kerala Story*, *Kashmir Files* have gripped the society in the mania of hate. There have been other not so successful films like *Swatantraveer Savarkar*, *72 Hurain*, *Samrat Prithviraj* to name a few. Now Maharashtra in particular and country as a whole the film called *Chhava*, running packed houses, is taking the hate a few notches up. This film is not a historical film. It is based on the novel *Chhava* by Shivaji Samant. Already the filmmakers had to apologise for inaccuracies in film.

Film selectively picks up a few incidents from Chhatrapati Sambhaji Maharaj's life and projects the cruel and anti-Hindu nature of Aurangzeb. In the 126 Minute film; good 40 Minutes are devoted to the torture of Sambhaji Maharaj, this part is a part where the film maker may have taken lot of liberties of a fiction writer. The whole narrative is set in the presentation of medieval history as noble Hindu Kings versus the evil Muslim kings.

Sambhaji Maharaj was the eldest son of Chhatrapati Shivaji Maharaj. As Shivaji set up his kingdom, he had his officers who were Muslims also. Maulana Haider Ali was his confidential secretary and there were 12 Generals in his army who were Muslims, Siddi Sambal, Ibrahim Gardi, and Daulat Khan to name the few. When he confronted Afzal Khan, he was advised to carry iron claws, which were given to him by his subordinate Rustom-E-Jamaan. After Killing Afzal Khan, the latter's

secretary Krishnanji Bhaskar Kulkarni tried to attack Shivaji.

From Aurangzeb's side Raja Jaisingh led the army to attack Shivaji. Shivaji was made to appear in Aurangzeb's Court and later imprisoned. The person who helped him escape was a Muslim Prince, Madari Mehtar.

The Hindutva progenitors Savarkar and Golwalkar, raise questions about Sambhaji's character, wine and women. For this he was imprisoned by Shivaji in Panhala Fort. Later Sambhaji did ally with Aurangzeb in his battle against Shivaji. Sambhaji also allied with Aurangzeb in his battle against Adil Shah of Bijapur.

In the battle of succession after Shivaji, Sambhaji's half-brother Rajaram (son of Shivaji's another wife Soyrabai) tried to poison him. As the conspiracy was unearthed Sambhaji got many Hindu officers killed. In the battle against Sambhaji, Aurangzeb had sent his general Rathod to fight against him. Once Sambhaji was captured he was humiliated and subjected to torture,

which has been presented in a blown up fashion.

On the pretext of this film many understandings against Aurangzeb have been projected still further. He is shown to be very cruel as he dealt with his opponents. It is not a question of whataboutary but an attempt to understand the pattern of Kingdoms. Many Kings inflicted cru-

elties on enemies' with gay abandon. The ways of Kings against their enemies was atrocious and cannot be judged by today's standards. The communal historians are working overtime to dig the sources and pick up the incidents without referring to the overall context of the period of Kingdoms. □□□

[Contributed by Ram Puniyani]

NOTE

The COVID Debate

Bharat Dogra writes:

EVEN NOW ORDINARY PEOPLE as well as scholars continue to speak in terms of pre- and post-COVID times as well as COVID times.

However there has been a big debate regarding whether the major share of the enormous distress was caused by the Covid pandemic itself, or by the pandemic response characterised by draconian measures.

Those who supported these measures have stated that COVID-19 causing so much mortality indicates how deadly this was and this mortality would have been even higher, significantly so, if the draconian measures had not been put in place in most parts of the world. This can broadly be called the establishment view, even though a few of the authorities did not strictly follow this.

On the other hand some critics of this establishment view have stated that the pandemic itself was not at all as threatening as to justify such draconian measures as enforced lockdowns for long periods. Several of these critics have argued that the enforced lockdowns for long periods disrupted ordinary essential medical services and created mass unemployment, deprivation and mental health crises. These critics say that it is this unjustified response which caused a huge part of the excess

mortality seen during COVID times in most places, with some of these critics also questioning the high fatality rates attributed to the pandemic itself in most establishment discussion. Several critics also allege that compulsory mass vaccination with vaccines created in unprecedented hurry also proved very harmful as the safety and efficacy of this could not be tested applying the required standards. Some critics have related certain aspects of the COVID-response with unethical profiteering of various kinds, with unprecedented increase in the wealth of several billionaires and certain kinds of big businesses, even as there was huge disruption of smaller ones.

Questions regarding all this were raised all through the COVID period despite those raising these questions facing a lot of difficulties and even victimisation.

It is important to note that thousands of doctors, scientists and researchers came forward to join this opposition despite their careers being threatened by this. There was the Great Barrington Declaration involving prominent scientists one of whom, Jay Bhattacharya, faced much unfair criticism at that time but is now on road to heading the National Institute of Health in the USA. There were important state-

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ments by the German Network of Evidence-based Medicine. Then there was the International COVID Summit and the Physicians Declaration which followed it, involving thousands of doctors and scientists, reflecting the growing unease in the medical community regarding what was taking place. At the individual level also several leading scientists, researchers and doctors raised important questions regarding the establishment view and pandemic response. These efforts and voices had at least some policy impact and helped to place some restraint on certain excesses.

Now that the extraordinary pressures and circumstances of those times do not exist, it is still important to settle the debates in favour of whatever is the truth, or most evidence-based factual position. It is a question of future safety for billions of people. In fact once international treaties on pandemics are being pushed, the chances increase even more of certain kinds of draconian

policies being imposed on all people without adequate chance of evidence-based response linked to the real situation that is being seen all around them by people.

Hence it is important to set up a non-partisan and independent international commission which can very

carefully examine all important aspects of COVID response as well as debates relating to its early stage and pandemic declaration.

In the process of recent changes in the USA with Robert Kennedy Jr becoming Health Secretary and Jay Bhattacharya on the way to another

senior position, as they had been pleading in the past for alternative views to be heard and for transparency on these issues, such possibility of independent and non-partisan re-examination of all related issues are not so remote now.

□□□

THE 2025 HOLBERG PRIZE

Frontier Congratulates Gayatri Chakravorty Spivak

Sourav Chattopadhyay

FEW ARE THOSE WHO ARE not familiar with the name of Gayatri Chakravorty Spivak. For the last 35 years—the readers of *Frontier* would know—she has consistently contributed to this weekly founded by the legendary poet-journalist Samar Sen, every year. Prof. Spivak holds the position of University Professor in the Humanities at Columbia University. Besides, as an activist, she has been working for the theoretical and practical cause of pedagogy, especially rural education in India. Some of frontier readers may be aware that what she has been doing in rural education for the last four decades is neither running a *Bhadralok*-styled NGO nor a simple variety of the much-lauded Sarva Shiksha Abhiyan. She emphasises “imaginative training for epistemological performance”; for her, education is “uncoercive rearrangement of desire.”

In recognition of her lifelong contribution to the fields of literary theory, philosophy, and postcolonial studies, Gayatri Chakravorty Spivak has been awarded the 2025 Holberg Prize. *Frontier* extends its heartfelt congratulations to her on this. The announcement was made by the Holberg Committee, highlighting Spivak’s immense influence as a scholar, educator, and activist. The

citation, undersigned by Heike Krieger, Holberg Committee Chair goes as follows:

The Holberg Committee Citation

Born in Kolkata in 1942, Gayatri Chakravorty Spivak is a graduate of the University of Calcutta and of Cornell University. Holding the post of University Professor in the Humanities at Columbia University, she is one of the most influential global intellectuals today. Spivak continues to shape several fields in an interdisciplinary manner. These include comparative literature, translation, postcolonial studies, political philosophy, and feminist theory. Her scholarship has been translated into well over twenty languages. She has taught and lectured in more than fifty countries and has received nearly fifty honorary doctorates and prizes from across the globe.

Spivak’s essay, “Can the Subaltern Speak?” (1988) has become a formative text within postcolonial studies and beyond. Its global impact exemplifies her challenge to Western scholarship that occludes the perspectives of minoritised groups and their struggles. It was groundbreaking in starting from the experience of women in colonial India to examine questions of voice and power. Her concept of “planetarity” in her book *Death of a Discipline* (2003) further developed this critical approach, offering an ethical alternative to “globalisation”. Among her many influential books

are *Critique of Postcolonial Reason* (1999), *An Aesthetic Education in the Era of Globalization* (2012), and *Ethics and Politics in Tagore, Coetzee and Certain Scenes of Teaching* (2018).

Spivak is committed to an interdisciplinary critique of structures of power and knowledge in an unequal world. In this sense, the labour of translation becomes an act of thinking through the limits of dominant modes of knowledge production. She defines translation as a profoundly philosophical and political act. Her highly influential English translations demonstrate her deep attention to multivocal and diverse epistemes. This is evident in her celebrated translations of Mahasweta Devi’s literary works from Bengali, as well as Derrida’s philosophical works and Aimé Césaire’s political writings from French.

As a public intellectual and activist, Spivak combats illiteracy in marginalized rural communities across several countries, including in West Bengal, India where she has founded, funded and participated in educational initiatives. For Spivak, rigorous creativity must intersect with local initiatives to provide alternatives to intellectual colonialism.

Her concepts, such as “strategic essentialism” and “global criticality,” are now widely used and debated. Spivak’s work challenges readers, students, and researchers to “train the imagination” through a sustained study of literature and culture. Taking the core of Western thought as an object of critical analysis, she has inspired, enabled, and supported otherwise inconceivable lines of critical interrogations—both at the centres and margins of global

modernity. Gayatri Chakravorty Spivak is a highly worthy recipient of the 2025 Holberg Prize.

(Collected from <https://holbergprize.org>)

This selection has a stirring impact not only for global academia, but also for those associated with Spivak's activism and work at the grassroots level in India. The news of Spivak receiving the Holberg prize has been the cause of celebration for many members of the Sabar community in Purulia. As reported by journalist Sanchita Mukhopadhyay in *Ei Samay*, Spivak's long involvement in the welfare of the Sabar people has left a lasting bond with them. Beginning in 1988, Spivak collaborated with the Paschimbanga Kheriya-Sabar Kalyan Samiti (estd. 1968) and established entirely through personal expenses four non-formal schools for the Sabars in the villages of Kuda, Janara, Byangthupi, and Akarbaid. Often working with Mahasweta Devi, Spivak remained

deeply invested in the working of these schools, visiting Purulia every few years to remain in conversation with the stakeholders. She provided funding support to the schools consistently till 1994.

Prasanta Rakshit, the director of the Paschimbanga Kheriya-Sabar Kalyan Samiti, effusively responded to the news of Spivak being awarded the Holberg prize: "Many may be unaware of all that she has done for marginalised people, especially children and women; but we know it. The Sabars of Purulia know it. After all, Gayatri had taken such innovative steps for their education."

Out of concern for the children's nutrition, Spivak set up a system of mid-day meals in these schools. This predated even the governmental schemes that would later be put in place for all classes till the eighth grade. Meghnad Sabar, Spivak's student from one of these schools, men-

tioned: "I have studied in her school. I am very happy [to hear the news]. No words can express what she has done for us Sabars. I have eaten her mid-day meals. These meals were crucial for us in these lands. Many among us today have received higher education and become well-established, all thanks to her."

Nandalal Rajwar, a teacher at the school in Byangthupi, fondly remembers, "Every year, she visited us and provided training on how to teach the children. Following her approach made the children so much more interested in the lessons. The concept of mid-day meals was hers too. This remarkably increased the attendance rate of Sabar children who were critically behind in education. This is still ongoing. That was the beginning of the Sabars' battle against illiteracy."

□□□

IMPACT OF TARIFFS ON INDIAN ECONOMY

Tariffs as Weapons of Destruction

Ashok Nag

TARIFFS ARE TAXES ON international trade, typically levied on imports. Export tariffs are relatively uncommon and are imposed for specific reasons, such as regulating domestic prices, protecting local industries, or generating revenue. In the age of colonialism, colonial powers employed tariffs as a tool to weaken competing industries in their colonies. A prime example of this is the destruction of India's textile industry when it became a colony of the British Raj. In the early 17th century, India was once an industrial powerhouse and a global leader in manufactured textiles (as noted in *Anarchy* by Dalrymple). The imposition of exorbitant tariffs on Indian products—an 85% tax on importing Indian hand-

woven calico (chintz) and 44% on importing Indian muslin—eventually led to the collapse of India's textile industry. As a result, by the end of colonial rule, India's share of the global textile market had plummeted from 25% at the start of British rule to just 2% by its end.

After 75 years of independence, India is again facing a similar challenge of protecting its significant share of the global pharmaceutical market. A trade surplus of \$19 billion and providing livelihood to 2.7 million Indians, positions this industry as one of the most pivotal industry for the country's economic growth. .

Export of this industry increased from \$15.07 billion in 2013-14 to \$27.85 billion in FY 2023-24. India's share in the global pharmaceutical

market currently stands 3.5% in terms of value while it is 3rd largest by volume. The top five destinations for these exports are the USA, Belgium, South Africa, the UK, and Brazil. The US alone accounts for 31% of total exports.

This growth story of the Indian pharmaceutical industry, commendable as it is, cannot obscure the fact that India's primary exported products are drug formulations and biologicals, which include generic drugs. These products account for over 75% of the country's exports. Indian generic drugs are significantly cheaper—by some estimates, 33%—than similar drugs produced in the US and other advanced countries. According to a report by Bain & Co, India is the leading supplier of generic drugs to the US, contributing 40% of its total supply. Many of these producers are small companies, with the industry comprising 3,000 pharmaceutical companies and 10,000 manu-

facturing facilities. Operating on very thin profit margins, a 10% increase in tariffs could render many of these firms unviable, as they may not be able to pass on the additional costs entirely to US buyers.”

Although the Trump-era tariff on the Indian drug industry is expected to significantly impact the survival of small to medium-sized generic drug producers, its repercussions will be even greater for a large segment of the American population. According to a BBC report, generic drugs account for 9 out of 10 prescriptions in the USA. The report also cites a study by the consulting firm IQVIA, which found that in 2022, US consumers saved \$219 billion by using generic drugs exported by the Indian pharmaceutical industry. Many of these generic drugs produced by Indian firms are 50% less expensive compared to those manufactured by non-Indian companies. Replacing these imported

Top 5 US Company	% of profit for R&D-US Company	Top 5 Indian Company	% of profit for R&D-Indian company
Pfizer	18.1%	Cipla Ltd.	0.2%
Novartis	28.5%	Aurobindo	0.4%
Merk	35.5%	Dr.Reddy's	0.1%
Glaxo Smith and Kline	21.8%	Cadila	0.2%
Roche	49.1%	Alkem	0.6%

Source: CMIE

generic drugs with locally produced alternatives, even if feasible, will require substantial time and investment. In essence, this tariff represents a two-way challenge.

This tariff, though potentially damaging in the short term, also has a positive aspect. It will compel Indian companies to move up the value chain. Currently, the Indian pharmaceutical industry is largely positioned in the lower tier of the value chain. The allocation of profits towards cutting-edge research and development by leading Indian pharmaceutical companies is minimal compared to their US counterparts.

The following table presents the latest data.

Finally, the imposition of a tariff is clearly a political decision. Keynes once remarked, ‘Is there anything that a tariff could do which an earthquake could not do better?’ However, he was ambivalent about the desirability of tariffs when the interests of his own country were at stake. Economist Eichengreen has written, “Keynes repeatedly reversed his public position on the advisability of protection... It is by no means clear whether his legacy has promoted or hindered efforts to reduce barriers to trade.” □□□

THE LANGUAGE CONUNDRUM

Hindi is a Lokbhasa

Yogendra Yadav

THE HINDI POLICY FOLLOWED in the last 75 years has been counterproductive. Hindi does occupy a special space in the linguistic diversity of India by virtue of its sheer size. With over 60 crore (42 percent of the current population) speakers under the umbrella of what the census categorises as Hindi, it is the world’s fourth largest language, way bigger than any other Indian language. Hindi can serve as a bridge in India’s multilingual landscape, provided it retains and nurtures its multilingual roots with languages subsumed within it and branches that reach out to other Indian languages. Conversely, a Hindi disconnected from its roots and branches can de-link India. A Hindi

that seeks to remain “pure”, assumes a higher status and demands respect from everyone else is bound to become a vehicle of communalism, accentuate a cultural rift and weaken national unity. So far, the tokenism of *rajbhasa* status for Hindi has achieved the worst of both worlds. The BJP’s latest Hindi push threatens to make matters worse.

In his poem ‘Hamari Hindi’, Raghuvir Sahay, the renowned poet, writer and editor, compared it to “duhaju ki nayi bibi”—the young, new wife of an old, wealthy widower—who “over-talks, over-sleeps and over-eats”. Her loveless world, full of envy, petty bickering and aggrandisement, captured the empty gratification of being Hindi in post-

independence India. This reminds one of Fanon’s description of the pathology of the Black oppressed.

Little has changed in the 60 years since he penned this poem. If anything, the hegemony of English is now cast in stone. Hindi speakers with whatever means have joined the national exodus towards English-medium schools. The “middle-class” elite in the Hindi belt would not be caught dead reading a Hindi newspaper. Their home language is now a *diglossia* of Hindi and English. Everyday signs of Hindi’s subordination are now the furniture of social life. Advertisements of English speaking courses. Parents presenting their children to the guests in “doggy English”. Youth desperate to impress their boy/girl friends in broken English. If English looks up, Hindi lacks.

It has not been possible to teach the fourth largest language in the world in its own heartland, let alone

force others to do so. ASER surveys remind people that a majority of Hindi-speaking rural students in Class 5 cannot read a paragraph from the Hindi textbook meant for Class 2. Most graduates from Hindi-medium colleges cannot get their Hindi grammar or even spellings right. Hindi has not produced or sustained an intellectual culture that anyone can look up to. Hindi writers continue to produce world-class fiction and poetry, but an educated person from a Hindi state would not recognise the name of a living legend like Vinod Kumar Shukla. There are some exceptional journalists, but not one newspaper of calibre. Forget cutting-edge science, technology or social science, there are no quality textbooks in any academic discipline to meet the pressing need of millions of students who end up doing higher education in Hindi medium. The last Hindi magazine that could serve as a carrier of ideas was *Dinmaan* (incidentally, edited by Raghuvver Sahay), which folded half a century ago.

In a country where students are fined for speaking Hindi at school, any talk of Hindi hegemony cannot but be a cruel joke. Hegemony presupposes effective control and cultural legitimacy. Hindi has none. English is the language of the Indian ruling class. It enjoys the cultural clout, the money, the backing of a very powerful education industry. Its dominance is accepted and internalised by those over whom it rules. That is cultural hegemony.

It would also be wrong to speak of Hindi dominance, brute power without legitimacy, except in one context. Notwithstanding the brouhaha of Hindi supremacists, the fact is that Hindi has not been forced upon non-Hindi speakers the way Russian was forced upon non-Russians in the USSR or Mandarin in Tibet. Just as well, since a respect

for linguistic diversity has saved the Indian republic. The point about dominance is true vis-a-vis Urdu and about three dozen languages that were subsumed within Hindi and could well have become separate languages in their own right. In all fairness, in this respect Hindi is no different from most of the languages of the Eighth Schedule, each of which has subsumed several others.

There is some truth to the charge of Hindi imposition. While the promotion of the *rajbhasha* has done little to empower Hindi, the ritual visits by the *Rajbhasha Samiti* and cosmetic insistence on Hindi billboards and name plates does cause heartburn for non-Hindi speakers. Of late, all Government of India initiatives and schemes carry Hindi or Sanskritic names, which must cause irritation. Hindi speakers make matters worse by claiming that Hindi is a "national language", a claim with no support in law or the Constitution, and by harassing non-Hindi speakers in public or semi-public contexts. This formal title, without power or authority, has resulted in weak power in limited official domains, which has proved counter-productive.

All the 22 languages in the Eighth Schedule should be given the status of official language. India doesn't need one national, official or link language. September 14 should be converted from *Hindi Diwas* into *Bhasha Diwas*, a day to celebrate all Indian languages. All Government of India attempts at Hindi promotion should be stopped. Bombay cinema, cricket commentary, TV news and soap opera have done more to promote Hindi than any official effort. Promotion of Hindi should be left to the governments of Hindi-speaking states and to voluntary efforts. Those who need a link language should choose it for themselves. If it wishes to be a link

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language, Hindi must allow itself to be polluted by other languages and permit multiple registers of “correct” Hindi.

The old Lohiaite slogan of “Banish English” won’t work now. What people need is a “Build Bhashas” campaign. This would require large-scale, well-funded schemes to pro-

duce, translate or recreate children’s books, higher education textbooks and scientific resources in all these 22 languages. This should be accompanied by generous state support for creating institutions to protect and promote at least 100 non-Scheduled languages, the so-called “dialects”, carefully documented re-

cently by the People’s Linguistic Survey of India. The starting point could be a national resolve, encoded in the Right to Education, to provide primary education to each child in her mother tongue, in any Scheduled or non-Scheduled language. Hindi is a *lokbhasha* and it is best that it remains so. □□□

THE LIMITS OF STUDENT POWER

The Birth of NCP in Bangladesh

Ashok Swain

THE RECENT EMERGENCE of the National Citizens Party [NCP] in Bangladesh has sparked discussions on whether a student-led movement can transform itself into a major political force.

While the party has capitalised on the momentum of mass protests that led to the ouster of Sheikh Hasina’s government in August, its long-term viability remains in question. The experience of similar movements in India suggests that such parties often struggle to sustain their initial success and establish themselves as major political players.

To understand the challenges faced by the National Citizens Party, it is useful to look at similar political movements in India, such as the Janata Party, Asom Gana Parishad and Aam Aadmi Party. These parties were formed after major public uprisings and were initially successful, but they struggled to remain relevant in the long run.

The main reasons for their decline were the lack of a strong ideology, the absence of dedicated grassroots supporters and the difficulty of maintaining public enthusiasm once the immediate crisis had passed.

The Janata Party emerged in 1977 as a coalition of opposition forces united against Indira Gandhi’s Emergency rule. It won a historic

victory and formed the first non-Congress government in India. However, its success was short-lived. The party was made up of people with very different political beliefs, ranging from socialists to Hindu nationalists. These differences led to internal conflicts, and within two years, the government collapsed.

By 1980, Congress was back in power. Without a strong foundation or a clear vision, the Janata Party eventually broke apart and became politically irrelevant.

A similar story played out in Assam with the Asom Gana Parishad, which was formed after a six-year-long protest against alleged illegal immigration. After signing the Assam Accord in 1985, the Asom Gana Parishad won elections and came to power.

However, it could not deliver on its promises, and internal divisions weakened the party. Over time, the Asom Gana Parishad became a minor player in Assamese politics and had to ally with the Bharatiya Janata Party to stay relevant.

The Aam Aadmi Party was born out of the 2011 anti-corruption movement led by Arvind Kejriwal. Unlike the Janata Party and the Asom Gana Parishad, the Aam Aadmi Party managed to remain in power in Delhi, winning three consecutive state elections. However, its

attempts to expand nationally have not been very successful, except in Punjab.

It lost the last election in Delhi and even Kejriwal was not able to win a seat in the state assembly. The party lacks a strong organisational structure outside Delhi and relies heavily on Kejriwal’s leadership. This makes it vulnerable to both internal disagreements and political attacks from stronger, well-established parties.

The experiences of these Indian parties highlight key challenges that the National Citizens Party is likely to face in Bangladesh. One major challenge is the lack of a clear ideology. A political party needs a strong vision that resonates with a broad section of society. So far, the National Citizens Party is mainly seen as an anti-incumbent party, but that alone is not enough to sustain long-term support. Without clear policies and a strong message, the party could struggle to maintain its relevance.

Another problem is the absence of a charismatic leader. In Bangladesh, politics has been dominated by strong figures like Sheikh Mujibur Rahman, Ziaur Rahman, and Sheikh Hasina. The National Citizens Party, on the other hand, has opted for a shared leadership model, which makes it harder to build public enthusiasm.

Even in India, movements like the Janata Party, Asom Gana Parishad and Aam Aadmi Party initially gained popularity due to leaders like

Jayaprakash Narayan, Prafulla Kumar Mahanta, and Arvind Kejriwal. However, even they struggled to keep their parties united over time. Without a leader who can inspire and unite people, the National Citizens Party may find it difficult to hold onto its support base.

Another major hurdle is the lack of grassroots organisation. In Bangladesh, successful political parties have strong networks that reach even the most remote villages. The Awami League and Bangladesh Nationalist Party, for example, have decades of experience in building local support.

The National Citizens Party, as a student-led movement, is mostly focused on urban areas and does not have the same level of grassroots presence. This is similar to the struggles faced by the Aam Aadmi Party in India, where its influence remained largely limited to cities like Delhi.

A further challenge is that the National Citizens Party relies too much on temporary mass mobilisation. Mass movements can be powerful enough to bring down

governments, but they do not necessarily lead to lasting political success. Both the Janata Party and Asom Gana Parishad initially gained power through popular uprisings, but they struggled to govern effectively.

If the National Citizens Party does not have a long-term strategy and fails to keep the public engaged, it risks fading away once the excitement of its initial success wears off.

Another significant obstacle is the strong influence of dynastic politics in Bangladesh. The major parties, such as the Awami League and Bangladesh Nationalist Party, are built around powerful family legacies. In such a political culture, it is difficult for new parties to gain legitimacy. While the fall of Sheikh Hasina has created an opportunity for fresh leadership, the deeply rooted political structures will not change overnight.

Despite these challenges, the National Citizens Party does have some opportunities to grow. Over the past 16 years, nearly 40 million new voters have entered the rolls, of a total of 124 million voters. Many of them are frustrated with the lack of democratic participation and

could be looking for an alternative.

If the National Citizens Party can successfully connect with these voters and organise them into a dedicated support base, it may be able to establish itself as a credible political force. However, simply being against the old system is not enough. The party needs a clear plan, strong grassroots organisation, and effective leadership to succeed.

The National Citizens Party has called for a “second republic,” suggesting that it wants to bring major political reforms. However, history has shown that revolutions require institutional support and careful planning to succeed. Without control over key institutions such as the military, judiciary, and bureaucracy, the National Citizens Party’s goals may remain ambitious dreams rather than practical policies.

Political history has seen many movements fade away after their initial success. The National Citizens Party must act quickly to avoid the same fate. □□□

[Ashok Swain is a professor of peace and conflict research at Uppsala University, Sweden. Courtesy: scroll.in]

THE VOICE OF RESISTANCE

Viyukka or The Morning Star

Harsh Thakor

‘Viyukka’ is the stories of people, real people who either don’t exist or are vilified in the so-called mainstream narrative. These are the stories of the real India who dare to dream, dare to challenge, dare to live. This book comes out at the right time when a dominant narrative of those who are in power is trying to wipe out the narrative of the Marginalised. This collection is a bold attempt to let them know that despite all oppression, the Marginalised will and still dare to dream. These are the indefatigable voices of resistance who believe a new world is not only possible but also inevitable through people’s struggles against the state—Moumita Alam, Poet]

VIYYUKKA OR THE MORNING Star showcases how the life of an underground activist was not a bed of roses and the considerable efforts endured to vacate the plains and adapt to forest life. It was the product of wholehearted efforts and an assiduous examination to explore the under-

ground revolutionary works of authors. The book *Viyukka* is an anthology compiling a set of stories written in Telegu by Maoist women revolutionaries encompassing 4 decades. It was translated from Telegu into English.

The anthology was published by Virasam in the year 2023, encom-

passing 6 volumes, and 316 stories, written by 52 authors. 148 dealt with armed revolution while 168 with other democratic issues. It is edited by P Arvinda and B Anuradha.

Path breaking stories in waving the banner of war for liberation by Women revolutionaries.

It is remarkable how the women revolutionaries could find time to write these stories, with their rigorous schedule permitting no leisure time.

The stories reflect how daily life of squad members entailed hours of walking, carrying the burden of 15-20 kg of weight, including weapons. It is commendable that the women wrote these stories provided with no material comforts and facing continuous threat of police attacks.

What is praiseworthy is that none of the stories are fictional. They navigate the daily struggles, the emotional tussles, relationships among activists and their interactions with people and nature, confrontations with armed forces etc. They narrated real life events orchestrated by real life characters who project the true flesh and blood of a human being.

People from vast regions have established new human relations by extinguishing the reactionary ideology and the seeds that triggered it. In simple, lucid and illustrative language they express the social reality to make the masses search their soul.

In the stories, the writers explore the changes taking place in the villages, forests, and plains, economic life and production relations and transformation in land relations. The anthology navigates the achievements of the people, and the revolutionaries in the military field, people's experiences withstanding repression and the way they retaliated the enemy attacks and the tortuous daily lives of the squads.

The stories revealed the do or die spirit or unflinching resilience of the squads and their deep penetration in the hearts of the people and day to day problems. They elevated revolutionary romanticism to a boiling point and extent to which the hearts of masses were evoked by revolutionary squads.

A most illustrative projection of Nallamla and Dandkaranya forests exploring a new realm in women's

writing. The stories show the real India.

The stories reflect conviction, hope, loyalty, hardships, determination and resistance against darkness and portray the tireless efforts of Adivasis to protect their forests from the wrath of exploitation. They echo the aspirations of people who believe a new world is inevitable with intensification of people's struggles.

Nearly 50 percent of the squads and people's militia today are comprised of women denaturing their phenomenal strides.

Many of the Adivasis who joined the movement, received their first lessons on reading and writing while being part of squads. Many proceeded to becoming teachers and barefoot doctors in the guerrilla bases.

The initial stories were written by educated persons, who penetrated the revolutionary movement from the plains, to transform the lives, culture, governance structures and political economy of Adivasis. The revolutionary movement eradicated the difference between outsiders and the locals, crystallising the movement truly belonging to the Adivasis. The Adivasis learned to read and write within the movement, and compiled their experiences in the form of stories.

The stories affirm that an alternate form of life is being established or in the transition process, eradicating meritocracy, competition, and making a departure from negative feudal conventions, assimilating rational aspects of knowledge. They

illustrated how revolutionary movement bred new human beings who are not only re-writing history but recording history to enable the outside world to view.

Women in the revolutionary movement print magazines like Poromahilu in Telegu and Mahila in Hindi and Gondi. When the movement was blooming in Andhra Pradesh, it published *Viplava Malavi* and later *Viplavi*.

The Forward March of history by Ankita intensely explores the influence of ideology of Maoism in shaping lives of people, struggles and resistance against police forces and administration of self-governance. From the journey of Sudha one gets the ebb and flow, uncertainty and effect of the people's war in infusing relentless defiance, in the gravest circumstances.

Red Flag by Shwetade notes effect of planting the Red Flag and work of people's militia on resistance of people and protecting rights, involving characters of Padma, Suko, Lacchu and Kindo.

To an extent the stories glorify the Janatana Sarkars and armed squads of the Maoists. Not sufficient coverage of functioning of people's self-governance in day to day lives or collective struggles of masses. No report of antagonistic aspects of Maoist party or guerrilla squads devoid of mass character. □□□

(Harsh Thakor is a freelance journalist)

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OLD CONTROVERSY, NEW TWIST

Aurangzeb and Maratha Pride

Sumanta Banerjee

A CONTROVERSIAL COMMENT by a Maharashtra Samajwadi Party MLA who happens to be a Muslim, has kicked

up a row among political circles. The MLA, Abu Asim Azmi on March 3, was reported to have said that India flourished during the reign of

the Moghul emperor Aurangzeb with a GDP of 24%. He added: "For Aurangzeb, it was all about power and wealth, religion has nothing to do with it, and I don't believe he was a cruel ruler." All hell broke loose, with the Maharashtra assembly unanimously passing a resolution suspending him.

In the light of these developments, it is about time that Indians take a relook at Aurangzeb and his record as a ruler. There were different phases in his career during his long reign. His first twenty years were spent in overthrowing the Deccan kingdoms, and crushing rebellions. He demolished Hindu temples and imposed taxes on his Hindu subjects. After that, he retired from military operations and concentrated on administration within the country. Curiously enough, in a reversal of his earlier behaviour, he employed more Hindus in his administration than any previous Mughal ruler. (Re: Audrey Truschke: *The Life and Legacy of India's Most Controversial King*. Stanford University Press). Describing his last years in the 1680s, the historian Dr. Percival Spear (who based his research on original contemporary records) wrote: "The subtle and ruthless politician became an ascetic and a sage according to Muslim estimation, spending long hours in prayer, fasting, and copying the Koran, and pouring out his soul in agonised letters. ...The Mughal ogre of popular historians was in fact both a most able statesman and a subtle and highly complex character." (Re: *A History of India. Volume Two*. Penguin Books. England. 1965). In his last letter to his sons, he wrote: "I came as a stranger and I leave as a stranger."

Reports of Aurangzeb's ascetism travelled abroad. It inspired the famous English author John Dryden to write a play in 1675 entitled *Aurang-zebe*, which was staged at the Royal Theatre in London that year. It explored the different dimensions of his character—ambition, political intrigues and beyond all, love and affection.

The above observation is not meant to whitewash Aurangzeb's cruelty. But other rulers of the past

times, belonging to the Hindu religious community, were equally cruel and destructive in their policies against religious minorities. For instance, in the seventh century, the Hindu king of Bengal, Shashanka invaded Bodhi Gaya in Bihar, and brought down the Bodhi Druma, the sacred tree under which Gautama prayed to attain spirituality and become Buddha. He demolished Buddhist shrines in Bengal, as described by the Chinese traveller Hsuan Tsang who was visiting Bengal at that time.

The other dimension that is being added to the present debate is the issue of Maratha self-assertion against Moghul aggression. While moving the resolution for Abu Asim Azmi's suspension in the Maharashtra assembly, the state minister Chandrakant Patil said that Azmi's statements were "an insult to Chhatrapati Sambhaji Maharaj." Sambhaji was Sivaji's son, and ruled Maharashtra from 1681 till 1689, when he was executed by Aurangzeb.

To go back to history, in the face of Aurangzeb's ruthless offensive against the Deccan kingdoms, Shivaji's descendants failed to retain their old well-knit Maratha Empire which broke up. Their soldiers, bereft of their emperor and lacking any effective military leadership to conduct a war, dispersed in different directions in India seeking ways to survive. Toughened by their military training, some of them began raiding territories of other states and plundered homes. One such instance is their invasion of Bengal in 1741-42 under the command of the Marathi brigand Bhashkar Pandit, when they unleashed a reign of terror there. They came to be known as 'borgis' in Bengali parlance. Fear of them was invoked by mothers to put their crying babies to sleep, by singing a lullaby warning them that unless they sleep, 'borgis' would snatch them away. A blow-by-blow

account of the atrocities committed by these Marathi 'borgis' is available from a manuscript written by a contemporary Bengali poet Gangaram entitled ***Maharashtra-Purana*** at around 1751. (It was published later in a book form in Calcutta in 1806).

A few years later, Bengal's then ruler Nawab Alivardi defeated Bhashkar Pandit in a battle in Midnapur, forcing him to flee to forests. In order to avenge the defeat, the then Maratha ruler Raghujhi Bhonsla invaded Bengal with his soldiers, unleashing yet another wave of terror on the common citizens. The warfare continued for a decade till 1751, when an ageing and tired Alivardi signed a pact with the Maratha 'borgis,' that allowed them to take possession of Cuttack (which is now a province of Orissa, but at that time was under the suzerainty of the nawab of Bengal). Under the pact, Alivardi also pledged to send every year Rs. 12 lakhs to the Maratha ruler. (Re: Dineshchandra Sen—*Brihat Banga*. Vol. II. 1935.)

Renewal of Maratha-Bengali Association

In an ironical twist of history, almost one hundred and fifty years later, the Marathas and the Bengalis encountered each other in the early decades of the twentieth century. This time however, it was a friendly encounter. They were tied together

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in a close solidarity of national unity to fight the British colonial power. The Maratha leader Balgangadhar Tilak initiated Shivaji Utsav in 1894, recalling the valour of Shivaji in order to inspire the younger generation to imbibe his spirit in the course of the anti-British struggle. His call reverberated beyond Maharashtra and reached Bengal. A Maratha nationalist Sakharam Ganesh Deuskar who was domiciled in Calcutta got in touch with the Bengali revolutionaries and forged an alliance. This led to the emergence of an all-India leadership which came to be known as Lal-Bal-Pal trio—Lala Lajpat Rai from Punjab, Balgangadhar Tilak from Maharashtra and Bipin Pal from Bengal.

Soon after, Rabindranath Tagore composed a poem *Shivaji Utsav* in 1904-1905, praising him as a hero who should not only be worshipped but whose brave acts should be replicated by the young generation of Bengalis in the national movement. Thus, Rabindranath tried to cleanse the Bengali mind of its tendency to stereotype Marathas as invaders [i.e. borgis], and he persuaded them instead to forget the

past 'borgi' atrocities, in the interest of forging national unity. It is significant that Rabindranath composed this poem at a time when Bengalis were rising in a nationalist upsurge against the British colonial conspiracy to divide Bengal. Inspired by his poem, young Bengalis came out in the streets celebrating *Shivaji Utsav*.

While recounting these past episodes in the history, one should understand that they took place at certain junctures of socio-political developments. In the course, some rulers earned fame, like Ashoka and Akbar. But then, to take the case of Ashoka, he became an apostle of non-violence and peace only after he led an invasion of Kalinga in 260 BC, which resulted in the massacre of innocent citizens. Witnessing it, he suffered remorse and converted to Buddhism. So, his conversion had to be at the cost of thousands of lives which became victims of his initial ambition to extend his Mauryan Empire. In the case of Akbar, it was only after he conquered the various parts of India and established suzerainty over them, he could afford to be tolerant and accommodate the religious minorities in his administration, and abol-

ished *jizia* and other taxes on Hindus. In an attempt to bring together Hindus and Muslims under one eclectic canopy, he invented the concept of *Din-I-Ilahi*—a concept which people need to revive today.

All through the ages, rulers in India, irrespective of their religious denominations, had followed a dual style of administration that suited their immediate needs—a policy of military suppression of opponents, accompanied by the distribution of a few loaves of social benefits for the rest of the people. At certain junctures, some of their administrative measures drew popular approval (like the British ban on suttee, and encouragement of widow-remarriage). At some other juncture, they alienated their subjects by bringing in measures, like the proposal to partition Bengal in 1905, which roused a mass movement that ultimately forced the colonial rulers to reverse the decision.

One can discern a single thread that runs through the mode of administration of the rulers, whether in the past or today—greed for “power and wealth” the term used by the MLA Abu Asim Azmi. □□□

[Source: counter currents.org]

‘ONE MAN-ONE VOTE-ONE VALUE’

Perilous Path of Electoral Democracy

Bhaskar Majumder

ALL THE PEOPLE ELIGIBLE by announced minimum age with no upper age limit were and are happy for they got the chance to cast votes or vote their castes once every five years. This is what innocent people understood as their political power—‘one man—one vote—one value’. Thus, equality was perceived at the political space by the innocent people or the voters.

Little did one try to understand that in inter-generational fixed-tar-

geted exclusion of a large chunk of people by castes and market, political inclusion by right to vote would be either guided by the power lobby or forced on the economically excluded or adversely included?

Little did one realise the relevance of education in the processes of voting and electing the appropriate candidates. The overall rate of literacy as the first approximation of access to formal education was 18.33 percent in 1951 that took 70

years to reach 77.70 percent in 2021. Percentage of Graduates and above in 2011 in India was 4.5. The implicit assumption is the existence of a strong positive correlation between formal or institutional education of the individual and electoral outcome. Of the voters on the electoral roll that political parties take care to include and Election Commission of India takes care to provide Voter's Identity Card, the educated established middle section generally abstains from casting votes that requires standing on long queue for the purpose. The number of abstaining eligible voters is much more than this middle section for different

reasons including migration. The abstained voters are not identical over each five-year electoral gap by time planning; however, the self-excluded eligible voters come from the same education-bracket.

Since most of the voters in practice come from the bottom layer of the society by caste-community as well by economic indicators, they are guided or are determined pre-casting of votes by the political determinants for several reasons apart from the general fact that this bottom section is historically determined or is a consequence of the processes under command of the political determinant.

If the cause-consequence mechanism is rigidly historically fixed, one may opine that the same political party will continue to rule. This continuation fails sometimes like post-Nehru political era at all-India level, or post-Bidhan Roy era in West Bengal or post-Left Front rule in West Bengal. This is for several reasons that seem not possible here to explain in detail. I shall mention a few with West Bengal as a case.

The same set of voters who were guided to vote in favour of Left candidates since late 1970s started voting in favour of the ruling Trinamool Congress in Bengal since more than a decade ago with two five-year election-plannings completed; some of the local or middle-level leaders also changed side in the electoral game. One point is economic existence-political power provides space for economic existence. The voters at the bottom are also the economic actors like vendors, rickshaw pullers, domestic assistants, tiny businessmen who remain unprotected unless the political authority takes them under its umbrella. The middle-level less-educated leaders changed sides for they needed similar role as in the past or more by being labour contractors,

real estate dealers, and stability in business. The political authority at the highest level knows the cost-benefits of all these calculi.

Left came to occupy political space through electoral processes post-Congress Rule under Dr Bidhan Roy because of natural and artificial crises manifested in food crises of mid-1960s, emergence of radicalism in politics, youth unrest and all that. Already refugee influx from East Pakistan post-Partisan of 1947 as a prize for India's independence created 'Roji-Roti' crises. Notwithstanding import of food grains by the Government of India from the United States under Public Law (PL) 480 for distribution through Fair Price Shops and in parallel spatial success in Green Revolution because of import of High-Yielding Variety (HYV) of seeds from Mexico, the food-need of the large population failed to be fulfilled. Politics captured the economic space.

India is a land of personal charisma. During the initial political election years like 1952, 1957 during the uninterrupted 'Planning Era' (1951-1966) the educated middle section had tremendous faith in Nehru at the Centre and Dr Bidhan Roy in West Bengal. Both left the physical world by mid-1960s that apparently created a political vacuum reflected in political turmoil and turbulence during 1966-1972 leading to lumpenisation during early 1970s in West Bengal and, for some different reasons, declaration of 'Internal Emergency' imposed by the Government of India in June 1975. This is not to be elaborated here other than noting only that personal charisma has its limit in long-term governance. The same was with the rule by the Left front under leadership of Mr Jyoti Basu. Had the political base been strong, how could it crumble down post-Nehru or post-Roy or post-Basu? Personal charisma may ex-

plain political outcome but it cannot sustain the outcome.

This is where the autocrats or political determinants collude to make the political outcome same and stable like 'U rule there, I rule here'. One may call it political 'collusive duopoly'. This is different from 'double engine' government, at the Centre and at the state on the circumference, where it is the 'same I'. In political collusive duopoly, the political parties are different but they have a common enemy who is to be obstructed from entering into the political electoral market. Political manifesto or agenda are different but enemy is common—it is not poverty or miseducation or unscientific outlook—it is rationalists.

Changing rulers at the Centre or the states is seen as a problem less venomous than the uprising of the youth termed by the rulers in the mainstream as 'radicals, urban Naxals, militants, *deshdrohi*' and all that. Innocent people are made to believe these 'state vocabulary' and people become the voters based on the already established assumption that 'thinkers are anti-state'. The rule by the mediocre perpetuates mediocrity—be it fascists or autocrats or camouflaged '*bondhusarkar*' (friendly government). Treachery works more than truth—people are innocent.

What surprises this writer the century-long glorifiable history of Bengal renaissance and on that pedestal the questionable current political outcome? This raises a further question, is politics outside the circumference of culture? Culture I definitely includes education, language in the public domain, body language, reciprocal socio-cultural relations and not 'social distancing' by caste-community-gender. In case political outcome is economically determined, it is comprehensible like '*Lakshir Bhandar*' in West Bengal

seen as a guarantee of votes cast by women. This is a simplistic explanation if people at the bottom are determined is true. The *Bhander* seems an economic guarantee for survival of households where kitchen is run by women even with questionable gender division of labour—even with women seen as equal partners in ‘beyond home’ job market, formal or informal. Middle class in West Bengal learnt to think that the *Bhander* obstructed the Left from

coming back to power through electoral politics after what they perceive as misrule by the current ruling power. It cannot be tested, however, what happens if *Bhander* withers away.

It is a bigger question if the political rulers are electorally determined or economically determined. The role of money-monopoly comes here. In the circle of gossips, money plays a role in guiding the voters the extent of which is probably not estimated so

far. There may be exceptions. The system is indecomposable for the invisible hand of the ‘core state’ also promotes ‘monopoly capital’ that provides the pedestal for the ‘power to be’. It seems, ‘all economic answers are political questions’ needs a complementary proposition, that is, ‘all political answers are economic questions’. India’s electoral democracy is in the whirlpool. □□□

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RG KAR AND GREESHMA

Capital Punishment is a Judicial Lottery

Vineet Bhalla

[On January 10, Greeshma received the death penalty for premeditated murder of her partner. But Sanjay Roy got life imprisonment for rape and murder.]

A WOMAN HOLDS A candle during a vigil condemning the rape and murder of a trainee medic at a government-run hospital in Kolkata, on a street in Mumbai. Francis Mascarehns, Reuters.

Contrasting sentencing orders on January 20 [Monday] in two separate murder convictions have again brought to the fore the absence of a uniform standard in India when judges award the death penalty.

Greeshma, a 24-year-old woman, was sentenced to death by a Thiruvananthapuram court for poisoning and murdering her partner in October 2022. The same day, Sanjay Roy, a former civic police volunteer convicted for the rape and murder of a 31-year-old doctor at the city’s RG Kar Medical College and Hospital in August, was handed a life sentence by a Kolkata court.

In India, capital punishment is supposed to be awarded in the “rarest of rare” situations. The disparity in the sentences of Greeshma and Roy has raised questions about the inconsistent and subjective application of this principle.

The Kerala court repeatedly re-

ferred to the romantic relationship between the victim and the offender. The suggestion of enticement and betrayal by a woman give the impression that the judge’s gendered perceptions influenced the death sentence to Greeshma.

The Bengal case relates to the murder of a 31-year-old trainee doctor on a state-run hospital’s premises on August 9. The crime sparked protests across the country and abroad.

The Supreme Court had taken suo motu cognisance of the case amid public outrage.

Roy was arrested by the Kolkata Police on August 10; the day after the doctor’s body was discovered in the hospital’s seminar room.

Three days later, the Calcutta High Court ordered the Central Bureau of Investigation to probe the matter.

The court had held daily hearings since a charge-sheet was filed in the matter on October 7.

In the Kerala case, Greeshma had been arrested in October 2022 for the death by poisoning of her partner Sharon Raj, who was 23 at that time. Raj had died of multiple

organ failure 11 days after being served an Ayurvedic drink laced with paraquat, a potent herbicide.

Greeshma had failed in previous attempts to poison Raj. She sought to murder him since he had refused to end their relationship after her parents arranged for her to marry another man.

Greeshma had alleged that she had wanted to end her relationship with Raj and had asked him to delete intimate photos and videos of her. She was afraid that Raj would share them with her fiancée.

As per both the current and previous criminal law codes, in murder convictions, courts must award either life imprisonment or the death penalty.

The death penalty is awarded, as per judicial doctrine, only in the “rarest of rare cases”. However, what qualifies as “rarest of rare” is left to the subjective decision of the courts. According to a 1980 Supreme Court judgement, courts must keep in mind considerations such as “gravest cases of extreme culpability” and the circumstances of the offender and of the crime.

The Supreme Court had held that courts must strike a balance between aggravating and mitigating circumstances in the case. “Life imprisonment is the rule and death sentence is an exception,” it held.

However, these guidelines are only

vaguely defined, resulting in different judges applying different standards when it comes to the death penalty.

In the two sentences from Bengal and Kerala on January 20, for example, the courts adopted widely different approaches while sentencing the convicts for their crimes. The decisions reflect differences in how courts evaluate culpability, intent and what qualifies as a “rarest of rare” offence.

The Thiruvananthapuram court awarded the death penalty to Greeshma citing the deliberate and calculated nature of the crime. The judgement by Additional District and Sessions Judge AM Basheer highlighted that she planned the murder in detail, researching poisoning methods and luring Raj “after offering sex” into consuming a fatal concoction.

The court noted that the crime was premeditated and executed with deceit, as she used her intimate relationship with Raj to gain his trust. It described her actions as cold-blooded and motivated by self-interest, as her primary goal was to eliminate Raj because of her engagement to another person. The court emphasised that Sharon’s prolonged suffering before his death added to the gravity of the crime.

Even though Greeshma had no prior criminal record, the court declared her a “repeated offender” due to her failed previous attempts to murder Raj. It held that she was not therefore entitled to mercy.

Apart from the law, Basheer’s own views on the immorality of murdering one’s partner are also a part of the judgement. “Only with mind of extreme brutality one can repeat the same crime against her boy friend...while in love,” he noted.

He added that the murder “spread a message among youth that a girl can easily kill her boyfriend after having broken their relationship”. Commenting on the severity of the crime, he noted, “Nowa-

days, the youths are following live in relationships. If it is viewed lightly, it is as good as use and throw and one can easily target his partner.”

Basheer attributed further motives to the murder. The “offence was committed with an intention to create fear, psychosis in the public at large and it created panic among lovers and friends”, he wrote. He added that the gravity of the offence was enhanced because it “gave a message that a lover cannot be believed”.

In contrast, in the Bengal case, Additional Sessions Judge Anirban Das awarded life imprisonment to Roy for the offences of rape and murder, ruling that the case did not meet the “rarest of rare” standard required for the death penalty. While the court acknowledged the heinous nature of the crime, it emphasised the absence of premeditation and noted that the crime occurred in the course of events rather than being meticulously planned.

The court also considered several mitigating factors in favour of Roy. It noted that he had no prior criminal record. The judgement highlighted the possibility of reform and rehabilitation, stating that life imprisonment would serve the ends of justice without completely foreclosing the potential for redemption.

The court referred to legal precedents recommending life imprisonment over the death penalty unless the crime is exceptionally brutal or depraved.

In its reasoning, the court stressed the principle of proportionality in sentencing. It concluded that while the crime warranted severe punishment, life imprisonment was a just and sufficient response. It also underscored the importance of judicial restraint, noting that public sentiment or media attention should not influence the outcome of the case.

The language in the two judgements reflects a stark difference in

how the two judges viewed what constitutes a “rarest of rare” case. In Greeshma’s case, Basheer treated the betrayal of trust and premeditated intent as factors that aggravated her culpability. In Roy’s case, Das gave significant weight, despite the severity of the crime, to the principles of proportionality, “rehabilitation and the preservation of human dignity”.

Such disparities in sentencing seem to reiterate that the death penalty is awarded effectively on the basis of a judicial lottery. Basheer judged Greeshma’s actions through a seemingly gendered lens of trust and morality in a personal relationship, evidenced by his repeated reference to Greeshma having “offered sex” to Raj. To the court, this clearly amplified her perceived culpability.

Das’s judgement reflected a more restrained view of Roy’s actions and of the imposition of the death penalty. He wrote that courts must “resist the temptation to bow to public pressure or emotional appeals”.

The West Bengal government, having expressed dissatisfaction with Roy not being sentenced to death, has the option of appealing the life imprisonment sentence before the Calcutta High Court.

Meanwhile, Greeshma too can challenge her death sentence before the Kerala High Court.

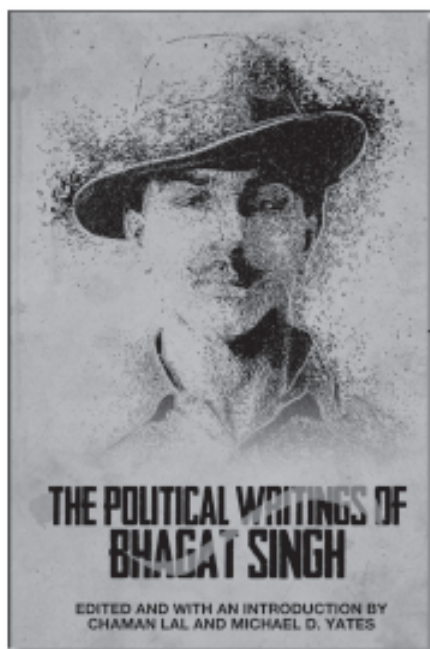
At the end of 2023, 561 prisoners were living under a sentence of death.

Death sentences have been executed relatively rarely in India in the last few decades. The last death sentence executed was in 2020, when the convicts in the Delhi murder and rape case of 2012 were hanged.

Those sentenced to the death penalty have several channels to appeal the punishment before a High Court, the Supreme Court and the president. □□□

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