

ht think!

REFLECTIONS

past & present

RAMACHANDRA GUHA



RESCUE NEHRU FROM HIS DESCENDANTS

In his first speech after being sworn in as our new President, Ram Nath Kovind praised Patel, Ambedkar, Gandhi, and Deen Dayal Upadhyaya, but did not take the name of Jawaharlal Nehru. This provoked outrage in Congress circles, with the senior party leader Ghulam Nabi Azad terming it 'unfortunate' and 'partisan' that the President 'did not mention Nehru who was the first prime minister of India and the architect of modern India. He was not just one of the PMs but the first PM of India who was known around the world for his vision'.

The main reason the President (or his speechwriter) did not mention India's first Prime Minister was that the Sangh Parivar which sent him to this high office is ideologically opposed to Nehru. They wanted (and still want) a Hindu Rashtra; Nehru insisted that if India was anything at all, it was not a Hindu Pakistan. They glorify our past and ancient scriptures; Nehru instead sought to build a modern society by means of reason and science. The Sangh Parivar even opposed democracy, the RSS journal Organiser writing in 1952 that Nehru would 'live to regret the failure of universal adult franchise in India'. They think that men are women's guardians; whereas Nehru believed that women were in all respects fully equal to men.

As is well known, the Sangh Parivar played

virtually no part in our freedom struggle, and indeed (as during the Quit India movement of 1942) sometimes worked to subvert it. Moreover, during Ambedkar's lifetime the RSS bitterly attacked him as well as the Constitution whose drafting he oversaw. 'The worst [thing] about the new Constitution of Bharat,' wrote Organiser, 'is that there is ... no trace of ancient Bharatiya constitutional laws, institutions, nomenclature and phraseology in it' (and we may be glad of that too). However, the BJP and the RSS have since sought to opportunistically appropriate both the freedom-fighter Patel and the social reformer Ambedkar. But they draw the line at Nehru. Their hatred of him is everlasting.

That said, another reason the President (or his speechwriter) did not mention Nehru could be that, apart from the confined circle of Congress chamechas, not many Indians would notice or be put out by this omission. Nehru contributed enormously to the making of modern India, by promoting universal adult franchise, linguistic and religious pluralism, and modern science. However, the actions of his descendants have deeply damaged his reputation. Nehru's democratic credentials were vitiated by his daughter's imposition of the Emergency; his commitment to gender justice by his grandson's capitulation to Islamic fundamentalists in the Shah Bano case; his secularist ideas by the same per-



son's banning of The Satanic Verses and his opening of the locks in Ayodhya.

Unlike Indira and Rajiv, Sonia Gandhi did not occupy the office of Prime Minister. However, as the most powerful person in a Congress-led Government, she erected a cult of the Nehru-Gandhi family, naming dozens of schemes and projects after them. This disgusted many Indians, who knew that the history of the Congress party—still less that of the wider freedom struggle—could never be identified with a single family.

Indira, Rajiv, and Sonia were all thrust into political prominence by accident. The first two became Prime Minister after the incumbent unexpectedly died; the third was asked by senior Congressmen to take over the party after a

series of humiliating electoral defeats. By contrast, Rahul Gandhi is where he is only because his mother promoted him. And from what he has done (or not done) in thirteen years in politics, it seems quite evident that he is not a natural or effective leader. And the particular attribute that the Congress President may think is positive—his family name—has, in fact, decidedly negative connotations.

For India has changed massively in recent decades. Especially when it comes to politicians, Indians no longer ask what your father or grandmother did—they ask what you have done yourself. The answer, in Rahul Gandhi's case, is more or less nothing. His lack of achievement hurts the Congress, which is why some BJP

leaders have gone so far as to publicly thank him for what he is doing to ensure their party's continuing success. And it further damages the reputation of Jawaharlal Nehru. For if it is Rahul Gandhi who claims to uphold, incorporate and embody Nehru's legacy—(a claim endorsed by President Kovind's critic Ghulam Nabi Azad), can that legacy, ask an increasing number of Indian citizens, be worth defending at all?

Whether one admires or dislikes him, or indeed has ambivalent feelings about him, it is indisputable that Jawaharlal Nehru had a colossal impact on independent India. I have spoken earlier of his contributions to nurturing democracy, pluralism, and science. Set against these major achievements are some notable failures, such as his indifference to private enterprise and to military preparedness, and his lack of emphasis on primary education.

In an essay in my book Patriots and Partisans I have provided an interim assessment of Nehru's place in our history, juxtaposing his successes against his failures. I hope that a younger scholar—born, unlike me, well after Nehru's death—will one day write a far more substantial assessment of the man, his times, and his legacy, based on solid work in the archives. But for such a book to merit the objective, dispassionate, reception it deserves, the Nehru-Gandhi family must retire from politics. It is overwhelmingly likely that the family—singly or collectively—cannot resurrect or revive the Congress Party. And it is absolutely certain that so long as his descendants remain in public life, nothing can resurrect or revive the reputation of Jawaharlal Nehru.

Ramachandra Guha's books include Gandhi Before India. The views expressed are personal.

sundaysentiments

KARAN THAPAR



BEATING THE DRUMS OF PATRIOTISM TOO LOUDLY

There are times when I despair for my country. One such is when intellectuals, sporting heroes and senior ministers say the silliest things in the belief they're making good sense and, even, expressing profound sentiments.

Last Sunday at a function in Jawaharlal Nehru University, the vice chancellor called for a tank to be parked on the campus to remind students of the army's sacrifices. As he put it: "The presence of the army tank will constantly remind thousands of students who pass through this university about the great sacrifices and valour of the Indian army."

The first thought that occurred to me as I read this preposterous suggestion was the man gone bonkers? No doubt the sacrifices Indian soldiers have made in the wars of 1947, '62, '65, '71 and '99 must never be forgotten but they pale in comparison to those made

by the British army in the two world wars—or our own, for that matter—or those of the Soviet army, not just in the 1940s but earlier against Napoleon, for example at Borodino, but you won't find tanks placed on the courts and quads of Oxbridge colleges or even Moscow University.

Gautam Gambhir, a young cricketer, went one foolish step further. "Freedom of speech is important", he expounded, "but there are certain things which are absolutely non-negotiable. One is the respect for the tricolour." He may be a dab hand with the bat but his thinking is decidedly confused. In India the correct constitutional position is the opposite: freedom of speech is non-negotiable whilst respect for the flag is important.

Finally, Dharmendra Pradhan, the petroleum minister, is reported to have said "in no other country is the army undermined in the way some people do



The VC can't be unaware that Indians are proud of the Army already

in India." How does he know that? How many countries has he visited? And in how many of them has he heard their citizens talk of their army? This sounds like a rhetorical flourish devoid of factual content.

I'm prepared to excuse Gambhir not just because he's young but also after devoting his life to cricket he probably doesn't know better. His ignorance may be embarrassing but it's understandable. Hereafter he should practice the adage: Cricketers should be seen and not heard.

I'm afraid the vice chancellor can't be treated similarly. He can't be unaware that Indians love their army and are proud of it. It's perhaps the most respected institution in the country. We don't need tanks on our lawns to

remind us. Indeed, the only time I've seen this was on the grounds of Government College, Lahore, during Gen. Zia's dictatorship.

But what should I say of the minister? He clearly lives up to our belief that Indian politicians have a unique capacity to put both feet firmly in their mouth and yet not choke over their comments.

Think of it: that's an amazing talent. Pradhan has proven there's nothing so thoughtless or incorrect a politician won't say. Sadly, his political opponents only compete to outdo him.

The truth all three gentlemen have either ignored or are unaware of is that patriotism is a sentiment that arises from within the heart. It's also one we all feel. Not at the same time and not always for the same reason but when we're moved by circumstance or sentiment. But you can't command it and you must never try to force it. It's only genuine when it's spontaneous. Also, it doesn't have to be displayed to prove it exists. And, it's not deficient in the Indian people.

Finally, two and a half centuries may have lapsed since he said it but Samuel Johnson was spot on when he pronounced that patriotism can be the last refuge of a scoundrel. These days we beat the drum of patriotism so often and so loudly I sometimes wonder if we're becoming a nation of scoundrels?

The views expressed are personal

VICTIMS OF SEXUAL VIOLENCE NEED MORE THAN FUNDS

INDIRA JAISING



Laws relating to social justice often express the pious hope, in the form of non-mandatory time-lines for completion of trials. For example, the Protection of Women from Domestic Violence Act, 2005, lays down a timeline of three months for the completion of the case. Any lawyer will tell you that it is difficult to see conclusion in three years leave alone three months. The delays are sometimes beyond the control of the courts, but sometimes courts consciously delay matters, giving them low priority. Hence, delays in court are a function of the ideology of the judge and also the availability of time and infrastructure.

Sometimes the language of the statute uses the expression "as far as possible", in recognition of the fact that a statute cannot really lay down a timeline but only a guideline. In the case of a trial for rape, Section 309 states that the trial shall be conducted "as far as possible" within 2 months of the filing of the charge sheet. When the legislature passes a law of this kind, it is difficult to understand the purpose behind such a direction to the Court, as we all know that the supply of judicial time falls far short of the demands for time.

In the case of rape, for example, medical evidence (where it is collected) is critical to the outcome of the case. Yet the results of any medical examination can be provided only by a forensic laboratory. It is a notorious fact that this country lacks adequate numbers of forensic labs to provide the results for timely disposal of a case. This results in adjournments without number, making it impossible to deliver judgment within two months of filing the charge sheet. The law will then end up being only a "pious hope" that the case will be decided expeditiously.

In such a case, the obvious solution

lies in increasing the number of forensic labs. However, since that is not likely to happen overnight, forensic experts have suggested that every hospital should have a forensic expert attached to it. These are simple solutions which can be implemented forthwith, but we see no movement on the suggestion. It is time for us to recognize that not by law alone can justice be delivered expeditiously. Governments have to learn to put their money where their mouth is and fund the administration of justice better, by appointing more judges, providing competent public prosecutors, set up one-stop crisis centres and provide witness protection to women facing sexual abuse.

In the aftermath of the 2012 Delhi gang rape, the then Union government announced the Nirbhaya fund in its Union budget 2013 with an initial corpus of Rs 100 crore for initiatives aimed at enhancing the security and safety for women in the country. It is a non-lapsable corpus fund. There have been subsequent allocations to the fund in 2014-15, 2016-17, and in 2017-18.

The total expected expenditure as of 31st March 2017 would be to the tune of Rs. 332.76 Crores. But the unspent amounts are huge. No amount has been spent on the administration of justice. One-stop crisis centres have not been set up in every hospital and in every court in the country as they should be. As I said in the Supreme Court while arguing an amicus brief on laws relating to sexual abuse, money is never a problem in this country, what is a problem is where you put it!

There is, however, one contributory factor to delay which the courts can take care of and that is repeated adjournments requested by lawyers. Passing a law to conclude a trial in two months is not the only solution to the problem, the issue requires more sensitive handling if we want to see expeditious disposal of rape trials. Judges have to learn to say "no" to adjournments.

We have a long way to go for expeditious access to justice for women facing sexual violence.

Indira Jaising is a Supreme Court lawyer. The views expressed are personal.

deepcut

RAJESH MAHAPATRA



EPW NEEDS TO REINVENT FOR ANOTHER FUTURE

The Economic and Political Weekly (EPW) is not only an extraordinary journal but also a truly remarkable institution.

Launched in 1966, it enjoys a unique reputation of being among the most well-known academic journals from India that enjoy international recognition. Tracking through its astounding intellectual journey over the past five decades is like going straight into the "deep state" of India's interconnected world of academia, politics, ideologies, journalism and grassroots activism. It is not a story that can be told in a single breath.

Understandably, therefore, when the editor of the journal had to quit earlier this month amidst a cloud of controversy, it sent shockwaves across the intellectual community. What made it worse was that the distinguished members of the Sameeksha Trust which actually publishes EPW also ended up covering them-

selves in mud. According to the bare bones version of the story, the editor was asked by the board to take down an article, published online, that was critical of a prominent business house.

This unprecedented demand/request/instruction from the board was apparently intended to pre-empt a potentially expensive and debilitating legal suit from the said business house. (In its 50-year history, the EPW had to withdraw an article only once. It was found to be plagiarised.)

What also makes this seeming retreat from editorial conscience and courage equally galling is that the decision was brought on by an implosion within the EPW. A self-inflicted wound, in other words, caused by the fact that the just resigned editor was equally guilty of shifting the EPW increasingly towards the less-than-virtuous world of covering financial scandal and sleaze rather than sus-

IT'S IMPERATIVE THAT THE JOURNAL SETS ITS HOUSE IN ORDER AND PRESERVES ITS RIGHTFUL PLACE AS ASIA'S MOST SIGNIFICANT INTELLECTUAL VOICE.

taining the journal for its much-appreciated forte of encouraging sturdy scholarship and committed reportage. It also emerges, from a letter the staff at the EPW has written to the managing trustee, that the said editor repeatedly undermined the editorial review process at the journal, including pushing his own articles without any oversight.

This is, however, not the place to detail or weigh in on the many charges and counter claims over what and who has let down and brought this remarkable institution to such a sorry pass. There is a now already a fair amount of documentation on the subject that needs no repeating.

Instead, what requires reiteration is that the EPW and the Sameeksha Trust need to urgently douse the flames and get its house in order at the earliest. The fate of many budding scholars, future thinkers and the efforts to understand our current challenges greatly depend on how the journal restores its credibility and its rightful place as Asia's most significant intellectual voice.

cant intellectual voice.

To restore and correct the wrongs of the recent months, however, begs another question: was the EPW's implosion brought on by acts of commission or omission, or is it a crisis caused by something more profound? It is important to ask if the EPW's spectacular success from the late 1960s to well into the first decade of the new millennium is also the source of some of its current problems.

In other words, should there be a rethink on what it means to intellectually straddle the centre-left spectrum in India and world politics today? Is the EPW—which fearlessly built much of its standing on a critique of the establishment and an advocacy for the cause of the marginalised—losing sight of who is and what comprises its conceptual enemies of today?

The dramatic restructuring of our political and economic realities through the extraordinary power of digital technologies calls for a careful rethink of the simple right-left political economy context. As a colleague put it, the next editor of the EPW as also the trustees will do well to heed Italian writer Tomasi Di Lampedusa's clarity in his much-celebrated novel The Leopard: "If we want things to stay as they are, things will have to change."

Rajesh Mahapatra is Chief Content Officer Hindustan Times. Follow the author on Twitter @rajeshmahapatra

thisweekthatera

PICTURE OF THE WEEK

AUG 4: Central Government employees take part in a demonstration outside the Prime Minister house on Thursday (Aug 3)



NEWS OF THE WEEK

INDIA

INDIA REJECTS ISRAELI EXPLANATION
AUG 2: The Government of India today (Aug 1) sent a second protest note to Israel—the first was in June—charging it with deliberately inflicting casualties among Indian soldiers of the UN Emergency Force in the Gaza strip on June 5 and 6.

WORLD

RACE RIOTS SPREAD TO WASHINGTON
AUG 2: Violence erupted within a mile of the White House as racial trouble flared up for within the United States capital. For about three hours gangs clashed with police and firemen

July 30-Aug 4, 1967 >>FROM THE ARCHIVES OF THE HINDUSTAN TIMES

sundayletters

THE OPPOSITION NEEDS A STRONG COMMON LEADER

The advice that "The Opposition must recast its vision" (Chanakya, July 23) is quite sound and timely. However, the basic problem is that the Opposition lacks a strong common leader who can bring them together on one platform. Such a role can perhaps be played by the Congress, being the largest and oldest national party. However, their present leadership has failed to inspire confidence. Therefore, unless a strong and competent national leader with a pan-India vision emerges to lead the Opposition it will fail to play an effective role in Parliament.

MM MATHUR DELHI

Schools must not be run as shops

With reference to Rajesh Mahapatra's column "India needs education, not just schools" (Deep Cut, July 23), it must be said that real education will come only when politicians and businessmen stop running universities and schools as shops. Education can neither be sold as a commodity, nor can it be bought by any one. It has to be imbibed from parents and teachers, right from kindergarten.

RD SINGH AMBALA CANTT

PM can choose who he speaks to

I disagree with Karan Thapar's opinion "Modi can speak a little more to Indian media" (Sunday Sentiments, July 23). It is the PM's prerogative to choose the media to which he wants to speak. In today's world, it does not matter which journalist he chooses to speak to. What matters is the quality of reporting and its reach.

BHOLEY BHARDWAJ MUMBAI

Write to us at: letters@hindustantimes.com