

NEWSLETTER-2

<u> August-2020</u>

Editorial Communication

Dear comrades, friends and well-wishers,

We are happy to say that our newsletter project is gaining momentum. Here we are with our second number even as the month of August begins. We would like to thank all those who have appreciated our efforts to reach out in these adverse times and have encouraged us to go on. We cannot however underestimate the difficulties that face us; nor can we forget that we have much to learn at a very rapid pace.

I am not talking merely of the fact that many of our best activists are not used to the technical aspects of online communication and therefore remain outside this charmed circle, but also of the terrible hegemony of fear and unreason which BJP-RSS is spreading all over the country from moment to moment even while all protest remains locked down under the threat of the corona virus.

How can we break the charmed circle of online network and communicate to our activists on the ground the messages we upload here? We have heard of workers in their workplace engaging the only literate one among themselves to read out the newspaper to the rest for an hour every day. Cannot our more advanced comrades at the local level take the matter we are providing through the newsletter to women on the ground wherever possible in a language which all of them understand? Surely it can be done if we are convinced that this matter is important for our struggle! Of course to convince our comrades of this, those of us who are preparing the newsletter must also produce matter that is not only immediately relevant, but also interesting.

Let us look at our AIDWA newsletter as a joint enterprise by all of us where each can contribute in her own way whether by writing for us or by sending us matter from their experience at the grass-roots, or even by communicating our messages to an ever-wider circle including those who do not have the benefits of smartphones and internet. Only then can we turn this newsletter into a weapon in our battle for equality and democratic rights.

Malini Bhattacharya, President, All India Democratic Women's Association

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Remembering Captain Lakshmi Sahgal

-Brinda Karat, Patron, AIDWA and Politburo member of CPI(M)

July 23rd 2020 marks the eighth year since the passing of our beloved leader, one of the founder members of AIDWA, Captain Lakshmi Sahgal. At this time of the Covid pandemic and the unprecedented mass suffering imposed on crores of families through the badly planned lockdown, I think about our dearest Mashima, as she was called by many of us and what she would have done at this time.



She was first and foremost a people's doctor. After Independence, she and her life partner, her INA colleague, Prem Sahgal, took the political decision of refusing to become part of the ruling establishment. It was her distance from those powers and her closeness to the people of India, their joys and sorrows, their everyday struggles that marked her life.

Both of them were at the peak of their national popularity, household names: she the legendary first woman commander of the Rani Jhansi brigade under Netaji Subhash Chandra Bose, he one of the three heroes of the INA locked up and accused in the infamous Red Fort trial. India resounded with the demand for their freedom: Lal Qila se aayi awaaz, Sahgal, Dhillon, Shahnawaz! They could have demanded positions of power and who could have refused them? But for them it would have entailed compromises and they turned their backs on that road. Instead they moved to Kanpur where Prem Sahgal got a job. She, a brilliant doctor, decided to set up a modest medical clinic to cater to the needs of the poor and particularly poor women. This was by no means an approach based on 'charity'. It was a highly political way of looking at the world. She deeply believed that India's Independence could never be defended unless India's poor were liberated from lives of exploitation and poverty and had a say in running the country.

It was in her modest clinic in Kanpur that, for over six decades, she devoted herself to treating the poor, day in and day out, never turning anyone away, scolding, cajoling, counselling, earning herself the nickname 'Mummy', even from men and women much older than herself. In fact, she played the role of a social reformer fighting to end superstitions and meaningless rituals in the lives of those she came in contact with. Today when the Sangh Parivar obscurantists try and mobilise women to perform all kinds of rituals to get rid of the 'Corona mai', I think of Mashima and how furious she would have been and how she would have gone to those women and explained realities to them. She was a great believer in family planning to protect women's health and we were often in splits of laughter when she would repeat to us some of the choice phrases she had used in her lectures to 'irresponsible men'.



It was this spirit of service to the people that took her to the borders of Bengal in 1971. In response to the call issued by Comrade Jyoti Basu, then Chief Minister of West Bengal to doctors and other medical personnel for assistance, she went to help in the refugee camps where lakhs of refugees from East Pakistan (soon afterwards Bangladesh) had found shelter, fleeing the repression of the Pakistan military assault. It was this experience of seeing the dedicated work of communist volunteers in the camps that inspired her decision to join the CPI(M). Till then she had refused to join any political party.

I was in West Bengal at that time. I went to the border camps as a volunteer to file a report for the CPI(M) weekly, **People's Democracy**. I remember her work, her energy, her compassion in dealing with the sick and ailing in those camps. With that memory, in today's Covid- affected world, I make a list of

what I think she would have done today at the time of this pandemic. I can see her clearly as though she was right here with us. Her sharp eyes shining with determination, she would be busy setting up food kitchens to help the migrants. She would be up at the crack of dawn trying to make arrangements for the admission of Covid infected patients. She would use her clinic to bring succour to all those thousands of women denied treatment in the name of Covid in hospitals. She would be berating officials, laying siege to those in power demanding an end to their callousness. She would be fighting with every breath in her body against the communalisation of the Covid epidemic. I hesitate to think of what she would have done if she had come across the CM of UP. Once, on the stage of a meeting in Mumbai attended by many political dignitaries from various parties to commemorate the Quit India Movement, when a particular leader of the right wing had come to touch her feet, she immediately shifted them and said 'Don't you touch me with your bloodstained hands!' Would Yogi Adityanath have put her in jail if she had said the same words to him, as she would have surely done? I wonder.

Her life was dedicated to the right to health, the universal right to health care and the need to strengthen the public health system. In remembering her on the occasion of her death anniversary, we also remember her many struggles against privatization of health care, against treating health care as a commodity to make profits.

Growing up in a highly political family of freedom fighters, she imbibed the ideals of the Independence Struggle in her own life. One of her first rebellions was against the caste system and the discriminations she witnessed against the 'untouchables'. All through her life she spoke passionately against the caste system, always encouraging inter-caste marriages which she would make a point to attend. She was equally committed to secular politics and the values of secularism. She was dead against the BJP, the RSS and everything they stand for. She did not mince words when confronted with dishonesty or bad politics. She was unconventional, did not care for social norms which restricted or straitjacketed women's participation in public life. She chose her own path. And that path brought her to the communist movement, brought her to her decision to join the remarkable women who broke so many barriers, the founders of AIDWA. The modesty, the humility with which she, a national heroine, a renowned freedom fighter, helped to build the organisation, not bothered about the small numbers of women attending meetings in the early days, just eager that they imbibe a scientific view to understand the world around them was remarkable! She was active in the trade unions too. And there were many occasions when she picketed a mill gate, red flag in hand.

Captain Lakshmi had an utter lack of any personal ambition, one of her most attractive and inspiring characteristics. In movements, activists can soon define those leaders who have personal goals and ambitions. It is difficult for such leaders to maintain their respect. She was implacably opposed to the politics of patronage and self-aggrandisement that she believed marked politics in Independent India. Captain Lakshmi was loved and respected by a wide range of activists within and outside the party precisely because her ambitions had nothing to do with personal wants but always to do with the collective goals of the organisation and movement.

When she contested the Presidential elections against APJ Abdul Kalam in 1992 as a joint candidate of the CPI(M) and supported by several opposition parties, the first ever woman candidate, she approached the matter from a totally political point of view. She told us: Of course we do not have a chance of winning, but if we can take forward our message of secularism and opposition to the BJP politics, we would have won the battle. These are important lessons we remember and learn from. It was not her loss when she was defeated; it was India that lost the opportunity of having a woman of such substance, such an inspirational human being, principled and incorruptible, as its first citizen.

In an interview, she had once said "Freedom comes in three forms — "The first is political emancipation from the conqueror, the second is economic (emancipation) and the third is social.....India has only achieved the first." It is up to us, the inheritors of her revolutionary legacy to take the unfinished tasks forward. Her life is part of the Indian people's struggle for justice. It will never die.

We remember her with love and respect and pledge to take forward her commitment to build an India based on equality, social justice and the elimination of class exploitation.

Captain Lakshmi Zindabad!

AIDWA to Give Voice to Sighs of Women

-Mariam Dhawale, General Secretary, AIDWA

Horrifying and disturbing stories from across the country of extreme poverty and helplessness leading the poor and marginalized sections towards taking their own lives. Mangala Wagh, a tribal woman in Maharashtra hangs her three year- old daughter and then herself from a tree. A migrant labourer in Assam sells his fifteen day- old daughter for Rs 45,000. A child trying to wake up his dead mother on the railway platform in Bihar. News of deaths due to starvation and hunger filter in from various parts of the country. The list is unending

Lakhs of migrants have returned to their homes from large cities. They went to cities in search of work, in search of a better life. Their dreams disappeared overnight. All hopes collapsed. Picking up bits of what remained, they returned full of fear, uncertainty and despair. The pandemic and the recurrent lockdowns have caused incalculable suffering.



The heartlessness of the system has been exposed as never before. The BJP-RSS regime has failed the people and PM Modi has been the typical 'Nero fiddling when Rome burned'!

Work and food is what the people urgently need today. The godowns are full, yet people are going hungry. It is criminal that the government is using the excess stock of food grains to produce hand sanitisers instead of distributing it free! Work under MNREGA in the rural areas is pathetically insufficient. In April and May, an unprecedented 8.4 crore workers in rural India demanded work under MNREGA reflecting deep distress. But, shamefully, lakhs were forced to return empty-handed. The government would have to allot at least Rs. 2,46,000 crore so that all those who ask for work would get it. Instead it has given only Rs. 90,000 crores for the entire year.

Work in cities is at a standstill. Daily wagers, self-employed, home-based and domestic workers are running from pillar to post in search of some livelihood. Domestic workers have not been paid since May. The upper class families for whom they toil have turned their backs on them. No one including the administration is taking any responsibility today to address this situation.

Women in villages and mohallas/bastis are under tremendous stress and mental trauma to keep the home fires alit. The burden of unpaid care work on women has hugely increased. Additionally, they face increasing cases of sexual violence. The rise in instances of human trafficking and child marriages will further increase the vulnerability of women and children. AIDWA activists are doing their best to give a voice to the silent pain of women.

Distribution of 10 kgs of free food grains and a cash transfer of Rs 7500 to all non-income tax paying families for six months, expansion of MNREGA to ensure at least 200 days of work with enhanced wages, urgent implementation of the Urban Employment Guarantee act, must be done immediately to save the poor.

The Indian government has exposed its ruthless and ferocious fangs by going ahead with its aggressive implementation of the neo-liberal agenda leaving the poor at the mercy of corporate loot. Caste- based atrocities against *dalits* have increased particularly in rural areas where efforts are on to grab their land. *Adivasis* are facing fresh assaults on their rights in the forests land and the elimination of rights of *gram sabhas*. This intensification of social oppression and discrimination will have a dangerous impact on the lives of such people, especially the women from these sections of the people.

To distract from the government's failures to provide affordable quality medical care through rapid expansion of public health services, the RSS-BJP are resorting to misleading the people with unscientific and irrational ideas of driving away the 'evil Corona Ma'" by pujas and *havans*.

The Sangh Parivar and linked forces have been utilising social media to propagate superstitions, communal, traditionalist and obscurantist beliefs in a

big way. They must be countered through powerful media campaigns of our own based on science.

AIDWA will campaign to uphold the values of gender justice, critical thinking and scientific temper, all of which are essential for building a democratic, secular and progressive India.

<u>Seeing Red: A Canadian Reflection on Racism, Life, and the Anti-racist</u> <u>Uprising in the United States</u>

- Kaushalya Banerjee



As a person of colour with a lifelong, nearly daily exposure to racism, either directed towards myself, or Black or Indigenous people, and in the last 20 years against Muslims, I have too long been aware of the extent of police brutality and the over-incarceration of Black and Indigenous people in jails as well as the criminalization of Islam in Canada. Racism was probably the first lesson I learned at school, along with English.....

.....In Canada, there is a constant gnawing unease between Black/Indigenous/People of Colour (BIPOC) and police. Indigenous deaths in police custody and at the hands of settler vigilantes, the murder and disappearances of Indigenous girls and women, the disparagement and brutality towards trans racialized peoples, and the demonization of Muslims as part of a range of exclusionary and discriminatory practices that start from experiences at daycares, grade school and high school, housing, going to the store, and employment, shift scheduling and pay scales for people of colour, inequality in access to transportation and "discretion" in applying the law and enforcing it through the criminal justice system. Furthermore, the provision of health care has been gutted in the last 35 years, while chemicals and toxins such as racism, predatory misogyny, poverty and unsafe working conditions have been underscored with the arrival of the COVID19 pandemic. The pandemic is inequality. The virus is capitalism that has infected everything, with a racialized construction of class and commodity, where white skin has a value not ascribed to ANY person of colour.

But back to me.As soon as I had a choice, I chose what I saw to be my people, and entered the field of Latin American and Caribbean studies, where I was fortunate to be surrounded by excited, enthusiastic students and

teachers, keen on *uneducating* ourselves from the invisibility of the victor's history and exploring new ways of making meaning of social injustice and inequality. I have always looked to the global south for answers to questions of domination and imperialism and this has been so enlightening, when I see the responses to 500 years of conquest, enslavement and genocide south of the border. I have studied the construction of race and racism from 1985 to now. I have lived in highly racialized countries on a number of continents and in all, except for the country of my birth, I have held the status of a non-white person. I have sought relief from racism in Cuban Black history and seen the huge shortfalls of the Cuban Revolution in addressing racism and racialized poverty in Cuba, while admiring many of the gains of Cuban socialism and sovereignty.

I include here a poem by Nicolas Guillen and performed by Cuban singer/musician Pablo Milanes.

The Bourgeoisie:

I feel no pity for the defeated bourgeois.

And when I think that I am about to feel pity for them,

I firmly clench my teeth and tightly shut my eyes.

I think about my long days barefoot and without roses.

I think about my long days without a hat and clouds.

I think about my long days shirtless and without any dreams.

I think about my long days with my prohibited skin.

I think about my long days.

"Don't enter, please. This is a club."

"The roster is full."

"There are no more rooms in the hotel."

"The gentleman in question has left."

"We're looking for a girl."

"Fraud in the elections."

"A grand ball for the blind."

"Someone won the jackpot in Santa Clara."

"A raffle for orphans."

"The gentleman is in Paris."

"The marquess isn't receiving anyone at this time."

In the end, I remember everything.

And since I remember everything,

What the hell are you asking me to do?

But ask them too.

I am sure

That they will remember too. -Nicolas Guillen (English translation: O.A. Ramos)

.....During the current coronavirus crisis U.S. billionaires have added \$265 billion dollars to their pockets, while 40 million Americans and one-quarter of Canadians have lost their livelihoods. Workers speaking out about their unsafe and super-exploited conditions are being penalized and fired all over the place. Profitable long-term care homes for the elderly are showing themselves to be execution grounds. Personal Protective Equipment is unavailable to health care workers globally, while money is always found for toys for the boys in blue or khaki.

That's why these current protests have me seeing red! They are about George Floyd certainly. No one of conscience could not be destroyed by seeing the snuff movies that pass for mainstream news when you are Black, Indigenous, people of colour. The deaths and murders of poor and non-white people (often one and the same, but not always) are so ever present that they become part of the air we breathe.

That's why we can't breathe. But beyond visceral reactions to the 'psy-ops' of these images of murder, we need to begin to rethink policing, the courts and prisons, and notions of emancipatory justice. Defunding the police is a huge part of that. That is a huge and hard battle. In particular, with the criminalization of anti-fascism as a movement now in the United States.

And we need to surround that with the work to make living with respect for Black, Indigenous and racialized peoples a reality. That means an overhaul of the very nature of capitalism, which depends on these divide and rule tactics for its very existence. It's time for a transformative movement that makes alliances out of solidarity, experience, and consciousness and that recognizes our rights to name our own truths. Because we can all agree with Bob Marley, that we need to "emancipate ourselves from mental slavery, none but ourselves can free our minds". This is hard work to do if you are white, but even harder if you are not. Because you are always derailed at the point of credibility. The age of social media has brought that home to us time and time again.

Because if we don't do this work, as hundreds of thousands of people have signalled— a life on our knees, with the boot of white supremacy on our necks— is not worth living. They are the people who grow and process and serve our food, clean our institutions, work night shifts at hospitals, transportation and gas stations and factories. They are the people who nurse

our sick and look after our dying. They help us birth new generations. They are the people who have kids, are kids, and teach your kids, in spite of dwindling resources for public education. They are students and unemployed, homeless condemned to misery on our bitter streets. They are us.....

[The illustration and the text are excerpted from 'Seeing Red' by Kaushalya Banerjee, born in India and living in Toronto, Canada.]

Science, Not Superstition, Will Help us Tackle Covid-19

The message of science

The Covid-19 pandemic hit India in January 2020, and presented a challenge in the early days even to public health experts, doctors and scientists who were still learning about the novel Corona Virus. The Central Government and most State Governments, with the notable exception of Kerala as recognized worldwide, were quite late in putting together a coherent, rational understanding and communicating it effectively to the people. A knee-jerk response manifested in a badly implemented lock down, dramatic gestures like lighting *diya*s, clapping hands etc. initiated by none other than the Prime Minister himself, did not help matters.

Not surprisingly, as people desperately sought relief and protection from Covid-19, all kinds of myths and beliefs proliferated to fill the gaps. These included a number of home remedies like drinking warm water, standing in the sun, growing certain plants at home and so on. Such untested beliefs gained considerable popularity until, under pressure from scientists and people's organizations and movements, public messaging became more coherent and science-based. AIPSN and other organizations of scientists, doctors and public health experts have been at the forefront of informing the public about the correct do's-and-don'ts related to Covid-19 derived from WHO and ICMR guidelines and expert opinion. A number of popular practices and home remedies gain acceptance as remedies because in 80% of cases the disease is self-limiting and the patient recovers without much intervention.

The challenge meanwhile is to stop obscurantist forces and vested interests from using the uncertainty which still prevails, to spread their ideology, and to make their profits. The promotion of do-it-yourself home remedies or traditionalist treatments combines with misleading messages that 'no treatment is available for COVID 19' to distract us from the government's failures to provide affordable quality medical care through rapid expansion of public health services. Although there is as yet no curative allopathic medicine, the scientific and medical communities have learned much about the virus and its effects, and are applying this knowledge in testing and treatment of Covid-19, especially in hospital settings with or without oxygen or ventilator support. Further, the search for definitive treatments and vaccines for prevention continues with emphasis on scientific validation especially through clinical trials so as to ensure safety and efficacy. This is the scientific approach. Unfortunately, some treatments are pushed even within modern medicine, cutting short scientific procedures, by corporate interests and their

supporters in positions of power or influence, motivated by greed for profits or misplaced national pride. The undue haste in pressurizing hospitals to unrealistically accelerate clinical trials of a vaccine candidate, perhaps just to enable a triumphant announcement from the Red Fort on Independence Day is a case in point, thwarted only by concerted opposition from the scientific and medical communities and informed public opinion.

Countering pseudo remedies and false propaganda

Some false remedies and fake claims take the form of peddling Covid "cures" or "treatments" in the name of Ayurvedic, homeopathic or other traditional formulations. None of these have any foundation even within these traditions, nor have they been subject to any scientific trials. Yet many such claims have been allowed to propagate. Even some Ministers at the Centre and in several States have made such claims. When the Union Health Minister or leading Government spokespersons were challenged on such claims, they have shied away from debunking them outright, saying instead that they may be the 'personal beliefs' of those Ministers or leaders.



The atrocious and brazen claim of a supposed Ayurvedic 'cure' from Baba Ramdev's Patanjali conglomerate emerged from this trend. The formulation from the Sangh Parivar-linked, politically well-connected Baba was all set for commercial launch based on spurious 'clinical trials', when a public outcry from scientists, doctors and informed citizens forced the Health and AYUSH Ministries to debunk this claim and even declare readiness to invoke the law against "magical cures and remedies." Nevertheless, many so-called immune-boosters and other concoctions to supposedly help people fight-off Covid-19 continue to be propagated, cleverly taking care only not to use the word 'cure'!

Pseudo-scientific claims have got validated because the party in power and supporting social forces have gone along with such notions. The Prime

Minister's calls for people to come to balconies or doorsteps and clang vessels, and later to shine torches or light lamps to express support for doctors and health workers were followed by twitter storms and social media posts claiming that India's anti-Covid lamps were seen from space by NASA, or that 'powerful radiations' or 'vibrations' from these public displays would destroy the Corona Virus! No efforts were made by any Government or Sangh Parivar leader to contradict any of these fantastic claims. (Suffice it to say that the virus continues to spread alarmingly!) These kinds of claims are being used not just to magnify the PM's 'superpowers', but also to undermine the influence of science, rationality and critical thinking in society.

The Sangh Parivar and linked forces have also used the Covid19 pandemic to spread communal poison. One highly regrettable mass religious gathering in Nizamuddin, which acted as a super-spreader, was used systematically over several months to demonize a particular religious minority as the major cause behind the pandemic. This was carried forward to stigmatize the entire community by spreading false rumours that positive cases from this gathering were deliberately spitting on others to spread the virus, or that buying vegetables from vendors belonging to this community was dangerous etc. The simple fact is, as science teaches us, that it is not the religion that matters but that there was a large gathering, with no physical distancing or other precautions being taken. Indeed, a recent occurrence at arguably the most popular temple in the country where large numbers of priests and devotees have been infected, sharply underlines this fact.

The Sangh Parivar and linked forces have been utilizing social media to propagate superstitions, communal, traditionalist and obscurantist beliefs in a big way, which have to be countered, through powerful media campaigns of our own based on science.

Unmasking the use of religion to reinforce patriarchy.

The other dangerous development is the invocation of religious beliefs to reinforce obscurantist views and customs, especially by giving it a gender twist, with the virus being personalized as an angry goddess. Observations made by AIDWA activists from different states provide some disturbing instances of this growing trend.

In Rajasthan, some well-known temples were surreptitiously opened despite the government's ban on opening places of worship, by spreading rumours that the doors of the temple had opened 'by themselves' and people, especially women, should offer prayers there to 'placate the Corona virus'. Women have been told to dip their hands in *kumkum* water, or in cow dung in UP, and put their imprints on the walls of their homes to pacify 'Corona Mai (Devi)'. In parts of Bihar, women are being prompted to go to nearby rivers, dress up and carry sindoor, bindi, sweets etc and take a dip just as they would during *Chhat* Puja, to appease an angry 'Corona mai'. In some places, women get 'possessed' and exhort 'Corona mai' to go away. Unfortunately, it is observed that women from Dalit and OBC families are especially influenced to act in this manner. The idea of an angry 'Corona goddess' is also being propagated in Uttarakhand and West Bengal.

Such notions of an angry or dangerous Goddess who must be appeased have been witnessed earlier too in India. Small pox was associated with female Goddesses, for example Mariamma in Tamil Nadu, and the pox itself was known as 'Mata/ Amma/Ammai' as chicken pox, measles etc. are often termed even today. Part of this derives from ancient quasi-religious beliefs but also stems from deep-rooted patriarchal culture and ideologies ascribing evil, dangerous and power-hungry characteristics to women as witches, daayin etc.

In Telangana, pro-Sangh Parivar forces, often led by women, are conducting 'prabhat pheris' or dawn marches, propagating the idea that the Covid epidemic has struck because women have stopped performing pujas and other *sanskari* or traditional practices, and calling on them to restart them so as to drive away the Corona Virus. The intention is clearly to reinforce traditional patriarchal culture with a subservient role chalked out for women within the *lakshman rekha* drawn around the home.

In Odisha, pro-Sangh Parivar outfits have been campaigning that temples should not have been closed, and that the Supreme Court did not permit the Rath Yatra because it is pro-Muslim and pro-Christian! In fact, places of worship of almost all religious denominations have been kept closed by the respective religious institutions themselves and by government guidelines. Where this has not happened, or has happened without observance of physical distancing and hand-hygiene, it has resulted in Covid positive cases spreading from such gatherings. Any rational and unbiased person would understand that the problem is not with the particular religion, but with the practices adopted. Here obscurantist forces are deliberately fanning and spreading communal prejudice, while at the same time devaluing science and rational thought and distracting everyone from raising demands about the responsibility of the central and the state governments to provide quality medical care for all.

In this context, our campaign would resist attempts by the government and obscurantist forces to take us backwards, and instead uphold the values of secularism, gender justice, critical thinking and scientific temper, all of which are essential for building a forward-looking, democratic society.

[This is taken from a note prepared by AIDWA and AIPSN (All India People's Science Network) for their joint campaign for science against superstition and unreason which started on 23rd July to commemorate the eighth death anniversary of Captain Lakshmi Sahgal, the revolutionary freedom fighter and tireless campaigner for progressive ideals and democratic rights. The joint campaign shall be conducted throughout the country at least till the National Scientific Temper Day on August 20, the black day on which anti-superstition campaigner Dr. Narendra Dabholkar was murdered by right wing obscurantist forces.]

No Rule of Law: Communal Violence in Delhi, February 2020

-Advocate Kirti Singh, Vice-President, AIDWA

It has been reported that the communal violence last February in North East Delhi was engineered as a retaliation to the anti- CAA protests that had been organized in Delhi and throughout the country .The Delhi Minorities Commission has reported that the Riots started soon after BJP leader Kapil Mishra made a speech warning members at a protest site to clear out or else face the consequences. A senior member of the Delhi Police was present when Mishra gave this threat. Over the next three days, mobs attacked North East Delhi targeting Muslims and shouting slogans like 'Jai Shri Ram' and 'Har Har Modi'. In all 53 persons died out of which 40 were Muslims, 12 were Hindus and one was a police personnel. Houses, shops and small factories were burnt and looted .Apart from those killed, hundreds were grievously hurt. Muslims overwhelmingly bore the brunt of the so called 'riots'.

What was however extremely disturbing was the role that the Police played during this carnage. They were not only mute spectators while the beating and looting was going on but in many instances, aided and abetted the rioters who, it is reported, belonged to BJP/RSS and other Hindu Right groups. Several calls were made to the Police for help and protection while the violence was going on, but in obvious dereliction of their duty, they did not arrive in time to stop the destruction or the assaults. Some policemen who were present on certain occasions reportedly stopped others from interfering with or stopping the violence. Thus while houses and workplaces belonging mostly to Muslims were burnt and looted in places like Shiv Puri, no keepers of law and order stopped them.



It seemed that the Police had completely identified themselves with those perpetrating the violence and the Government and worked on the premise that being anti- CAA was equivalent of being anti- national and a 'deshdrohi'. This shows that the Police was prejudiced and biased and therefore did not control the violence. There are also reports and testimonies that the Police committed atrocities and participated in beating up and shooting at people. This has been brought out starkly in the infamous 'Jana Gana Man video' in which seven policemen are seen standing over 4 young boys holding long and thick 'dandas' and forcing them to sing the national anthem by poking and hitting them with a stick and cursing them. The boys were lying down on the ground and seemed to be badly hurt. One of those boys, Faizan, died 2/3 days later apparently because of the injuries he had suffered. He had also been illegally detained in the police station for a couple of days and his frantic family had to go searching for him to the police station. The police spokesperson has not denied the video but till date no FIR has been filed against the guilty policemen.

The law that protects a person from being unfairly treated and tortured was also ignored in many cases including Faizan's. No person can be detained for more than 24 hours without being produced in front of the magistrate according to the Code of Criminal Procedure .This right as well as the right to be informed of the grounds of arrest flows from our Constitution and are in fact fundamental or core rights under Article 22 of the Constitution. In another case, it was alleged that 19 Muslim men were picked up and kept illegally in detention for 4 days and according to their statements were beaten multiple times a day by the police.



When the violence stopped, families who could summon up the courage went to lodge complaints including complaints against the police. However, many of them alleged that the police refused to take their complaints or coerced them to change their complaints. One person who had witnessed his brother being shot by the police and gave a statement to that effect found that his statement was not a part of any FIR. The law relating to registration of an FIR makes it mandatory for an FIR to be registered if, on the facts as related, an offence is made out. This has been reiterated in the Supreme Court case of Lalita Kumari; in another case known as the 'Youth Bar Association case' the Supreme Court also states that all FIRS should be immediately uploaded online. The Police however, refused to do so here claiming that they were sensitive in nature. There was thus no transparency and accountability so far as police actions were concerned. In fact, the police themselves authored some of the FIRS and related the incidents according to their will. Needless to say, no policeman has been held guilty of any offence in their reports.

Thereafter, the police started arresting people in open disregard of law. Even during the lockdown, on the orders of the Home Ministry, arrests were carried out of some 400 persons. In a letter, the Delhi Minorities Commission wrote to the Commissioner of Police that young Muslim men were randomly being picked up and this was not acceptable. Some of the arrests were made on the basis of media/ CCTV footage in which these boys were seen passively standing. In the case in which 19 Muslim young men were arrested, the police had allegedly entered a shop and in spite of the protest of the Hindu owner that the two boys were working with him and had been sitting with him, arrested the boys for participating in the violence. Many years ago in 1994 the Supreme Court in the case of Joginder Singh had clarified that 'the existence of the power of arrest is one thing. The justification for the exercise of it is quite another' and warned that the concerned police officer must be able to justify the arrest and should carry out a proper probe before arresting.

In fact, several of the laws relating to arrests were also flouted. Just after the violence in North East Delhi, on 2.3.2020, Brinda Karat, a CPI(M) Politburo member, had written to the Police Commissioner pointing out that the police were not following a mandatory provision of the law, i.e. Section 41 (C), which stipulated that the names of the arrested persons should be pasted outside the police control room and in the police stations for the knowledge of the relatives and associates of the arrested person and for public knowledge. Not doing this was causing great hardship and distress as families whose young members were missing did not know whether they had been arrested or detained or were merely missing. The law which stipulates that a memo

should be prepared at the time of arrest, giving all the details of the arrest, and signed by a member of family of the arrestee was also not followed, nor was the provision of law that a member of the arrestee's family or someone preferred by the arrestee should be informed of the arrest. The arrestee also has a right to engage a lawyer of his choice under Section 41D of the CRPC. However this has also not been followed in some cases. Section 41 A- D had been encoded into the CRPC after the famous D.K. Basu case in the Supreme Court in 1997 which laid down mandatory guidelines to be followed in all cases of arrest. The D.K. Basu judgement had held that these rights flowed from Articles 21 and 22 of the Constitution since Article 21 mandates that no person could be deprived of his life or liberty except by following a procedure established by law. Thus even prisoners had the right to live with dignity. Apart from this, Sections 174 and 176 of the CRPC relating to inquests by magistrates in cases of unnatural deaths or deaths caused by accident were not followed and so details of injuries could not be noted and witnesses to the death or the surrounding circumstances could not be heard. Brinda Karat has, in fact, raised these issues along with the brutality of the police and the atrocities committed by them in a Writ at the Delhi High Court based on her work in North East Delhi after the communal violence.

Torture and brutality perpetrated by the Police is obviously illegal. In the D.K. Basu case custodial death has been described as 'one of the worst crimes in a civilized society, governed by the rule of law'. This and a plethora of cases after this have laid down that an investigation against the police should be carried out by an independent agency to be free and fair. The police cannot be the accused and still be entrusted with the task of investigating themselves. In Delhi, however, only a one- sided and self- serving probe has till date been carried out by the Delhi Police, based on a false narrative that the CAA protesters are to be blamed for the violence. This is completely contrary to testimonies from the ground and various media and other reports including the report of the Minorities Commission and that of the Delhi Solidarity and Relief Committee. It is therefore necessary that an independent enquiry be carried out under a retired senior Judge with impeccable credentials.

<u>A Report from Tamilnadu: Raising Our United Voice Against Police</u> <u>Brutality</u>

-U.Vasuki, Vice-President, AIDWA

The custodial killing of father and son in Sathankulam, Thuthukudi district, Tamilnadu shocked the nation for its chilling brazenness and sheer brutality. The victims Jayaraj and Bennix were small traders. At the most, their crime could be fixed as violation of curfew which is a minor offence, even if it had happened. Where was the need to remand them? The police, still nurtured with colonial era orientation and supported by authoritarian governments, firmly believe that they are not accountable to the people and that they will always be protected by the state. A number of incidents are there to prove the point. Specifically we can cite the example of police firing against the protestors in the case of Sterlite factory in which investigation was taken over by the CBI and the report is yet to see the light of day.



The Sathankulam magistrate, without even looking at the 'accused' gave his approval for remanding them in Kovilpatti sub-jail situated 90 KM away, though there were a few prisons available nearby. The doctors gave fitness certificate for remand despite their knowledge of bleeding injuries on both of them. The Kovilpatti jail authorities, without a murmur, took them in. All the three agencies worked hand in glove with the police. They need to be brought within the investigation net.

To justify their arrest, the police filed a fabricated FIR that the father and son had threatened the police and rolled on the ground to prevent the police from carrying out their official duty. But the subsequent CCTV footage obtained by media from nearby shops clearly demolished the false version of the police.

The chief minister of Tamilnadu issued a statement that the father died of respiratory illness and the son due to heart attack which was simply a copy

paste of police version. One of the ministers, Kadambur Raju, took pains to explain that it was not a lock- up death since it happened inside the jail. After a huge backlash from the public, opposition political parties and democratic organisations, the chief minister took a U- turn and announced that the government was willing to go for a CBI investigation and the minister declared that he had been misquoted!!

The Madurai bench of Madras High Court took the issue *suo-moto* and issued relevant orders. The Kovilpatti judicial magistrate was put in charge of magisterial inquest and he submitted a report to the high court which revealed that the Sathankulam policemen including the ASP and the DSP had refused to co-operate with the inquest and intimidated the judicial magistrate himself which prompted the court to order taking over of the police station by the revenue authorities. It was noted that at the police station even the CCTV had been set up in such a way that the recording got auto- deleted after a few hours. The clinching evidence was the deposition made by a woman constable amidst fear of retaliation. The Court ordered her protection. Based on the magisterial inquest report, the Court opined that there is prima facie ground for murder charge against the policemen.

The Court also issued orders that till the CBI actually took over the investigation, the state CB-CID will take it up in order to protect the records and the evidences. Now they have included both CBI and CB CID as parties to the *suo-moto* case so that now CBI investigation will be done under the Court's monitoring. Only one intervening petition was admitted by the court which was filed by the CPI(M) district secretary and the Court has asked his lawyer team to prepare the guidelines for medical examination which is to be done prior to sending the accused to jail.

In Tamilnadu, a concept called 'friends of police' is being implemented at the level of police stations. That might have been brought with the intention of ensuring community participation in policing. But in practice, it has turned out to be a mob controlled by the police to collect bribes etc. An audio was leaked which was a discussion purportedly between two persons who are part of 'friends of police' at Sathankulam. They were discussing this incident of torture, the room in which it had happened, who all were involved in beating up the two accused etc. One person is saying: The inspector asked me to bring the people to beat them up at night and I said, sir, we are tired now, so tomorrow morning we will come for beating them up! There was a vociferous demand that the 'friends of police' be disbanded and the DGP of the state bowed to the pressure and dissolved these groups. Now, all the accused have been arrested and remanded under many IPC sections including that of murder. AIDWA Thuthukudi unit is in touch with the family of Jayaraj and

Bennix. The daughter of Jayaraj narrated their ordeal on AIDWA Tamilnadu face book page.

India is a signatory to the UN convention against Torture but even after 23 years, it has not yet been ratified and passed as a national law against torture. In 2007, the Supreme Court gave guidelines as part of the judgement in the Prakash Singh vs. Union of India case which included the setting up of a separate mechanism called 'Police complaints Authority' to deal with crimes committed by policemen at state and district levels. Barring a few states, the rest are yet to implement it. The Tamilnadu Government issued a G.O. only in November 2019 on this, but it was not in accordance with the spirit of the judgement.

The police in many places seem to be enforcing curfew with an 'iron hand', but indulging in human rights violations in the process. In Chennai, during this period, many 'accused' were brought to the court with fractured hands or legs and the police 'explained' that all of them slipped and fell in the bathroom of the station. The police are the arm of the state and this is the result when the state itself violates law to suppress democratic struggles and foist false cases targeting political activists in particular.

The democratic principles enshrined in the Constitution take a backseat especially when an authoritarian regime is in place. So, our struggle and anger against this custodial killing need to be linked to the larger struggle against the authoritarian and fascist tendencies of the ruling dispensation to pursue their pro- corporate and communal agenda.

A Report from West Bengal: Amphan Devastation and our Work

Prof. Ishita Mukherjee, Member, CEC, AIDWA

West Bengal experienced a severe cyclone in eight districts on May 20, 2020. Orissa was also badly hit by the cyclone, named Amphan. After 1833, this is the most deadly and devastating cyclone that has been experienced in this region. The death toll according to official figures is 98, but the West Bengal government's habitual lack of transparency makes it likely that the actual figures are much higher. Kolkata along with the districts of North 24 Parganas, South 24 Parganas, Hooghly, Howrah, Nadia, Paschim Medinipur and Purba Medinipur were affected. Amphan made a landfall on the afternoon of the day and lashed on the ground at the ferocious speed of 260km per hour with tearing winds and heavy rains. Thousands of trees fell, electric lines were cut off, and no networks were available for several days after the devastation. In the Sunderban coastal areas with mangroves, roofs of houses were torn off and blown away, walls fell, embankments were breached and hundreds became homeless in moments. In this worst ever disaster the vulnerability of lives and livelihood of people, particularly women and children, increased manifold as COVID 19 was already spreading in the region.



Official figures state that the damage has been of worth 1.02 lakh crores of rupees. Official figures also stated that 28.6 lakh houses have been damaged and 17 lakh hectares of agricultural crops worth 15,800 crores of rupees destroyed. What the official figures do not convey is the huge loss of livelihood and even of the barest necessities of daily life. Women domestic workers, self- help groups, tailors and marginal workers faced total uncertainty after the disaster. Road connectivity being totally disrupted, it was hazardous for pregnant women, for the elderly and the sick to move to health centres for treatment.

From the very first day AIDWA demanded that the disaster be declared a National Calamity. But till date this has not been done. The Central Government declared relief amounting only to 1000 crores of rupees and the TMC government in the state claimed that they had disbursed 20,000 rupees each to 5 lakh families. Not only was this amount totally inadequate compared to the unprecedented devastation, but further, even the official relief channelled through the state government did not reach the needy in most places. An incredible laundering of relief money and materials like tarpaulins, food etc. by TMC leaders and local representatives led to popular anger and spontaneous protests. In many places AIDWA together with other Left organisations helped people to organise protests. Even in areas terrorized by the ruling party, AIDWA members organized protests although they were unable to use their own flags and banners. Both state and district leaderships of AIDWA have been with women in these regions even from the very first day. As funds came pouring in from within the state as well as from other states in response to the all-India call from AIDWA centre, AIDWA engaged in relief work in the districts. On many occasions, we found that people would rather respond to AIDWA's call for donations than trust in CM's disaster relief fund or 'PM care fund'. State leadership of AIDWA visited all the affected districts, distributed relief and listened to the sufferings of women in these districts. Experiences of the AIDWA leadership and activists in the affected area were devastating.



The experience has been the same everywhere. They were told by women in many places of being deprived of rations and the relief package because of corruption. In Howrah, the damage is extensive in Shyampur, Uluberia, Udaynarayanpur and particularly in areas like Madhubati, Bahira and other places where people from scheduled castes and tribes predominate. Cultivable land was flooded, crops were damaged; horticulture, animal husbandry, plantation lands were all lost in a single day. Rural livelihoods in all eight districts were severely affected. In the violence-ridden areas of Sutahata, in Nandigram, Deshpran and Khejuri in Purba Medinipur women came and told the story of political victimization in distribution of government relief. The same story was repeated in Minakhan and Hingalganj in North 24 Parganas where AIDWA activists reached by boat. While AIDWA was helping the people to raise demands for transparency in relief and rehabilitation unitedly, the BJP which has gained some foothold in the districts in the last panchayat elections was trying to use their local influence to mobilise popular anger to create chaos and divisiveness. In fact, BJP and TMC are both leading a reign of terror and loot in the name of Amphan relief in the villages. Sometimes the two parties were working for mutual benefit leaving the distressed on the lurch.

In Kolkata, where the situation was also very bad, municipal services seemed to be non-existent for the first few days. Women even in middle-class residential localities came out in the streets in protest as electricity had not been restored in many areas even after several days and there was no water supply. Fallen trees continued to lie across the road with electric wires loosely hanging overhead. In Kolkata there were a number of deaths due to electrocution on flooded streets. AIDWA comrades along with many fraternal organizations did their best to alleviate the sufferings of the people in spite of the fact that severe disruption in the phone network made communication with one another extremely difficult in the first few days. Deputations were organized on June 29 in administrative headquarters demanding justice in relief delivery system and adequate supply of rations. AIDWA has distributed tarpaulins, food, clothes and books to women and children and has decided to build at least two permanent structures in the two worst affected villages in the state. AIDWA also took up the task of planting saplings to replace lost trees in North 24 Parganas and elsewhere.

Coming on top of continuous increase in COVID 19 cases, return of migrant labourers to the districts and the slump in employment during lockdown, Amphan has created homelessness in the affected districts, enhanced food insecurity and taken away incomes from agriculture, animal husbandry and small production. The loss of home and income will tell severely on the women as well, particularly those in small production or in wage labour. Children have lost textbooks and the homeless have lost whatever proofs of identity they had. With schools closed during lockdown, the impact of Amphan will heighten the likelihood of many children, female children in particular, dropping out. The incidence of trafficking is likely to go up. With the assembly elections coming next year, neither TMC nor BJP in the state is going to stir a finger to solve these short-term and long-term problems. None-the-less, their propaganda machinery will be operating at full force extracting political profit from the acute distress of the people. But AIDWA, together with other democratic organisations, has the hard task of supplementing relief work with intense campaign to unite people to fight for their democratic and constitutional rights.

Impact Of COVID-19 Lockdown On Domestic Workers In India 24 March T0 4 May 2020: A Survey

Excerpt 1

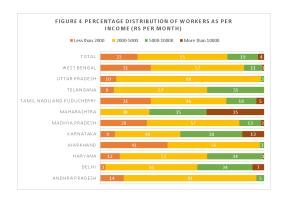
In its latest assessment of the impact of the ongoing pandemic on the workers of the world, International Labour Organisation (ILO) estimates that about more than two thirds of the 67 million domestic workers across the world have been adversely impacted by the pandemic and the measures taken to contain its spread. About 11 million migrant domestic workers are estimated to have lost their jobs while others live in permanent fear of losing their work and income with deepening economic crisis due to the pandemic. The lack of social protection and security is not new for this segment of the workforce as domestic workers are some of the most vulnerable within an ever expanding informal workforce throughout the world. As the ILO puts it, only approximately 10 per cent of all domestic workers enjoy social protections that are essential for safe and gainful livelihood. This means that a majority of the domestic workers have no job security, guarantee of minimum wages, paid leave, no pension or provident fund, and no access to affordable education and health care.

The impact of the pandemic and lockdown strategies to deal with its spread has been influenced by the above mentioned features of domestic work within India and the rest of the world. Again, as per the ILO, half of the domestic workers are estimated to have lost their work by 25 March 2020, whereas more than two thirds were impacted by 2 June 2020, when the pandemic was reaching its peak. Though the report presents no data on different countries, it identifies several regions as hubs of domestic work, with South Asia being one of them, where the adverse impact due to the lack of an appropriate policy framework is very high. In India too, a few surveys have pointed towards the loss of livelihood, and the growing harassment amongst domestic workers; for example a small indicative survey in Delhi surmised that 83 per cent of the domestic workers had not got paid since the imposition of the lockdown on 24 March 2020. Further they were not even told when to come back to work².

Excerpt 2

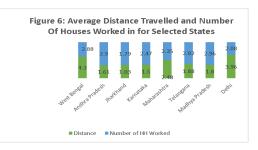
It is well known that wage setting patterns for domestic work are based on unregulated and unequal relationship of power between the employer and the worker. It is only after much struggle that AIDWA units were able to force the state governments to declare minimum wages for domestic work in states like Tamil Nadu, Maharashtra, Jharkhand, Karnataka and Andhra Pradesh.

¹ http://www.isstindia.org/publications/1590124768_pub_ISST__Domestic_Workers_Final_compressed.pdf 2 https://www.thehindu.com/news/cities/bangalore/91-of-domestic-workers-not-paid-during-lockdownsurvey/article31835257.ece



However, as the survey shows, the ground reality proves that there is no implementation of these provisions, even in the surveyed states where such regulations exist. The average income in selected states shown in the Figures 4 and 5, that most of them (73per cent) were getting much less than Rs. 5000 per month, only





the two states of Maharashtra and Karnataka having an average wage which is more than Rs. 5000; in two states of Delhi and Telangana the average income is less than Rs. 5000, whereas at least in five other states it is even below Rs. 3000.

This low income level is a result of the invisibility and non-recognition of domestic workers as 'workers' thus putting them outside the purview of labour laws that determine minimum wages and conditions of work. It must be further noted, that these average earnings are only a result of work in multiple houses and often do not include transport costs.

Excerpt 3-HIGHLIGHTS AND FINDINGS OF THE SURVEY

SCOPE AND SPREAD OF SURVEY	INFORMALITY AND PRE-COVID SITUATION
 NUMBER OF STATES: 11 NUMBER OF DISTRICTS: 55 NUMBER OF DOMESTIC WORKERS: 1726 NUMBER OF SINGLE WOMEN: 282 	INCOME OF DOMESTIC WORKERS (11 STATES) 75 PERCENT EARNED LESS THAN INR 5000 PER MONTH i. 52 PERCENT EARNED BETWEEN INR 2000-5000 PER MONTH ii. 23 PERCENT EARNED LESS THAN INR 2000 PER MONTH
	AVERAGE INCOME (8 STATES) AVERAGE INCOME: INR 4786.80 PER MONTH 1 STATE BELOW INR 2000

	 5 STATES BELOW AVERAGE ONLY 2 STATES REPORT INCOME ABOVE AVERAGE THERE IS NO RELATIONSHIP BETWEEN AGE, DISTANCE TRAVELLED AND HOUSES WORKED IN: THIS IS HALL MARK OF PERSISTENT INFORMALITY
IMPACT ON EMPLOYMENT LOCKDOWN	INCOME DURING LOCKDOWN
THOSE WHO WERE ASKED NOT TO WORK	THOSE WHO DID NOT GET ANY WAGES
 24 MARCH-15 APRIL: 59 PERCENT 15 APRIL – 4 MAY: 80 PERCENT AFTER 5 MAY: 44 PERCENT THOSE WHO WERE ALLOWED TO WORK BY SOME 24 MARCH-15 APRIL: 24 PERCENT 15 APRIL – 4 MAY: 14 PERCENT AFTER 5 MAY: 10 PERCENT 	 IN MARCH: 41 PERCENT IN APRIL: 61 PERCENT THOSE WHO GOT SOME PART OF THEIR WAGES IN MARCH: 24 PERCENT IN APRIL: 13 PERCENT
FREE/SUBSIDISED RATION	IMPACT OF GOVERNMENT SCHEMES
 THOSE WHO BENEFITED: 76 PERCENT THOSE WHO DID NOT: 24 PERCENT RATIONS PROVIDED WERE SOMETIMES INADEQUATE AND NOT GIVEN AT REGULAR INTERVALS IN MOST STATES 	 MONEY FROM JAN DHAN: 24 PERCENT FROM STATE GOVT SCHEME: 5 PERCENT WIDOW PENSION: 5 PERCENT AIDWA/OTHER AGENCIES: 11 PERCENT OTHERS: 2 PERCENT NO BENEFIT FROM EVEN ONE GOVERNMENT SCHEME: 53 PERCENT
LOANS AND MEDICAL AID	DOMESTIC VIOLENCE
 THOSE WHO TOOK LOAN: 28 PERCENT NO ACCESS TO MEDICAL AID: 53 PERCENT 	 23 PERCENT EXPERIENCED INCREASED DOMESTIC VIOLENCE, ESPECIALLY AFTER LIQUOR SHOPS OPENED.

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