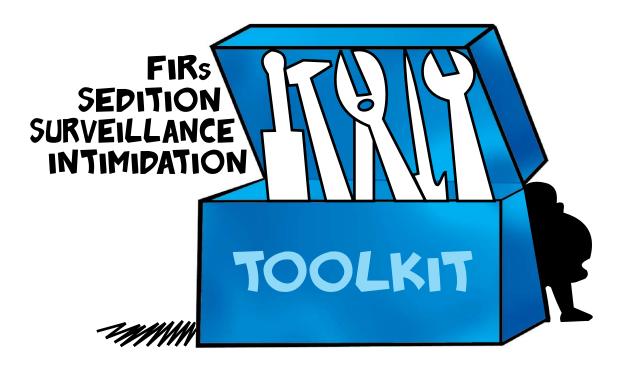
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IRONY OF DEMOCRACY UNDECLARED EMERGENCY

Prime Minister Modi portrayed the 'shining' face of India at the G7 Meeting in Germany recently while intolerance to democratic principles and constitutional norms has seen a phenomenal rise across the country

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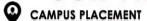
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BACK DOOR EMERGENCY



oday, we can proudly say that India is the mother of democracy," said Prime Minister Narendra Modi during his recent visit to Munich to attend the G 7 meeting. Addressing the Indian diaspora, he claimed: "India was a slave... now it is leading the world." More importantly, at the summit, he, along with four other countries, signed a document on protecting the freedom of speech. But something intriguing happened back home on the same day. The Delhi police arrested Mohammed Zubair, journalist and co-founder of the reputed fact-checking website AltNews, for a tweet he did in 2018. The 'shining' face of India Modi portrayed in Germany was suddenly defaced by the stifling of freedom of speech and the civil society actors in India.

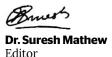
The hard fact is this: The government unapologetically comes up with draconian laws to put a leash on various freedoms made available by the Constitution of India. Those in the government have no qualms in trampling upon institutions to suppress the voice of the people, the soul of democracy. The rights activists are at the receiving end of the government and its agencies. Even NGOs, working in areas where the government's development arm does not reach, are choked and made to starve for funds. The situation is akin to an undeclared emergency under the façade of democracy.

A new trend among politicians is to unleash unbridled attack on the Constitution for the ills of their own making. The Sangh Parivar outfits and leaders were in the forefront of the boisterous demand for rewriting the Constitution. Of late, the 'virus' has spread from the saffron brigades to the red-flag holders. The nation got to see a glimpse of it when a CPM Minister in Kerala went hammer and tongs against the Indian Constitution terming it as a means to loot the people.

The intolerance to democratic principles and constitutional norms has seen phenomenal rise in the past few years. Protests and dissent, the corner stones of democratic form of government, have become anothema to the present regime. We have seen non-violent protesters being booked under the most pernicious UAPA and sedition laws; raising slogans against the ruling party and the government has drawn the regime's ire; forwarding tweets critical of those in power has resulted in life behind bars for weeks and months; those speaking up and acting on behalf of tribals, Dalits and the marginalized are being branded as terrorists and thrown into jails, denying bail for years. If these are not signs of undeclared emergency, what else will we name it?

It is equally important to look at what is happening on the ruling side of the fence. Those inciting violence, as seen during the East Delhi riots last year, have gone scot-free; ruling party leaders and Sangh Parivar swamis, who have publicly screamed for taking up arms to get rid of certain sections of the society, have been treated with kid gloves. The proof of the pudding is in eating. The BJP spokesperson, whose utterance denigrating Prophet Muhammad drew worldwide condemnation and unprecedented censure from the Supreme Court, remains untouched by the long arm of the law; but innocent Stan Swamy who lived for the Tribals, was made to die in custody. This is the irony of Indian democracy. The government would do well to follow what Chief Justice of India N. V. Ramana said: 'Recognition and protection of people's rights and dignity as well as speedy justice are imperative for functioning of a healthy democracy.'

As always, we would be happy to hear your reviews, comments, and suggestions. Happy Reading!



△ → frsureshmathew@gmail.com

contents

MEMBER, INDIAN NEWSPAPER SOCIETY (INS) VOLUME XXXIV ISSUE 29

IRONY OF DEMOCRACY UNDECLARED EMERGENCY

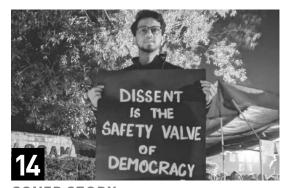






TOUGHEST TEST FOR DEMOCRACY

BY JOHN DAYAL



COVER STORY
RIGHTEOUS
DISSENT

BY P.A. CHACKO

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This issue of Indian Currents contains 40 pages including cover.



76 OPINION

Distorting History BY ARCHBP THOMAS MENAMPARAMPIL

20 JUDICIARY

There are Judges and Judges BY PETER MUNDACKAL

24 MESSING UP TAX

Five years of GST BY JASWANT KAUR

26 SYNODAL THOUGHTS

Journeying Together BY Bp ALEX DIAS

28 CHURCH

Journeying Together

Challenges for Synodal Church in India BY KULANDAI YESU RAJA

29 REALITY CHECK

Booming Guns Make US Unsafe BY MATTHEW ADUKANIL

30 FROM THE GROUND

A New Lease of Life for Them BY JACOB PEENIKAPARAMBIL

33 PERSPECTIVE

Menace of Vigilantism

Result of Normalisation of Deviance BY SACARIA JOSEPH

36 OPINION

Road Rage: Better not to React BY **AARTI**

38 BOB'S BANTER

No Doors to Hide Behind..! BY ROBERT CLEMENTS

POWER QUOTES



Our greatest happiness does not depend on the condition of life in which chance has placed us, but is always the result of a good conscience, good health, occupation, and freedom in all just pursuits.

Thomas Jefferson

When ambition ends, happiness begins.

Thomas Merton



Be happy with what you have and are, be generous with both, and you won't have to hunt for happiness.

William E. Gladstone

Happiness doesn't depend on any external conditions, it is governed by our mental attitude.

Dale Carnegie



Everything has its wonders, even darkness and silence, and I learn, whatever state I may be in, therein to be content.

Helen Keller



A contented mind is the greatest blessing a man can enjoy in this world

Joseph Addison



It is often said that before you die your life passes before your eyes. It is in fact true. It's called living.

Terry Pratchett



To live a pure unselfish life, one must count nothing as one's own in the midst of abundance

Buddha



UNDECLARED EMERGENCY

EmergencyDeclared and undeclared

Emergency, declared or undeclared, does not redound to the credit of the largest democracy

BY A.J. PHILIP

The day the Emergency was imposed on the country and Press censorship became a reality, my colleague at the India Press Agency (IPA) Narendra Sharma refused to do a story. A column that I had been asked to do, 'Window on Latin America', was one of the items published that day. After the day's bulletin was released, we all returned home.

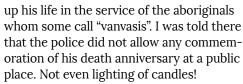
With nothing better to do that evening, two of my friends, Unni, Ravi and I went to Vasant Vihar in South Delhi to watch Sanjeev Kumar-starrer Mili at Priya Cinema. It was a beautiful movie that helped us forget the calamity that had befallen the country, though for less than two and a half hours.

After the show, we walked towards 185, Sector V at RK Puram in Delhi where we stayed. Near our house, a person in civvies stopped us, claimed that he was a Delhi Police officer and wanted to know where we were coming from. We had the cinema tickets with us but we refused to show them to him. He was reeking of liquor. He told us that the Emergency was on and we could be arrested because the Fundamental Rights stood suspended.

We decided to defy him and virtually ran away from there. He could not have followed us, as his legs were not steady. We felt secure only when we closed the door. We waited for the knock for some time before we fell asleep. That is how my Day One of the Emergency period ended.

I received an invitation to attend the first Fr Stan Swamy Memorial Lecture to be delivered by Neera Chandhoke, Visiting Fellow at the Centre for Ethics and Global Politics, on July 5. The invitation said it would be held at the Indian Social Institute at Lodhi Colony. Later, I came to know that the venue was shifted to Yusuf Sadan, near Gol Dak Khana post office.

I wanted to attend the programme, more to express solidarity with Fr Stan Swamy, who gave



The situation during the Emergency was also the same. People were arrested and

kept in jail because they were assumed to be a threat to the nation. Newspaper editors sought to protest by keeping the editorial column blank till the government came down heavily on the proprietors who had to prostrate because they ran other businesses also.

In India, large businesses cannot be run without the support of the government. And if there is government support, not even the sky's the limit for businessmen. See the kind of growth Gautam Adani achieved since he gave his helicopter to Narendra Modi to campaign in the 2014 elections. He is now Asia's richest man!

At the rate at which Adani and Ambani grow, they will soon be richer than the Government of India! During the Emergency, I joined a newspaper owned



MR Gopinatha Pillai's death is as mysterious as his son's. (Photo: AJP)



Neera Chandhoke, delivering the first Fr Stan Swamy memorial lecture. (Photo: AJP)

by one of the kingpins of the Emergency, Vidya Charan Shukla.

Suddenly, the newspaper began getting advertisements it could not publish for want of space. Construction also began on a multi-storied building at TT Nagar in the heart of Bhopal. For once I realised how government patronage could help a business enterprise!

When Dr Shankar Dayal Sharma, who later became President, lost the Bhopal Lok Sabha seat to Arif Beg of the Janata Party in 1977 like Indira Gandhi lost to Raj Narain at Rae Bareli in Uttar Pradesh, the advertisements dried up and journalists like me had to wait for three-four months to get their salary in installments.

No other event after Independence impacted the nation as the Emergency. I do not include demonetisation and the Covid pandemic in this list. Not even the India-China and India-Pakistan wars. The Emergency, the provisions for which existed in the Constitution, was a misuse of power by Mrs Gandhi.

No democrat could have approved of it. She was guided by the sole consideration of protecting her turf, weakened by a verdict of the Allahabad High Court, and saved from total collapse by the verdict of the Supreme Court's vacation judge Justice VR Krishna Iyer.

True, she also faced a political challenge from Jayaprakash Narayan, who was slowly emerging as the conscience-keeper of the nation. It was against this backdrop that she suspended many provisions of the Constitution. Even the courts danced to her tunes. Unlike Mrs Gandhi, Narendra Modi does not face any threats to his regime.

He has even talked about remaining in power for at least 40 years! What baffled me is why he did not say 50 years or 100 years! His "Congress-mukht Bharat" seems to be becoming a reality. Yet, why is it that people like me feel an Emergency-like situation in the country? Would the heavens have fallen if the people were allowed to light candles at a public place in honour of Fr Stan Swamy, a victim of the draconian UAPA.

I found it curious that most newspapers preferred to ignore the arrest of Mohammed Zubair. In the ordinary circumstances, he should have been encouraged and felicitated for doing a signal service to the nation.

Democracy can thrive only when the media are free. That is why the "Press" is considered the Fourth Estate, after the First Estate which was the King, the Second Estate which was the House of Lords and the Third Estate which was the House of People. In India, we equate the media with the executive, the legislature and the judiciary.

Fake news signifies a threat to the nation. Recently, Rahul Gandhi pardoned the SFI cadres who attacked his office at Wayanad which he represents in Parliament. It was like Gladys Staines who pardoned the killers of her husband and teenaged children. The bite was used by a television journalist to give the impression that Gandhi pardoned the killers of the tailor in Udaipur. It is called fake news.

Democracy can thrive only when the media are free. That is why the "Press" is considered the Fourth Estate, after the First Estate which was the King, the Second Estate which was the House of Lords and the Third Estate which was the House of People. In India, we equate the media with the executive, the legislature and the judiciary

COVER STORY

A few years ago, fake news prompted thousands of people from the Northeast to leave Bengaluru in a hurry. Mohammed Zubair runs a website called Alt News. What it does is to fact-check news and reports and find out the fake from the real. All political parties support fake news when they suit them. Alt News did not make any distinction between fake news favouring one party and fake news favouring another party.

In other words, he was serving a national cause. He and his colleagues were running the website with support from his subscribers. A senior journalist friend told me how he has been contributing small sums to help Zubair and Co. run Alt News.

Zubair was arrested by the Delhi Police for a humorous tweet dated March 24, 2018. The tweet showed the signboard of a hotel changed from 'Honeymoon Hotel' to 'Hanuman Hotel'. The image is taken from a 1983 comedy film 'Kissi Se Na Kehna', directed by Hrishikesh Mukherjee. The arrest was made on the complaint of a Twitter user Hanuman Bhakt@balajikijaiin who tagged the Delhi Police in the four-year-old tweet by Zubair.

During the last four years since Zubair tweeted the funny image from a film which was cleared for universal viewing by the Censor Board, nobody's religious sentiments were hurt. There was never a protest against Zubair. Yet the police swung into action and he was arrested. Someone in Sitapur in UP also filed a complaint against him.

But for the Supreme Court granting Zubair conditional bail on July 8, he would have remained in jail till at least July 14. Yes, telling the truth has always been problematic. That is why it required the innocence of a child to tell the King on his face that he was indeed naked. Comparisons are odious. Yet, one cannot but compare Zubair's experience with that of Nupur Sharma.

Her comment on the Prophet Mohammed antagonised a whole community. Protests came from several West Asian countries, where tens of thousands of Indians earn their livelihood and from where we import oil without which our vehicles cannot run and the Prime Minister's state-of-the-art moving palaces cannot fly.

Nothing justifies killing. The killing of a tailor in Udaipur and a chemist in Amravati are condemnable. The fact that they have a link to the blasphemous comment cannot be denied. There are cases registered against her in many states. And when



Neera Chandhoke answering a question. (Photo: AJP)



Floral tributes to Fr Stan Swamy. (Photo: AJP)

she approached the Supreme Court, the judges who heard the petition, gave her a piece of their mind.

It encouraged some "conscience keepers" of the nation to protest against the judges in question. Yet, the lady has not been arrested till the time of writing. Imagine what her condition would have been if she had a different name.

Justice is supposed to be blind because it does not distinguish the Hindu from the Muslim, the Christian from the Parsi and the Sikh from the Jain and the rich from the poor and the man from the woman. Is that the case now? If you wear a particular colour and threaten genocide, you can get away with it. I feel really sorry to say this.

Zakira Jafri is not an ordinary person. She was the wife of a Congress MP from Gujarat. When the Gujarat riots began, it was to his house that some local people went in the belief that his word would count. The poor MP himself became a victim of hatred. His wife has been moving from pillar to post seeking justice for her husband Ehsan Jafri.

She made a last-ditch attempt by knocking on the doors of the apex court. The court could have rejected her appeal but in doing so, it quoted a probe finding as if it was Gospel Truth that social activist Teesta Setalvad, former Gujarat DGP RB Sreekumar and former IPS officer Sanjiv Bhatt were guilty of spreading canards against those in power.

Within hours of the judgement, Teesta and Sreekumar were arrested. Sanjiv Bhatt was already in jail. I am an educated person but I cannot prepare an affidavit because I should know its format.

Now, imagine the condition of the riot-hit people in Gujarat. A majority of them were illiterates. Could they be asked to study the IPC, the CrPC and the Indian Constitution to prepare their affidavits?

If someone like Teesta Setalvad helped them to file petitions and the petitions have identical language, is that a crime? Those in power do not realise that the language of violence and hatred is the same, everywhere. Does it really matter that the language in the petitions is the same when they were victims of mob fury. If someone lost her parents, someone else lost her children.

They are all people who lost. People like Zakira Jafri, Sreekumar and Sanjiv Bhatt. And the winners are the harvesters of hate. I had once an occasion to speak to Sreekumar on the phone. That was when I visited MR Gopinatha Pillai at his house at Nooranad, near Pandalam.

He was the father of Praneesh Kumar, alias Javed Gulam Mohammed Sheikh, who was killed along with Ishrat Jahan, a brilliant student of Khalsa College at Mumbai and two youths, whom the Gujarat Police claimed were from Pakistan. He gave me the names of some people who had been helping him in the fight for justice for his son, who converted for love, not hatred.

And one of them was Sreekumar. Pillai, in whose house at Thatta, the first karayogam of the Nair Service Society (NSS) was held in the presence of Mannath Padmanabha Pillai, would have been shocked by the arrest of Sreekumar.

Pillai did not succeed in getting justice for his son. He was taken away from this world when the car in which he was travelling was hit by a truck coming from behind on the National Highway at Vayalar in Alappuzha district. His own death is mysterious in many ways like his son's!

All this forces me to raise the question why a political party which is certain to rule the country for the next 40 years should bother so much about one Mohammed Zubair and another Teesta Setalvad? Someone who aspires to be Vishwa Guru should conduct himself better so that the world looks up to India where equality, fraternity and liberty are not just slogans.

Emergency, declared or undeclared, does not redound to the credit of the largest democracy. ©

AJ PHILIP is a citizen journalist and social worker. He can be reached at: ajphilip@gmail.com

Toughest Test for Democracy

Under the present regime at the Centre, institutions crumble, freedom in peril, rights activists in jail, minorities moan, and the economy plummets

BY JOHN DAYAL

r. Amit Shah, the Union Home Minister and Prime Minister Narendra Modi's generalissimo in electoral battles, has announced that the Bharatiya Janata Party will rule India for the next thirty, forty or even fifty years.

These may be famous last words, as they say, but Mr. Shah's buoyancy is based as much on the ease with which they deposed the coalition government of Shiv Sena Chief Minister Uddhav Thackrey - reportedly buying up almost forty MLAs of his party from under his nose – as the fact that these moves could not be foreseen by even veterans like Nationalist Congress Party's Sharad Pawar who had cut his political teeth under Indira Gandhi, and was once everyone's second choice to be Prime Minister.

The nation, it would seem, is comatose, lying supine as Mr. Modi, Mr. Shah, and arguably Mr. Mohan Bhagwat, the Rashtriya Swayamsewak Sangh supremo, marshal their forces for the final battle in the general elections of 2024 when they expect no more than minor skirmishes in some states currently ruled by regional one-man or one family parties with no ideological moorings and less staying power. There is no more talk of the federal structure of the Indian state, and the cultural, ethnic, linguis-



BJP will remain in power for next 50 years says Amit Shah

tic, and religious plurality of the people of India which had so far been the font of their strength as a nation.

The Congress, the only other national level party, has shown no signs of any urgency in retrieving its electoral base. New upstarts, such as the Aam Aadmi Party which swept Punjab in the last Assem-

bly elections, has shown it remains vulnerable to sustained multi-pronged attack by the BJP. AAP founder and Delhi Chief Minister, Mr. Arvind Kejriwal, watches helplessly as his right-hand man and health minister Mr. Satyendra Jain remains in judicial custody as Mr. Modi's Enforcement Directorate and other agencies investigate him for financial corruption.

Each electoral and chessboard victory swell its battle chest, adds to its battalions of cadres, and puts crushing pressure on constitutional and allied institutions, among them the Supreme Court and Parliament, the armed forces, and the Press.

The office of the President of India, ceremonial and no more than a rubber stamp at the best of times, has been made all but redundant, with the incumbent not daring to even show that he has a moral authority by sheer lineage as the legal occupant of the Rashtrapati Bhawan. Parliament has been denied serious discussion on almost every bit of legislation passed in the last eight years, including the far-reaching New Education Policy, the new health policy on the anvil and the changes sought in armed forces recruitment practices with a 200-yearold tradition, which is being shaken.

The circular Parliament building, where the Constitution was signed, is being replaced with a new angular structure which will sport ethnic artwork but will not have the Central Hall which saw joint sessions of the two Houses, Lok Sabha and Rajya Sabha, and which provided the roof under

COVER STORY

which many a tough political knot was unraveled in bipartisan political processes and negotiations. It was also a place where media persons, including this writer, could interact with politicians, including sometimes even the Prime Minister, in an understanding of mutual trust. Future generations of journalists have been robbed of this institutionalized platform.

The Central police forces and those in BJP-ruled states have, in Mr. Modi's second term, become in all but name the militias of BJP Chief Minsters, doing their bidding in flagrant violation of the Indian Penal Code and the Criminal Procedure Code.

If this anarchy of men in uniform was not sufficient, the government's apparently ill-planned and controversial scheme of recruitment to the armed forces, labelled Agnitpath, is feared to be the secret device to ideologically infiltrate the last bastion of state neutrality and secularism. The scheme, as is



The judiciary is answerable to the Constitution and Constitution alone says Chief Justice NV Ramana

known, envisages an annual intake of 50,000 youth as soldiers, seamen and airmen in a special rank at a monthly salary of Rs 40,000, a four-year tenure, and a post service gratuity of Rs 10 lakh. The historic practice of Regimental recruitments is presumably out in cold storage. There is no official talk of it for the moment. Retired officers and families in catchment areas such as the Garhwal hills, Rajasthan, Maharashtra, Punjab, and Bihar are deeply perturbed. Many youths have risen in revolt. Two have been killed in Ranchi in police firing.

Fueling the totality of the crises, in a manner, is islamophobia, the new national slogan. It drowns all opposition to state thuggery. The state *goondaism* is itself legalized by Chief Ministers ordering govern-

ment bulldozers demolishing houses of Muslim activists who protest gross violation of personal liberties or blasphemy against the Prophet of Islam. This is over and above the arrest and jailing of men who marry young Hindu women in violation of the new and expanding anti-conversion laws that cover both Muslims and Christians but condone similar acts by men of the majority community.

Collectively, some fear, these are the fissile materials which can trigger an implosion of the state as we have known, and the nation that was built through a peaceful freedom struggle under Mahatma Gandhi, past a bloody partition of the sub-continent, and a grueling rebuilding of new India through much of the Twentieth century by Jawaharlal Nehru and his successors.

No one has dared to utter the words Civil War. But that is because they know walls have ears, mobiles are routinely tapped, and social media companies can bend as much backward to serve government, as the aptly named *Godi* Media, the lapdog newspapers and TV channels.

But the dog whistles have been heard. Fearful, people wonder from whence will come their help. Many look to the courts for succor.

Civil society in recent times won small victories in the Supreme Court on issues of privacy, and fundamental rights, only to lose major battles on other rights, leaving the people at large in doubt if they can trust the apex court to really be their last pillar of support in challenging a marauding state hell-bent on devouring its young.

Bu the Supreme Court itself feels the heat. Unusual for a Chief Justice to speak while in a foreign country, but Chief Justice N.V. Ramana expressed disappointment that even after 75 years of Independence, neither government nor people have understood the roles and responsibilities assigned by the Constitution to each Institution. "Ä party in power believes that every governmental action is entitled to judicial endorsement and the Opposition parties expect the judiciary to advance their political positions and causes, but the judiciary is answerable to the Constitution and Constitution alone," Justice Ramana said in his travels in the United States this month. This flawed thinking flourishes among the people in the absence of proper understanding about the Constitution and the functioning of the democratic institutions. To enforce checks and balances envisioned in the Constitution, "we need to

COVER STORY

promote Constitutional culture in India. We need to spread awareness about the roles and responsibilities of individuals and institutions. Democracy is all about participation."

Back in India, it fell to a Bench of the Supreme Court to pinpoint the fonts of disruptive forces. One was the official spokesperson of the ruling BJP, the feisty Ms Nupur Sharma, who was suspended by the party after she blasphemed against the Prophet of Islam during a TV debate on Times now, owned by the Jain family. Her "loose tongue" has "set the entire country on fire" and should apologise to the nation for her remarks.

The judges noted how powerful BJP functionaries were in the current state of the nation. "When you lodge a complaint against someone, that person is arrested but nobody dares to touch you. That shows your clout". Ms Sharma had asked the Supreme Court to transfer to Delhi all the cases Muslim groups and others had lodged with the police of several states after her outburst on national TV. She said she was facing death threats. The Bench said she has "threatened the security of the nation and must apologise." The court said that Ms Sharma and her loose tongue have set the entire country on fire. It directly led to the murder of Udaipur tailor Kanhaiya Lal by two local Muslims. "What is the business of the TV channel and Nupur Sharma to discuss the matter which is sub-judice, except to promote an agenda?" the Bench asked.

That is the precise question civil society is asking the government, the ruling party and above all, Prime Minister Mr Modi. The Prime Minister has remained silent through the turmoil, keeping himself busy travelling frequently to inaugurate projects in states that will go to the polls in the next twelve months or so. He has refused to address the press in India, or during his several foreign trips to Europe and the East.

As for the opposition, the news is all terrible. The tallest among the opposition, former Bihar Chief Minister Mr. Lalu Prasad, serving long and multiple terms of imprisonment after his conviction in the "fodder scams" in his regime, is ill in a Delhi hospital. He was the man who had arrested the Rath Yatra of Mr. Lal Krishan Advani and given heart to the movement against communalism.

The second tallest, Mr Sharad Pawar, himself a survivor of serious aliments in the past, is licking his wounds after the coalition he had knitted with



Solitary voice of dissent comes from Telangana where Chief Minister K Chandrasekhar Rao showed the temerity to put up huge hoardings lambasting and mocking Mr Modi during his recent visit to the state

the Shiv Sena after it was denied the chief ministership by partner BJP, saw Mr. Shah and former Chief Minister Devendra Fadnavis steal the government before he could even plan a counter move. The BJP stooped to conquer. And then Fadnavis was made to be satisfied with a deputy chief ministership. Mr Shah believes he has set into motion a process which will see the end of Thackeray hold in the next state election. By the way, as an elder statesman, Mr. Pawar is central to any confabulation non-BJP parties have to strategize how to out-think and then unseat Mr. Modi and Mr Shah.

Chief Ministers and party leaders in non-BJP states are now under CBI and Enforcement Department pressure. The mightiest in the opposition, including Mrs. Sonia Gandhi and Mr Rahul Gandhi, are being peremptorily summoned for questioning. Ms Mamata Banerjee in Bengal has her family facing enquiries, Dalit leader and four-time UP Chief Minister Ms. Mayawati has been effectively defanged.

The solitary voice of dissent comes from Telangana where Chief Minister K Chandrasekhar Rao showed the temerity - and some would say guts - to put up huge hoardings lambasting and mocking Mr Modi during the latter's recent visit to the state. The RSS has successfully lit a fire in his Capital Hyderabad, where a small temple, set up touching the wall of the landmark Charminar complex, is being made an explosive issue at par with the temple-mosque controversies in Mathura and Varanasi. The fuse is short. @

ABOUT THE AUTHOR

JOHN DAYAL is a veteran journalist and human rights activist.

Righteous Dissent

When dissent is suppressed with an iron hand by the ruling class, it is the end of the road for democracy

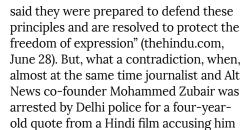
BY P. A. CHACKO

ighteous dissent is right to dissent; and it is a fundamental right. It is guaranteed by Indian Constitution in Article 19 with the freedom of expression. Dissent shows there is another angle or a different viewpoint. Decent persons listen to what others have to say in dissent. It is letting others to have their freedom of opinion. It may be a critical observation. It could also be a point which the other party has not seen or taken into consideration or an alternative solution.

When a government in power does not want to allow such freedom of expression, one smells a rat. If it suppresses dissent with an iron rod, it is the end of the road. Many citizens are of opinion that the ruling BJP deals with every dissenting opinion as unwanted, often dubbed criminal act, sometimes even anti-national. Peaceful demonstrations, representations, meetings, gatherings, etc. are constitutionally guaranteed exercises of democratic freedom of expression. Surprisingly, even such acts or exercises invite the wrath of the powers that are.

Did not Prime Minister Modi put on a Himalayan stature at the recent G7 summit in Bavaria when he, along with four other countries, signed the document on protecting the freedom of speech? The Hindu noted that "the joint statement came amidst allegations that the Indian Government was stifling the freedom of speech and the civil society actors... In a joint statement titled '2022 Resilient Democracies Statement' on June 27 during the G 7 Summit, the leaders including Prime Minister Narendra Modi,

Many citizens are of opinion that the ruling BJP deals with every dissenting opinion as unwanted, often dubbed criminal act, sometimes even anti-national



of hurting religious sentiments. According to Justice Deepak Gupta, "Freedom of speech is one of the basic concepts of our democracy. People are put under pressure if they are made to feel that, if they express a certain point of view, they will have to face trouble either from the Enforcement Directorate or a money laundering case" (Interview to The Wire).

In contrast, a BJP spokesperson, who offended the sentiments of the Muslim community by saying insulting words against Prophet Mohammed, has not yet been arrested. Instead, she is being honoured with security cover. Another spokesperson who supported Nupur Sharma too has been given security cover. "If Nupur Sharma was not arrested, Zubair also should not have been arrested," says Justice Deepak Gupta.

In every country there are opposition parties. They ventilate public grievances through their critical observations and suggestions. United Kingdom, Canada, New Zealand and Australia have shadow Cabinets of opposition parties. Its responsibility is to scrutinise the ruling party's policies and offer alternative suggestions or amendments. Unfortunately,

VOICE YOUR DISSENT



COVER STORY

India has no such arrangement. Rather, more often than not, the opposition parties are considered unwanted and treated like carbuncles.

In today's Indian scenario, public dissent often erupts into violent street theatricals which are not happy solutions. Such exercises may be outbursts of suffocations caused by the iron hand of the government. Instead of dealing with opposing situations through discussions and debates, if they are met with police atrocities and even bureaucratic punishments, the writing on the wall is clear. Executive orders to treat demonstrators as criminals are anti-democratic decisions. On the other hand, it is often seen that if you belong to the ruling party, you can go any length to create mayhem and terror. Whether to pull down the Ayodhya mosque or to attack minority communities with impunity, it is, as if, the prerogative of the muzzle men with the blessings of the party bosses.

When righteous dissent is bulldozed and pulverized by the ruling class or when the minority communities are treated as dirt, the conscience of the court cannot afford to take a blissful nap

The U.P. incidents where Muslim homes were demolished because they allegedly took part in street demonstrations have attracted condemnations the world over. Here righteous dissent was treated with criminal assault. Three Rapporteurs of the United Nations (Housing Rights, Minority Issues and Freedom of Religion), jointly sent a letter to the government of India on 9th June criticizing and protesting against arbitrary demolitions of houses and properties of people, particularly of the Muslim community. The world is watching and is concerned. Yet we in India play the fiddle.

In a recent Supreme Court case involving Nupur Sharma, Justice Surya Kant (slated to take over as the Chief Justice of India in May 2025) told Nupur's counsel, "No Mr. Singh, the conscience of the court is not satisfied." He stated that she should apologise to the nation for her arrogant and insulting remark



against the Holy Prophet Mohammed and queried why she was not arrested. He also stated that the fact that she was not arrested shows her clout and

It is highly praiseworthy that the Judge sends the incontrovertible message to the nation that the court has a conscience. It would be equally praiseworthy if all the judicial authorities believed in this message and acted accordingly. The nation, particularly the common man, looks up to the court to exercise its conscience by pronouncing justice without bias or favour. That is where people expect that the courts in India not to keep mum when the nation is taken for a ride by terror outfits or nationalist marauders. When the wheels of justice turn too slow for ordinary people, the conscience of the court should wake up and call a spade a spade. When righteous dissent is bulldozed and pulverized by the ruling class or when the minority communities are treated as dirt, the conscience of the court cannot afford to take a blissful nap. The promising sign of the window of justice getting opened by the conscience keepers of the law courts is welcome. However, the suffocation of people suffering from sponsored spiral of violence can be removed only by opening not just a window but all the doors and windows of justice. @

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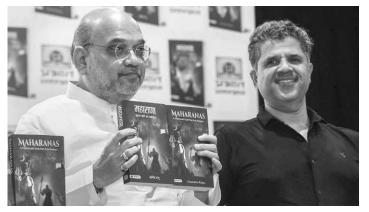
Distorting History

As polarisation of the society on communal lines is gaining momentum an 'objective understanding' of history is the biggest casualty

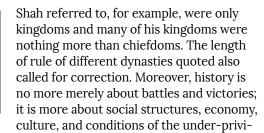
BY ARCHBP THOMAS MENAMPARAMPIL

mit Shah never makes an emotional statement without rousing a nationwide retort. For example, he claimed that history had bypassed the great Hindu empires of the past and their achievements, giving sole attention to the Mughals and other Muslim rulers. He lamented that the Hindus had to struggle for a thousand years to win back the recognition due to them. He pointed out how the Pandyas had held sway for 800 years, Ahoms 650 years, Pallavas 600, Cholas 600; Mauryas for 550 years, Satavahanas 500, Guptas 400. Historian Romila Thapar immediately retorted that those who were conversant with history would never make such a statement, that history had ignored none of those rulers, that each dynasty had been given its due according to its merit. Nor had the Pratiharas, Rashtrakutas, Palas, Chalukyas, or the Vijayanagara kingdom been forgotten. Legitimately, regional histories have given greater importance to the rulers that contributed more to their region.

Ruchik Sharma further pointed out that Mughals had documented their ventures in detail, and that the Turk sense of history differed from Hindu yugabased legendary accounts that left too little of historical records. Rajan Gurukkal insisted on several corrections to Shah's history. Many empires that



Union Home Minister Amit Shah with with author Omendra Ratnu during the launch of the book Maharaja Sahastra Varshon Ka Dharmyudh in New Delhi



leged.

It is generally recognised that the standard of living of the average man rose during the Mughal period due to their intense trade with central Asia; moreover, people's diet improved, civil administration was better organized, and architecture was enriched. Nitish Kumar was more forthright. How can you change the facts of history, he asked? Where

A politician's understanding of history is politically motivated. A "serene study" of realities leads to an "objective understanding" of facts, events, and processes. It equips you for life.

does it lead to?

The trouble with the upper classes in India is that they are still suffering from a "colonisation" of the mind. They have developed an 'inferiority complex' which they find impossible to shake off. They are hungering for world-recognition as Vishwa Guru and see that their performance still falls short. Hence their eagerness for self-glorification and over-sensitivity to international criticism. They feel they are at a losing end in a global crusade for superpower

A politician's understanding of history is politically motivated. A "serene study" of realities leads to an "objective understanding" of facts, events, and processes. It equips you for life

Every community has something to contribute to the nation's future. Bulldozer for the weaker groups is not the best way to affirm India's greatness

status. Nupur-Jindal slips are mere spill-overs.

Amit Shah's remarks had come on the occasion of the releasing a book 'A crusade of a thousand years' of subjection. Modiji adds 200 years more to the struggle and claims that he has finally led his country to victory in this contest. What these stalwarts actually need is a "decolonisation of the mind". Greatness does not consist in dominating others, but in being noble.

The eagerness to reject anything Muslim as alien bewilders Hamid Ansari, former Vice President of India. Those who believe in India's ancient political greatness that exerted cultural influence from Afghanistan to Indonesia cannot consider the Ghaznis, Khiljis and Lodis really as foreign invaders. They were like domestic miscreants who needed to be dealt with accordingly. Further, he says, it was not by force that anyone became Muslim in India, it was the influence of Sufi saints that led to people's conversion. Therefore, to look at minority communities as renegades is unfair. Every community has something to contribute to the nation's future. Bulldozer for the weaker groups is not the best way to affirm India's greatness.

Healthy Debates

It was truly great that Modiji should say in Mumbai the other day, "We must strengthen the culture of healthy debates and open discussions". But we do not see how this culture combines with 'vendetta politics', e.g. his critic Rahul Gandhi being grilled for 10 hours for five days. In the same way, Rikini Bhuyan Sharma, wife of Assam Chief Minister, has filed a defamation suit of Rs. 100 crores against Manish Sisodia, the Deputy Chief Minister of Delhi, for his criticism. These are just two instances of thousands of trumped up cases against political observers and social activists who challenged the top leaders in the country with intelligent criticism.



We must strengthen the culture of healthy debates and open discussions says Modi

Such an approach from the ruling elite has led to polarisation between intellectuals and self-interested politicians, between people of different ideologies or religions. Psychological distances are steadily growing between communities. Aminul Islam, Gen Secretary AIUDF, bemoans, "Intolerance is growing. Economy is sinking. Unemployment is increasing at an alarming rate".

Modiji himself will have to choose between Hindutva exclusivism and inclusive economic endeavour, lest the nation goes the Sri Lankan way, as he warned while speaking to the opposition. Hate may generate votes, not jobs; it weakens the national economy. R. Sampanthan, a Tamil leader, confirms that it was the "unresolved national question" of Singhalese-Tamil relationships that hampered Sri Lanka's economic progress. Divided, we fall.

Give a Fair Hearing to All

Having said this, let us also give a fair hearing to the Hindutva advocates themselves. With them let us recognise that India is the only Hindu country in the world, except for Nepal, and that the great heritage of the Hindus can be preserved only through the determined effort of their leaders who cherish its value. They have a challenging task in their hands with growing Islamic fundamentalism in many neighbouring states and arrogant and irresponsible secularism in others. All Indian citizens, includDiversity in India is not a threat to the majority, but it is the wealth of the nation. The recognition of this truth constitutes a central value in our shared cultural heritage

ing those who do not belong to the Hindu tradition, ought to sympathize with this anxiety of their Hindu brothers and sisters and respect their eagerness to preserve and foster their great heritage.

Having recognised this position of the majority community, there is also the universally accepted norm that the stronger must respect the interests of the weaker and the elder brother must ensure the future of the younger. The other day, Macron described the way French politics had placed people on the Left, Right and Centre. He considered working together with them in harmony the enthralling symphony of democracy. Similarly, diversity in India is not a threat to the majority, but it is the wealth of the nation. The recognition of this truth constitutes a central value in our shared cultural heritage. Modiji recognises that when he chooses Draupadi Murmu as the Presidential candidate: an adivasi, a woman and poor. We plead that she be not merely used to serve as a 'rubber stamp' officer, but be allowed to act as a defender of India's core values. Ratan Tirkey, for instance, hopes that Sarna Dharma, the religion of the indigenous tribals independent of Hinduism, gets recognition with Murmu as President.

Promises not Kept

Speaking to the youths protesting against Agnipath Scheme, J.P. Nadda, BJP president, urged them to place their trust in the Prime Minister. Unfortu-



nately, Modiji has yet to emerge as a leader who fulfils the hopes he raises. Kanhaiya Kumar had a big list of unfulfilled promises that the Prime Minister had made: that Rupees 15 lakhs would be deposited in every Indian's account, that demonetisation would stop terrorism, that two crore jobs would be created every year. On the contrary, he is remembered only for the oxygen crisis during the pandemic.

People find it very hard to look at the Agnipath Scheme as "well-intentioned" as Modi claims. Mamata Banerjee ridicules the entire Scheme as a project to train BJP goons to rig elections and serve as chowkidars in BJP party offices. Meghalaya Governor Satya Pal Malik considers it against the interest of youth. Congress fears that it will lead to the generation of jobless youth who may ultimately join insurgent groups. Unemployment after 4 years leads to frustration and anger.

Uddhav Thackeray asks bluntly, "What is the point in only chanting Ram Ram, if people have no work?" Young people grow restless. What is the use of the PM going round inaugurating temples and giving grants to religious establishments while the youth sink into unemployment? Anger rises. History shows that in countries like Yugoslavia and Rwanda, demobilized soldiers formed the core group that led to inter-ethnic violence. Meghalaya Youth Congress spokesperson alleged that Agniveer retirement is planned to promote corporate interests, not nation's. The retired young men will be compelled to take up low grade jobs with the corporate houses. Educated to obedience in the Army, they will be pressed into service as part of a slavish workforce for big companies. Many army veterans feel that Agnipath Scheme will divide the army: into those permanently employed and others temporarily employed, and thus dampen frontline motivation and weaken effectiveness of operation.

However, some army men are more positive. They feel that the Scheme would transform aimless youth into disciplined and committed citizens for India who can be entrusted with responsible tasks. It will also reduce the national burden of military pensions. Modiji expressed pain about the way the good-intentioned schemes he proposes get tangled in partisan politics. In any case, Bana Singh, an award-winning Captain, says, decisions like that of Agnipath scheme should not have been taken up without consulting all the stakeholders and military veterans. He fears that it will go the way of CAA and Farm Laws.

Forgetting Values Has Consequences

The anger of young people is not merely about looming joblessness and rising prices, it is about increasing meaninglessness in a world where values are vanishing. The sense of co-belonging diminishes. Politicians like Shinde are no more concerned about the needs of the society they represent, but are lost in their self-interests and group rivalries in view of remunerative positions in the party or in the government. They do not bring their competence and expertise to the floor of the Assembly of their own state, but opt to compromise the future of their people in 5-star hotels in a distant Assam just when people are reeling under the harshness of floods! Whether the Shinde-rebellion is part of BJP-planned 'Operation Lotus' or not, ordinary citizens are shocked at the insensitivity of the people they have



voted for with the best of hope for the future of India. It is not the poverty of the millions that move our legislators but the luxury of 5-star hotels!

Sitaram Yechury was speaking of an ideological battle while calling for unity for the Presidential poll. But what is at stake today is beyond ideology alone: Hindutva stalwarts who claim to be defenders of genuine Indian culture are placing under threat true "Indian" values of truth (satya), uprightness (dharma), impartiality, justice, mercy (karuna), and mutual concern. But truth alone will triumph in the end. Rahul Gandhi was right in emphasizing, "Lies get exhausted, the truth is indefatigable".

When "fake cases" multiply and intelligent criticism is silenced, democracy is deprived of utterance. The other day Telegraph reported that "The BJP, unmindful of the immorality of its predations" is leading the nation from one deadlock to another: CAA, Farm Laws, Agnipath Scheme. They have ushered in an era of 'mobocracy' and outsourced

Many army veterans feel that Agnipath Scheme will divide the army: into those permanently employed and others temporarily employed, and thus dampen frontline motivation and weaken effectiveness of operation

violence. Others have learned from these masters of partisan patriotism and unilateral anarchy and disorder. Bulldozers come out to deal with problems that they themselves have created. The religious façade they put up aims at blinding the populace to the way the nation is being plundered: airports and ports being sold off, railways and roads being doled out. India's trade deficit has ballooned to \$24.3 billion of late, and 8000 millionaires that Modiji has raised with pain are ready to quit India and leave for some other destination where another culture prevails. They take their fortune with them. Acche din have come for them, not for those left behind.

Unfortunately, the performance of opposition parties is no better, lost amidst clashes of self-interests, personal ambitions of leaders, dynastic rigidity, and with no national narrative that inspires. There are times, as Baruch Spinoza says, when one should not merely laugh, lament or hate but "understand" and act as needed. Malala Yousafzai, the Nobel Prize winner, meant something similar when she said, "With guns you can kill terrorists, with education you can kill terrorism". A re-education to VALUES is urgently needed in India today... the very values that we widely acclaim as children of a great civilization.

We may need to wash off the stains that we have gathered over a long period of time. It was moving to see Modiji washing the feet of his mother on her 100th birthday. He may need to do the same service to the nation as well. From his mother he claims to have learnt concern for the poor: "garib kalyan". May this concern come alive in the heart of every Indian. 😉

ARCHBISHOP MENAMPARAMPIL's analysis of socio-cultural and political issues has led to debates and concrete peace initiatives, for which he was nominated for the Nobel Peace Prize in 2011.

There are Judges and Judges

While some are disappointing, a few earn our admiration. They are our hope. Let the judiciary shine in its glow

BY PETER MUNDACKAL

hen I first heard about judges, especially Supreme Court judges, and their judgements - I think that was during my graduation days in the 1960s -- I used to equate them with gods, viewing every issue with inimitable equanimity, punishing the guilty and rewarding the just. Not long afterwards, I realised that I was a simpleton in thinking so. Much later, rather in recent years, I came to the conclusion that impartiality of judges is a precious commodity, but a very rare one. So is non-corruptibility. But there are a few exceptions also.

In the list of Supreme Court judges and Chief Justices, names of certain judges stand out for good as well as not so good reasons. Chief Justice P.N. Bhagawati (July 1985 to December '86) is credited with the introduction of PIL (Public Interest Litigations), which remind the public and the judges that our legal system has a conscience. Justice Fatima Beevi was the first female judge and first woman judge of the Supreme Court (October 1989 to April '92). Similarly, Justice K.G. Balakrishnan was the first Chief Justice of the Supreme Court from Dalit background. But we remember him more for certain

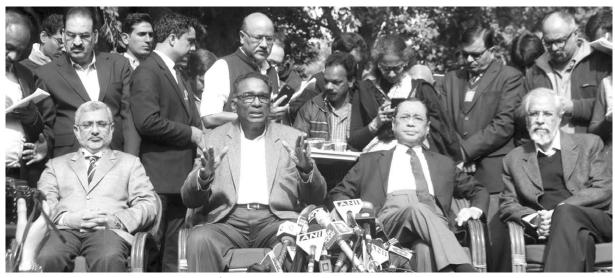


charges against him which came to light after his retirement.

We still remember Justice H.R. Khanna for his judgement in the ADM Jabalpur case, holding that personal liberty is inalienable even when the country is in a state of emergency. He had come into prominence in 1976 when he stuck to the view that Article

21 cannot be suspended during emergency, incurring the displeasure of Indira Gandhi, the then Prime Minister and costing him his claim to the position of the Chief Justice of the Supreme Court. Justice M.H. Beg was appointed Chief Justice in 1977, disregarding Justice Khanna's claim. He resigned in protest. Later he was the opposition's candidate against Giani Zail Singh, for the position of Indian President.

Another Supreme Court Judge, to whom people's liberty was very dear, was Justice V.R. Krishna Iyer, who was the Law Minister, in the first Communist Government of Kerala, Later, in July 1968, he became a Judge of the Kerala High Court. He was elevated to the Supreme Court in July 1973. In June 1975, he created history by delivering a balanced judgement on the verdict of the Allahabad High Court which had disqualified Prime Minister Indira Gandhi's elec-



Supreme Court Judges Historic Press Conference in 2018

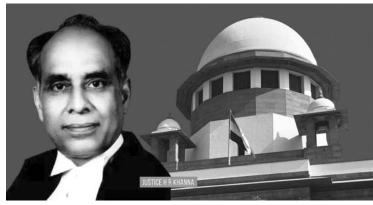
JUDICIARY

tion to the Parliament. In the 'Indira Gandhi Vs Raj Narain' case, the Allahabad High Court had ruled that Indira Gandhi's election to Parliament was unlawful and barred her from it for 6 years. In the appeal against this order in the Supreme Court, Justice Iyer ruled that although Mrs Gandhi could no longer be a Member of Parliament, she could continue as PM. Justice Krishna Iver is also known for his opposition to death penalty. He was instrumental in fostering the convention that death penalty could be imposed only in the "rarest of rare" cases. It was a pleasure to read Justice Iyer's judgements as these used to be sprinkled with colourful expressions.

Those who watch television news should be able to recall a press conference called by four judges of the Supreme Court - J. Chelameswar, Ranjan Gogoi, Madan Lokur and Kurian Joseph - on 12 January 2018, to air their complaint against the then Chief Justice Deepak Misra. Their complaint was that Justice Misra used to mark sensitive cases (cases which were of interest to the Modi Government) to himself or to his friendly colleagues. This complaint had caught international attention; The Guardian of 12 January 2018 had also reported it. Nothing much came out of this complaint. Justice Misra continued the same practice, jeopardising the independence of judiciary. The open protest by four judges was the first indication Indians got that the Supreme Court, a hallowed institution, was no different from the rest of the polity.

Justice Arun Misra was one friendly colleague of Justice Deepak Misra. He had profusely praised the Prime Minister on 22 February 2020, at an event where Modi was present, inviting severe criticism from the Supreme Court Bar Association. Justice Misra was made a judge of the Supreme Court on 7 July 2014, i.e., immediately after Narendra Modi became Prime Minister. A number of sensitive cases were allotted to him. In June 2021, Justice Misra was appointed Chairman of the National Human Rights Commission.

Of the four Supreme Court Judges, three – Justice Chelameswar, Madan Lokur, and Kurian Joseph - continue to enjoy good reputation. The fourth one, Justice Ranjan Gogoi, in fact their leader, who succeeded Justice Deepak Misra, became quite known for all the wrong reasons. He delivered a few judgements favourable to BJP and Modi Government, like the Ayodhya judgement, Rafale issue etc. The Ayodhya judgement, despite its unanimity, was also notable for several illogical arguments ("....an idol



JUSTICE H.R. KHANNA - The Judge who spoke out fearlessly and eloquently for freedom

was illegally placed......There is no conclusive proof for a temple having existed below the mosque.....it was a crime to demolish the mosque, yet it was alright to build a temple where the mosque had stood....etc). As Mr P. Chidambaram, Finance and Home Minister in the UPA Government, observed, "...it was not the right judgement. Because both sides accepted, it became a right judgement, not the other way around". The fact is that the nation had got fed up with the issue and Muslims stoically accepted it and wanted to move on. Ranjan Gogoi is further infamous because of an allegation raised against him by a lady staff member of the Supreme Court. Justice Gogoi's autobiography "Justice for the Judge" too became controversial. A few quotes from an article titled "His Own Judge" by Arshu John in the Caravan of March '22 brings out some of the interesting aspects of the book.

"More than anything else, Gogoi's autobiography reads like the desperate attempt of a disgraced judge to set the record straight on the many controversies that plaqued his career."

"The former CJI uses the book to address all the controversies that may have cast a cloud over his reputation. These include his verdict in the Rafale, Kashmir and Ayodhya cases, and much more."

"The book is marked by a convenient omission of facts, and includes memories cherry-picked to present Gogoi as the humble victim of an unjust system and an unfair media."

On 17 November 2019, Gogoi retired. On 17 March 2020, his nomination to Rajya Sabha was announced. "This is totally disgusting", commented Dushyant Dave, President of the Supreme Court Bar Association. Former Judge A.P. Shah said, "The message it sends to the judiciary as a whole is that if you give judgements that are

"Our constitution is our Gita. It is not only a political or legal document, it is a social document, which is required to be adopted by every citizen of this country, to make our society more civilized"

favourable to the executive, you will be rewarded. If you don't do, you will be treated adversely or you might be transferred or not considered for elevation."

Let us now move to S.A. Bobde, who succeeded Gogoi, and retired on 23 April '22. Ms Rekha Sharma, a former judge of the Delhi High Court, in her article "Letting down liberty" in the Indian Express of 24 April '22, states that "CJI Bobde's tenure was marked by reluctance to hear cases affecting people's life and liberty". She cites (a) his callous attitude towards the plight of migrant labourers, made worse by the incompetent handling of lockdown by the Government, (b) his unwillingness to come to the aid of Siddique Kappan who was arrested by the UP Government for planning to visit Hathras (c) his adjourning of the hearing of the habeas corpus petition by the Kerala Union of Working Journalists to release Siddique Kappan, and (d) his extra readiness to hear the petition filed by the editor-in-chief of the Republic TV. She concludes the article with some startling revelations. "According to information gathered under the RTI, as on December 18, 2020, 1072 cases relating to bail, and as on February 14 this year, 58 habeas corpus petitions were pending and waiting to be heard". Rekha Sharma goes on to list cases on important issues like abrogation of Article 370, the Citizenship Amendment Act, against which 140 petitions were filed and were pending hearing. In the midst of such busy schedule, Ms Sharma adds, the Supreme Court finds time to initiate suo motu contempt proceedings against advocate Prashant Bhushan for an innocuous tweet.

Allahabad High Court, which has earned some unique fame, has been in the news in recent years, primarily due to the principled approach of its Chief Justice, Justice Govind Mathur, who retired in April 2021. Just recently, on 12 June '22, he spoke against the bulldozing of houses by the Yogi Government and termed it "illegal". During a period of 3 years

from January '18 to December '20, he had quashed 94 out of 120 verdicts given by 32 district magistrates under the UP Government, which were conspicuously against one particular community, apparently in obedience to the unwritten instructions from above.

An eight-member team from the Indian Express, led by Assistant Editor Apoorva Vishwanath, conducted an elaborate interview with Justice Mathur, which was published in its edition dated 17 May '21. Justice Mathur admitted his "guilt" about not taking to conclusion the hearings about CAA protests, criticised "liberal use" of NSA and sedition law, expressed concern over the law and order situation in UP, and played down the Madras HC's "murder" remark against Election Commission. Following quotes from what he said are indicative of his broadminded and objective approach to the various issues worrying the principled citizens of our country:

"Our constitution is our Gita. It is not only a political or legal document, it is a social document, which is required to be adopted by every citizen of this country, to make our society more civilized."

"It is very easy to call any person anti-national....But I believe that 99.9% of the citizens of this country are committed to the nation. They are patriots."

"The allurement of being appointed as presiding officer of, say, the Human Rights Commission or any tribunal is very dangerous. Judges should not accept it and Parliament should not make any provision for retired judges to be appointed as heads of any tribunal.....I am not going to accept any government assignment in the remaining part of my life."

"Never. If I have an opportunity to go to Parliament by contesting an election, I will go, but not by nomination" (This was in reply to Apoorva's question "Would you accept a nomination to Rajya Sabha).

"When you talk about the position of law order in Uttar Pradesh, I don't think it is up to the mark...I am not saying things like there is jungle raj etc...But it is no less than that."

Thus, there are judges and judges. While some are disappointing, a few earn our admiration. They are our hope. Let the judiciary shine in its glow. Justice Mathur, in the above-mentioned interview, says majority of the judges are good. Let us hope he is right. •

ABOUT THE AUTHOR

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Student dies as free falls in convent school campus

tenth grader died and around 20 other students were wounded July 8 when a tree fell on them inside the campus of Carmel Convent School in Chandigarh, northern India.

The accident took place during lunch time in the school. Many children were playing near the huge 270-year-old tree when suddenly it fell on the chil-

The school is located in Sector 9 area of the Union Territory that functions as the capital of Punjab and Harvana states.

The wounded students have been taken to a government hospital for treatment.

Nitin Yadav, Home Secretary, Chandigarh Administration, said the wounded include 19 children and one school staff. "Two of the injured are hospitalized under serious condition. We have given orders for a probe to find out the cause of the accident," he added.

The historic tree was reportedly guarded by the Union Territory's administration.

Chandigarh's Member of Parliament Kirron Kher expressed grief over the incident and said on Twitter, "A very heart-wrenching incident of a tree falling at Carmel Covent School Chandigarh. My condo-



lences to the bereaved families and I pray for a speedy recovery of the injured."

Chandigarh has experienced moderate to heavy rainfall in the past week.

Chandigarh District Magistrate has a probe into the incident directed the probe team to submit a report within one week.

The probe will be conducted by Chandigarh's Sub Divisional Magistrate (Central), Executive Engineer (Horticulture) and Range Forest Officer from the Chandigarh Forest Department. ©

(Courtesy: Mattersindia)

Pope Francis says he will appoint women to Dicastery for Bishops

ope Francis has announced his intention to appoint two women to the Dicastery of Bishops, who will therefore be involved in the process of choosing new bishops.

The Pope made the remarks in an interview with Reuters Senior Correspondent Philip Pullella, in response to questions about the presence of women in the Vatican; the new Apostolic Constitution Praedicate evangelium, which reforms the Curia; and about which Dicasteries (Vatican offices) could be entrusted to a lay man or woman in the future.

"I am open should an opportunity arise. Right now, the Governorate has a deputy governor... Now, two women will be going to the Congregation of Bishops, on the commission to elect bishops. In this way, things open up a little bit."

Pope Francis then added that in the future he sees the possibility of lay people being appointed to lead certain Vatican departments such as the Dicastery for the Laity, Family and Life, the Dicastery for Culture and Education, or the Vatican Apostolic Library.

The Holy Father recalled that last year he appointed Sister Raffaella Petrini, to the number two position in the Vatican City Governorate, making her the first woman to hold the position. •

Five years of GST

With much fanfare, the new tax regime was introduced on the midnight of June 30, 2017, with a promise of "one nation, one tax". But in practice it is still 'one nation, many taxes'

BY JASWANT KAUR

Pive years are sufficient to measure the success or failure of any scheme or a project. In doing so, one may get interesting data to analyse, understand the short-comings, limitations and work on improvising them.

The Goods and Services Tax (GST) has completed five years of its existence. We still remember the dramatic manner in which it was implemented. With much fanfare, GST was introduced on the midnight of June 30, 2017, with a promise of "one nation, one tax". The function was akin to the one organised when India got Independence. Perhaps, it indicated freedom from the cascading taxes.

We all assumed that all the services and goods will have one tax rate throughout the country. Much to the despair of everyone, we were given five tax slabs to begin with! We were given a promise that GST will be able to contain inflation, ensure smooth transit of goods, absorb several taxes, provide a user-friendly taxation system, and so on.

It was also mentioned that petroleum products will come under the GST regime soon. In all, we





were made to feel as if we will be relieved from a huge truck-load of burden.

Five years on, nothing much has changed. The tax slabs remain unchanged. Of course, some items which fell in higher slabs were shifted to lower ones and vice versa. However, we do not know on what

basis these tax rates are decided.

For instance, we end up paying 5 percent on LPG, 18 percent on medicines but only 0.5 percent (rate has been revised to 1.5 percent effective from July 18, 2022) on cut and polished diamonds. The government wants us to buy diamonds, not life-saving medicines! In fact, many items which were exempted from GST, including stationery items, will soon come under the 18 per cent tax rate.

There is no respite to inflation. In fact, prices of all essential items have increased manifold. Petroleum products are being sold in the same old fashion with multiple taxes. The finance minister says that the GST rang the death-knell to 31 types of taxes that used to be levied.

Technically, we have not received freedom from what is called the cascading effect of these taxes. Yes, the number might not be 31! For the simple reason that higher fuel prices have a direct impact on the prices of goods being transported from one place to another. How can the government say that the GST is the only deciding factor since fuel is still under the old tax regime?

As far as easy filing of tax returns is concerned, it is still a compliance-heavy cumbersome procedure. The government has made a few changes but not to the level that was expected. Not only this, availing of input tax credit (ITC) is still an uphill task.

The GST, by its very nature, is levied on the value-added on goods and services to avoid taxation at several levels. However, a supplier will not be able to claim input tax credit till the time the buyer deposits the tax. Small businessmen and

MESSING UP TAX



traders are facing liquidity issues. Covid-19 has worsened their situation.

To add to their woes, the department has been sending notices to taxpayers for mismatches in ITC. The businesses have to bear the burden of non-compliance on the part of their suppliers. Despite the fact that several high courts have decided the matter in favour of those who have deposited the taxes. Still, the system has not provided a way out for this problem, which has been there since the beginning.

To cut the story short, the GST has become a hurdle in "ease of doing business". People are more worried about departmental audits, notices, availing of ITC, rather than focusing on revenue generation. How will the government achieve its dream of making India a \$5 trillion economy, if it cannot solve issues commonly faced by the majority of the taxpayers?

In one of her columns published in a leading daily, the finance minister has projected the GST as a sort of game changer. She is all praise for the way the GST Council has brought the "quasi-federal" nature of the country by giving representation to the states. "The Centre and the states held each other's hand to not just face the crisis but to lift our economy onto the path of recovery," she says.

However, the ground reality is different. The states were not in favour of the GST. The council was a mechanism to bring them on board. Every state had anticipated a revenue loss during the transition period. The Centre had come up with a compensation plan/minimum revenue guarantee for five years to make up for the losses suffered by the states. But for this, the state governments would not have become a part of this scheme. The GST would never have seen the light of the day.

The Centre levied a cess on luxury, demerit and sin goods (whose consumption has negative effects on the consumer e.g. tobacco, alcoholic beverages, recreational drugs, etc.) to make for the compensation amount. The cess was levied over and above the highest rate of 28 percent. The finance minister tried to wriggle out of this guarantee during the Covid-19 pandemic but in vain. The guarantee was available till June 30. The states, irrespective of their affiliation with any political party, want the compensation regime to continue for another five years.

The government has been claiming that the monthly GST collection has seen a considerable increase since its launch. If this is the case, why do state governments still want the compensation plan to continue? Except for five states, the revenue of the state governments has not touched the projected revenue.

Be that as it may, the ruling government was certainly able to manoeuvre the resistance to get the new law passed but it could not produce the anticipated results. One, it was implemented when the economy was already facing a crisis. Demonetisation had crippled the small businessmen and traders, who were struggling to make ends meet when they were forced to adopt the new regime.

GST, as a legislation, was built on the legacy of service tax and value added tax. It continues to suffer from the systemic flaws and historical issues relating to intermediary transactions, real-estate businesses etc. The government has not done much to resolve these matters. In fact, businesses who were having legal battles under the old regime have not been given a leeway so far.

Lastly, the government has not even set up the GST Appellate Tribunal. The disputes are not being resolved leading to piling of litigation, high operational costs with lower liquidity in businesses. At present, the High Courts are being flooded with writ petitions. The system is already loaded with cases from other legislations. How can we expect quick resolution from the High Court? A quicker and a fast-track adjudication process is urgently needed.

We can only hope from the government for quick resolution of these problems. May the fifth birthday of GST be its new beginning. ©

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Journeying Together

As we are preparing for the forthcoming special synod, let our focus be on a 'Journeying-together Church, a 24x7 Church'

BY **Bp ALEX DIAS**

s the Emeritus Bishop of the diocese of Port Blair, Andaman & Nicobar Islands, now residing in my home-diocese, Goa, I was privileged to take part in the two-day pre-Synodal meeting of this Archdiocese. The Archbishop of Goa, Most Rev. Filipe Neri Ferrao, recently nominated to

be elevated as Cardinal, in the forthcoming Consistory of the 27th of August, 2022, was kind enough to invite me to participate in the meeting of the Archdiocese, preside over the Holy Eucharist on the 2nd day of the meeting, and to preach the homily at the Mass. I proudly possess a Certificate given to all the participants, at the end of the meeting.

As I reflected with the Clergy, Religious and the lay people of the Diocese, on the program set forth for us by Holy Father Pope Francis in this Synodal journey, I could not help reflecting on the greatness of the Pope, and his eagerness to make the Church what she is meant to be -- a Sacrament of Redemption for the world. Having also been a member of one of the workshops, at the meeting, I knew of the richness of experiences that would emerge from this pre-synodal journey. We were living with one another, praying with one another, sharing with one another, talking to and listening to one another. What would come out from all these would certainly have to be a treasure of experiences resulting from the praying together, questioning, answering and sharing with one another.



Vatican-II-counsel



The question uppermost in my mind was how to make this richness percolate down to every single member of the Church in Goa. If that did not happen, then the entire exercise of the pre-Synodal meeting would be nothing else but an exercise in futility. I hope that each one of the participat-

ing members will play their part in doing this. And then, of course, our reflections will be shared with the Universal Church, and we will wait for the final message which will come to us from the Holy Father and the Synod.

Present situation

Given our human weakness, which we may sometimes consider our strength, taking short-cuts at anything we do has become our way of life, I was afraid this whole exercise could be forgotten and swept under the carpet of oblivion, and sacrifices on the altar of our short-cuts, turning it into water on duck's back. Has it not happened in the case of the II Vatican Council and its 16 precious Documents? How many of our Catholics have heard about the 16 Documents of the II Vatican Council, leave aside reading and studying them? I can think of, and name some members of the clergy, who are not even aware of these Documents. And then, what about internalizing their teachings?

I remember a man who is holding a high responsibility in the Universal Church, who was talking so disdainfully about our Indian non-Christian religions, gods and goddesses, as if he had never read "Nostra Aetate", which is the Declaration on the Relationship of the Church to non-Christian Religions, a precious document which teaches us to respect all faiths. It exhorts us to "prudently and lovingly, through dialogue and collaboration with the followers of other religions, and in witness of Christian faith and life, acknowledge, preserve and promote the spiritual and moral goods found among these men, as well as the values in their society and culture" (Nostra Aetate No. 2). To say the least, I was

scandalized by this man's attitude!

As I said earlier, we proudly claim to belong to a "fast" culture. And short-cuts have become our way of life. I think one of the biggest short-cuts in our lives of faith is to try to fulfil our Sunday Mass obligation, while forgetting that we are Christians for the rest of the week, too. Sometimes, it does not really matter to us about how we participate in that Sunday Mass. Important is that we fulfil the obligation! So we while away that one hour or so in the Church, thus setting ourselves and our time "free" for the rest of the week. What we derive from the Sunday Mass, what we understand by it, is immaterial. The obligation has been fulfilled. What Pope Francis tells us, namely, that there are no "parttime Christians", does not matter to us. We end up becoming Sunday Christians. Sadly, how distant we are from the understanding of the Church as a Journeying-together Church, a 24x7 Church. I am reminded of a certain Mr. Jones, who went to Church faithfully every Sunday but, when he died, he went to hell for what he did on Mondays!

The Real Church

Pope Francis has set before us a goal, which we must always strive to reach and attain. In fact, it is not Pope Francis who has set this goal for us to attain. It was always the mind of Jesus that we should be a Holy Church, conscious of the fact that we are His. He has given us His Spirit in whom we form one Church, and in Christ we cleave together and become Church. While we stumble through life, we need to be always aware of the fact that we are the pilgrim church. We are united to those members of ours who have been purified, and are in glory contemplating "in full light, God Himself, Triune and One, exactly as He is" (1 John: 3.2). There are other members of the Church, who have died and are being purified before they attain their goal in Paradise (Cf. Lumen Gentium No.49). They and we form one Holy Church.

When we strive to celebrate this special Synod, and reflect upon the call given to us by Pope Francis, to be a journeying-together Church, we need to think not only of the pilgrim Church but also of the Triumphant Church and the one that is being purified in purgatory to enter into the Eternal Beatific vision. And, in fact, we need to also think about the Heavenly Courts, all of whom are united with us as they await our arrival in Heaven. What a union that

will be, the union of the Mystical Body of Christ with the Angels and Saints in Heaven.

It is high time, therefore, we give up our narrow thinking and short-cuts, and strive full throttle to join the Triumphant Church, conscious of the fact that they are interceding for us. Let them be our example in their way of life, our fellow pilgrims on our wav.

As I write this, I realize how far I myself am from reaching the goal Jesus set for me. And I am pretty sure that most of us will feel the same, and realize that our short-cuts are, often, a wrong route to heaven. There is no point being on the fast track, if we are not on the right track. If we stick to our short-cuts, we may miss the route to the destination which the Lord has set for us.

In the last 4 months, we have been deploring the war between Russia and Ukraine, while wondering how people can spill one another's blood, forgetting the fact that we are all children of one God, and consequently, brothers and sisters to each other. We are, and we should all be, and we should all continue praying that better sense may prevail in the minds of the leaders of these nations, and that they may stop this senseless war and the destruction of lives and assets it is causing.

However, only praying will not be enough. We need to, first and foremost, put our own house in order. And Pope Francis is calling us precisely to do this with his clarion call to the Church to be what she is expected to be - a Synodal Church, which moves forward together with a strong sense of Communion, Participation and Mission.

We have been praying for the success of the Synod. A special prayer is recited at the end of every Mass in the parishes. At least I hope! But that alone will not be enough. Right from the beginning, the Pope has been calling for a Church which recognizes herself as a Church which is wounded, and in need of conversion. Each one of us, without any exception, must have this conviction. We have often erred in our short-cuts, in the past. May the Lord bring us back onto the right track, even if it is a slow track. Together we will walk hand in hand, and get to our destination. And we will be the Church the Master wants us to be. @

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Journeying Together

Challenges for Synodal Church in India

Synodal Church is possible only when inequality, untouchability and imperialistic attitudes are ceased to start a new journey

BY KULANDAI YESU RAJA



For a synodal Church

communion | participation | mission

'n recent days the recurring theme in the correspondence of Pope Francis is Synodal Church **L** which is expected to embrace the propensities of listening, dialoguing and journeying together. Pope Francis envisages the Church which adopts new forms, embodiments and shapes it according to changes of time. But when we consider the statement of Pope Francis of journeying together in Indian context, a question springs in our mind: How is it possible when there are many divisions and dissension in Indian ecclesial situation? How Synodal Church is attainable in Indian context? Therefore, an attempt is made to focus on the main challenges for the Synodal Church, how to resolve them, and how to implement the vision of Holy Father in Indian Church.

Hierarchical Challenges

Indian Church is largely hierarchical in structure and functioning. Though Vatican II reversed the hierarchical model of Church into communion model, it is not practiced incessantly. Even now top-down hierarchy model is prevalent; in this model, head of the

hierarchy controls the movement of whole system, with the power to hire and fire anyone. Often leaders of the Church fail to know their members and their hardships.

In Matthew 20: 27-28 we read: "But whoever would be great among you must be your slave, even as the son of man came not to be served but to serve, and to give his life as a ransom for many." Pope Francis reminisced this command of Jesus Christ through this synod. It will be realized and actualized when the leaders of the Church in India serve the faithful as true servants for them.

The Caste Challenge

Caste system in India is a virus without any vaccination. When people were converted to Christianity only their religion got changed but not caste. Caste ideology and its generative caste consciousness lead to dissimulation, domination and oppression with a hierarchical consciousness of the system.

During the 2003 Ad Limina visit of the Bishops of India, Pope John Paul II criticized caste discrimination and called to form a family in the name of Christ. When Pope Benedict XVI spoke to Bishops of Tamil Nadu during their Ad Limina visit on June 18, 2011, he said that "the important mission is to be witnessed of the reciprocal love and service between you and your faithful without regard for caste or ethnicity." Synodal Church is possible for us when inequality, untouchablity and imperialistic attitudes get ceased to start a new journey.

The vision of Pope Francis is commendable and appreciable but how to make it factual in Indian soil? It is hoped that the grace of God will help us to breakdown the blocks on the road for 'journey together'. Let us hope to have synodal Church in India. ©

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Booming Guns Make US Unsafe

Going by the recent shooting-spree in many places, it seems killing has become a national obsession in the United States

BY MATTHEW ADUKANII.

ould it be an exaggeration to say that the US is a more dangerous place for living than Afghanistan? It may sound absurd but the abnormal is becoming the normal in a proud 'civilised' democratic nation like the US. President Biden vows to end 'the gun violence' time after time. Maybe before that the US needs to shed its Gun Blindness. His rival Donald Trump and the Republicans are hell bent on continuing the mayhem as they depend for their political prosperity on the massive funds from the gun lobby. The juvenile cowboy mentality of yesteryears continues to rule the national psyche in the US prioritising the right to carry arms in public over the lives of its citizens.

Two factors contribute potently to this assault on the lives of citizens. One, practically anyone over the age of 18 can bear arms in America, even military grade assault rifles, in public. Two, there are enough depressed and mentally deranged citizens in the US who will use the guns to cool their rage. So, we have almost week after week chilling reports of some mass shooting or other in a mall or school or any other crowded place. The USA has become no doubt, a crazy 'never never land' where a former President recently organised an armed attack on the Capitol. Could you believe your eyes as they witnessed the violent and shocking visuals on our TV screens with security men running for cover like hunted-down rats? Has killing become a national obsession in the US?

It is a country that is terribly upset over a recent Supreme Court ruling regarding so-called abortion rights for killing unborn humans. A cloud can only cover the sun, not wipe it out. The hidden behindthe -scene killings of the unborn could be at the root of all this national malaise. Maybe the offended spirits of the slain innocents have invaded the minds of deranged US citizens. Perhaps, this is a parallel to the boiling cauldron scene of the three witches in the tragedy of Macbeth.

The latest episode in this mayhem was the July 4 mass shooting in Chicago during the Independence Day Parade. Maybe all the crazy citizens of the US are celebrating their independence with shooting at anyone in sight. And their remorseless inner demons find some solace in the pitiful shrieks and wailing of scampering fellow citizens. You are comparatively safer in Afghanistan because at least civilians cannot carry arms there. You need to watch out only for the typically clad Taliban fighters. In the US, all can carry weapons and use them at will as we all carry cell phones everywhere nowadays. In such a scenario, why do you need armed state police at all? Disband them and save money for the nation. Citizens can administer whimsical cowboy justice themselves.

The remedies suggested for this most worrying situation are still more baffling. To buffer up security in schools convert them into armed fortresses where you can carry more guns than school books. School masters have to turn into armed guards, maybe. Perhaps they should turn all their schools into military academies right from the KG and learn to shoot instead of getting shot.

Who can advise this advanced world leader of nations about the absurdity of everyone bearing arms in public? If you carry arms you must use them sometimes or else they grow rusty. If you are crazy you need them any time. It will sound cynical to say so, but it is the truth that frequent national lamentations over mass killings seem to be the current national occupation in the US. The rest of the world is wondering how such a great nation which considers itself the policeman of the world has regressed to being a callow political novice in keeping domestic peace.

In such a self-created situation news of mass shootings in the US is no more news for the rest of the world. It is something like the ever-increasing petrol price notifications which have become routine exercise. This great nation is paradoxically wasting its time and energy monitoring freedom index in other nations when it has no clue as to how to protect its own citizens from maniacs. When your own house is in chaos preaching homilies to the rest of the world is a pointless waste of breath which will fall on deaf ears. What a fall for such a great nation, fellow citizens of the world! @

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A New Lease of Life for Them

A movement started by Fr. Solomon Kadambat, a visually impaired CMI priest, focuses on transforming differently-abled persons into contributors to the society

BY JACOB PEENIKAPARAMBIL

The traditional approach to persons with disabilities has been one of sympathy and charity. Many welfare homes for persons with disabilities were started to take care of them by charitable organizations. A good number of people thought that persons with disabilities are a burden on society and they were often excluded from mainstream society. With the adoption of 'The Convention on the Rights of Persons with Disabilities' in 2006, there has been a perceptible change in the attitude of people towards persons with disability. As a result, the charity approach is being replaced with the empowerment approach. With this change in attitude and approach even the terms used to describe them changed as "Differently Abled Persons" or "Challenged Persons". Usage of the terms like "Handicapped" or "Retarded" is now considered as uncivilized or uncouth.

Fr. Solomon Kadambat, a visually impaired CMI priest, who has initiated a movement for the holistic development of differently abled persons, has



gone one step beyond empowerment. His vision is an inclusive society in which differently abled persons become active contributors to the development of society and his mission is to bring them to the mainstream society through their holistic development. His intense desire to provide opportunities for persons with disabilities to develop their

God-given talents resulted in starting the Darshana club, which later metamorphosed into Darsana Service Society (DSS). DSS consists of differently abled persons and some individuals who have dedicated a portion of their time and resources for the cause of the differently abled persons.

The inspiration to initiate a movement to support persons with disabilities emerged from the life experience of Fr. Kadambat. After five years of his ordination while he was working as the manager of a school in Madhya Pradesh, he faced the problem of blurred vision. When the doctors of a Hyderabad-based eye hospital told him that he was seventy five percent blind, he was shocked. In his own words, "I became

completely desperate; in spite of being a religious priest I felt that life has no meaning for me and I foresaw death in front of me".

In that desperate situation Fr. Solomon was sent to Amala Cancer Hospital, Thrissur, Kerala to function as a spiritual animator. His encounter with a lady suffering from brain tumour was a turning point in his life. While visiting the patients, he heard the loud cry of a woman in the palliative care unit and went to see her. He saw her struggling with acute pain, but she was not desperate. That scene raised a question in him, "compared to her my situation is far better; although I am losing my vision, I am in a better position than her because I don't suffer from acute pain. Except for eye-problem, all

FROM THE GROUND

my organs are functioning well. Why should I be disappointed?" He decided to focus on counselling patients and imparting them solace and comfort. Life became meaningful for him. Simultaneously empathy and concern for persons with disabilities became strong within him.

One day, a small group of visually impaired young people approached Fr. Solomon with a request to start a cricket team for the visually impaired persons in Thrissur district. "Many

districts in Kerala have cricket teams of visually impaired persons, but Thrissur doesn't have one", they told Fr. Solomon. In order to form a team, they were in need of a place to come together and train the members; they also needed a name. Fr. Solomon did not have any experience in guiding a cricket team, but he had the good will to support the young people. He approached the then principal of Devamatha Public School, Thrissur to get a place. Fr. Edamana the principal of the school, who had a soft corner for persons with disabilities, encouraged and supported Fr. Solomon by providing the facilities in the school. He also suggested making use of the name Darshana for starting a club. Thus, Darshana club came into existence in 2017.

When persons with other types of disabilities came to know about Darshana Club they also approached Fr. Solomon for forming teams and organizing training for basketball, football and swimming. Thus, came into existence the Darshan Wheelchair Basketball Team. Dharsana Football Team. Darshana Cricket Team, Darshana Chess Team and

Darshana Swimming Training. The activities of Darshana club were gradually extended to other areas like forming Darshana Orchestra Group, Darshana Shinkari Melam and training and assistance for self-employment. Organizing get-togethers of persons with disabilities, both offline and online, was another important activity that was found to be very motivating for the differently abled persons.

According to Fr. Solomon, various activities started under the aegis of Darshana Club were not planned, but they evolved as a result of responding positively to the aspirations of differently abled persons. It



Fr. Solomon Kadambat

was a kind of evolution during the last five years. According to him, differently abled persons supported by Darshana Club can be broadly classified into four groups: Visually Impaired, Hearing and Speech Impaired, Persons who have difficulty to move and Persons suffering from autism. Fr. Solomon has admitted that except for organizing annual get-togethers and occasional online meetings for people suffering from autism, Darshana Club has not been able to

do much for them.

As a response to the question, "what changes have taken place in the differently abled persons?" Fr. Solomon said that the most important change is a positive attitude towards life. A good number of them no longer consider themselves as a burden on their families or the society. They have the confidence that they can make a change in their lives as well as in society. Because of taking part in different training programmes and competitions, the self- confidence of many increased to a great extent. Involvement in different activities, especially self-employment, made many of them fully occupied. They are also getting recognition from society. For example, eight physically challenged women, who are the members of Darshana Wheelchair Basket-Ball team, took part recently in the South Zone inter-state state Wheel Chair basketball competition and won the third prize. After their victory they were given public reception in their respective Gram Panchayats. It was a great morale boosting to all of them.



FROM THE GROUND

The activities initiated so far can be categorized as the following. 1) Training and financial support for self-employment and providing marketing facilities for the products prepared by differently abled persons. 2) Financial support for purchase of medicines and education of children with disabilities.
3) Coaching in different kinds of sports and games and supporting the teams for taking part in competitions at different levels. 4) Organizing online and offline motivational programmes and get-togethers for groups of differently abled persons. 5) Helping the differently abled persons to access government schemes and benefits and 6) Networking with government departments and other organizations dedicated to the development of persons with disabilities.

Regarding the source of finance for various activities, Fr. Solomon said that most of the activities are sponsored by people of good will. For example, the wheelchairs for Wheelchair Basketball team were sponsored by different individuals. Each wheelchair costs about Rs. 30,000. In the same way, individuals, organizations and business groups provide financial support for coaching the differently abled persons in sports and games. Darshana Club is also networking with other organizations for organizing different programmes for the differently abled.

With the expansion of activities of Darshana Club it has become necessary to provide a legal basis to it. Hence Darshana Service Society (DSS) was registered in February 2022 and all activities of Darshana Club are brought under DSS. Representatives of persons with disability and individuals committed to the holistic development of differently abled persons are the members of DSS. The membership of DSS is open to all irrespective of caste, religion, status etc. Darshana Service Society is supported by CMI St. Paul Province Bhopal, as the initiative taken by Fr.

Various activities started under the aegis of Darshana Club were not planned, but they evolved as a result of responding positively to the aspirations of differently abled persons



Solomon is in tune with the priorities of the province.

With regard to the future plans, the desire of Fr. Solomon is to have a place where training for the differently abled persons could be organized. Currently facilities of various institutions like ground, swimming pool, halls, etc. are being made use by Darshana Service Society. Besides the facilities provided by different institutions, a place where different types of residential training and skill training for the differently abled persons could be held, is an important need. So far Darshana Club/Society has been totally depending on the generous support of people and Fr. Solomon wants to continue this dependence on people so that the initiative he launched five years ago would continue as a people's movement.

Currently, there are approximately one billion persons with disabilities in the world, or 15 percent of the global population. In both developed and developing countries, evidence suggests that persons with disabilities are disproportionately represented among the world's poor and tend to be poorer than their counterparts without disabilities. One of the challenges faced by persons with disabilities is their economic and social exclusion. Against this backdrop, the initiative taken by Fr. Solomon in the form of Darshana Club and Darshana Service Society to bring persons with disabilities to the mainstream society and making them contributors to society is praise worthy. The fact that Fr. Solomon is a visually impaired person, adds credibility to the movement he started. @

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Menace of Vigilantism

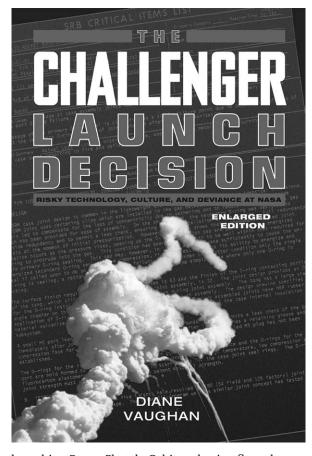
Result of Normalisation of Deviance

'ormalization of deviance' is a term coined by Diane Vaughan, an American sociologist and a professor at Columbia University, while investigating the National Aeronautics and Space Administration's (NASA's) Space Shuttle Challenger catastrophe that struck on 28 January 1986. Within 73 seconds of its flight, the Space Shuttle Challenger broke into pieces killing all the seven astronauts aboard. After the event, different commissions studied the cause of the catastrophe. The most insightful report came from Diane Vaughn who investigated the sequence of events leading to the disaster from a sociological perspective and attributed the disaster to what she called the 'normalisation of deviance.'

In general, deviance may be defined as the behaviour in violation of the prevailing standards, rules, conventions and expectations of a society, a social group, or an organisation. Talking about deviance, in her book, The Challenger Launch Decision: Risky Technology, Culture, and Deviance at NASA, Vaughan says, "Deviance refers to behavior that violates the norms of some group. No behavior is inherently deviant; rather it becomes so in relation to particular norms. Because norms vary – between groups, over time, across societies – the same behavior can be seen by some as deviant and by others as conforming. Deviance is socially defined: to a large extent, it depends on some questionable activity or quality being noticed by others, who react to it by publicly labelling it as deviant."

The Space Shuttle Challenger had a flaw in the design of the rocket boosters of the spacecraft. NASA had subcontracted the task of designing the boosters to an independent company. The engineers of the company had noticed that the rubber seal used to seal the 'O-rings' that were meant to stop leaks of the boosters could turn brittle in extremely cold temperatures and give way. The engineers changed the rubber seal. They knew that a rubber seal erosion could still occur, but with a very low probability of a catastrophe.

Vaughn's research revealed that in the years preceding the Challenger launch, NASA had been



launching Space Shuttle Orbiters having flawed designs. In fact, on the eve of its launch, some engineers at NASA raised objections regarding the launch on account of the minor flaws in the Challenger that appeared negligible to many. NASA, however, went ahead with the scheduled launch programme. Why? In her book, Vaughn argues that the "controversial NASA actions that outsiders defined as deviant after the tragedy were not defined as deviant by insiders at the time the actions took place." She goes on to say, "in the years preceding the Challenger launch, engineers and managers together developed a definition of the situation that allowed them to carry on as if nothing was wrong when they continually faced evidence that something was wrong."

PERSPECTIVE

Due to the extremely cold temperature on the day of the launch, on 28 January 1986, the rubber seals turned brittle and gave way causing leaks and resulting in the explosion of the Space Shuttle Challenger. NASA had deviated from its safety standards and concluded that the erosion of the putty was an acceptable risk of flight. NASA's deviation from its own safety standards and the consequent acceptance of the involved risk as a normal phenomenon led to the explosion of the Space Shuttle Challenger. It was NASA's normalisation of deviance that was responsible for the catastrophe.

Normalization of deviance happens as members within an organisation, or a community become so accustomed to deviant behaviour in such a way that they do not consider it deviant any longer even though the extent of the deviant behaviour far exceeds their own rules for essential standards and norms of decency, decorum, and safety. The fact that nothing untoward or disastrous had happened

If normalised, cases of organised deviant entities such as vigilante groups can turn out to be Frankenstein's monsters in societies

while the deviant behaviours were tolerated functions as an incentive for normalising deviance. As people grow more accustomed to deviant behaviours and actions, the more they occur. To those outside the group, organization or community that normalises deviance, these behaviours and actions under consideration might seem deviant. However, many of those within the group, organization or community refuse to recognize deviance as deviance. Instead, they tend to see it as the norm and the normal. Only in hindsight do they realize that the seemingly normal behaviours and actions were actually deviant in nature.

Organised deviant behaviours and actions take place in every society for various reasons at various stages. Policing, especially moral policing in the name of religion, race, caste, colour, culture, tradition and other concerns by vigilante groups is a deviant behaviour – obviously a matter of serious concern in most societies. Originating from

the Spanish word, 'vigilante,' the English word, 'vigilante,' means, 'watchman, guardian, guard, or regulator.' Since the English word, 'vigil,' means to be in a constant state of alert, 'vigilantism' is the phenomenon of a group of people organising themselves on their own to detect and eradicate deviant and potentially dangerous behaviours and actions in society.

Vigilantes are members of self-appointed groups of citizens who take upon their shoulders the responsibility of enforcing the laws, customs, traditions, religious and other practices in their community or society based on their subjective interpretation of these issues. It is their perceived sense of deviance from or transgression of some of the established norms by some members of their community or society along with their perception of the inaction or silence of those responsible for enforcing the norms that turn them into vigilantes. Here the irony lies in the fact that a group of people characterised by their deviant and dangerous behavioural patterns are policing the supposed deviance and potentially dangerous behaviours and actions of others in society.

Vigilantes tend to emerge when the legal agencies are either weak or when they tend to fail in exercising their responsibilities. Be it the Ku Klux Klan (advocates of white supremacy in America), Occupy Paedophilia (anti-LGBT group in Russia), Soldiers of Odin (anti-Muslim and anti-immigrant group in Finland), Cow Vigilantes (the cow protectionists in India) or Anti-Romeo Squad (custodians of the safety of college-going girls of Uttar Pradesh), each one is a vigilante group. The use of threats, force, corporeal punishment, and even extreme forms of violence is the familiar modus operandi of most vigilante groups all over the world. They are known to break the law and push their targets to the limits to the extent of even lynching them in front of the camera to enforce the established norms as per their interpretation. Perceived as criminals, agents of social and moral disorder and threats to the security of society, ethnic or religious minorities and marginalised sections of society are easy targets of vigilantism.

Though vigilante groups function mostly independent of the law enforcement agency of the countries of their origin, in many instances, they operate with the indirect support and patronage of their respective governments. For example, ever since several state governments in India banned the slaughter of cows, various cow vigilante groups in the country believe that they have been acting on

PERSPECTIVE

behalf of the government and the Hindu community. Why would they not do so when a government like the Bharatiya Janata Party-led Haryana government in 2016 decided to issue identity cards to 'Gau Rakshaks,' a group of cow vigilantes even though it decided against it. Often, these cow vigilantes take the law into their hands and resort to violence including lynching their victims, and the civil authorities look the other way.

However, in its judgement of the case of Tahseen Poonawalla vs. Union of India, in 2018, the Supreme Court of India asserted that untoward incidents related to vigilantism are mob violence and crime prevention is the responsibility of the state governments. It stated that "We may say without any fear of contradiction that lynching by unruly mobs and barbaric violence arising out of incitement and instigation cannot be allowed to become the order of the day. Such vigilantism, be it for whatever purpose or borne out of whatever cause, has the effect of undermining the legal and formal institutions of the State and altering the constitutional order." It further stated that "Mob vigilantism and mob violence have to be prevented by the governments by taking strict action ... Good governance and nation building require sustenance of law and order which is intricately linked to the preservation of the marrows of our social structure. In such a situation, the State has a sacrosanct duty to protect its citizens from unruly elements and perpetrators of orchestrated lynching and vigilantism with utmost sincerity and true commitment to address and curb such incidents which must reflect in its actions and schemes."

Notwithstanding the observations of the Supreme Court, questions such as who can and cannot love whom, who can and cannot marry whom, who can and cannot be found in whose company, what one can and cannot eat, what one can and cannot wear, what one can and cannot celebrate and so on are increasingly being decided and enforced by vigilante groups who conduct their investigation, trial, judgement and punishment on the streets. They even decide and enforce their soi-disant norms regarding the freedom of expression with savage justice. These self-appointed guardians of society try to exert their influence on matters of religion, faith, culture, tradition, and politics. Being non-legal entities, the very formation, perpetuation, and operation of the vigilante groups are instances of deviance in society. If not reigned in on time, the outrageous practices of



these no-legal vigilante groups taking the law into their own hands become a recurring, accepted and normal phenomenon. The more they recur, the more powerful and normalised they become.

Normalisation is the process that makes something more normal or regular. Center for Chemical Process Safety's book, Recognizing and Responding to Normalization of Deviance, states that "Normalization of deviation is a long-term phenomenon in which individuals, work teams, and entire organizations sometimes gradually accept a different standard of performance until that becomes the norm. It is typically the result of conditions slowly changing and eroding over time." The book goes on to say that "[Diane Vaughan's] research points out that trouble comes not only from individual performance failures but also from endemic organizational failures." Vaughan's research also tells us about NASA's normalisation of deviance as well as its failure as an organisation resulting in the tragedy of the Space Shuttle Challenger.

If normalised, cases of organised deviant entities such as vigilante groups can turn out to be Frankenstein's monsters in societies. In a society that not only normalises deviance in vigilante groups but also patronises them for whatever vested interests, the leap of such a group from being an irksome vigilante group to its dreaded possibility, the form of a Frankenstein's monster, or in the observation of the Supreme Court of India, a 'Typhon-like monster,' may not take very long. Mary Shelley's science fiction and the Typhon myth have taught the world what the proverbial Frankenstein's monster or Typhon are capable of. Vaughan's research gives us enough indications that the normalisation of deviance is a perfect formula for the creation of modern versions of Frankenstein's monsters and Typhons. ©

ROAD RAGE: **Better not to React**

Road rage, defined as someone experiencing anger when driving, happens all of a sudden without any pre-meditation or motive

his May 28, newspapers had reported the cruel manner in which a twenty-year-old boy in Ahmedabad was chased, thrashed by 5 men with a chain and beaten mercilessly after the scooter he was riding was hit by another scooterist who drove on the wrong side of the road. On July 3, in Delhi, a scooter which was being driven on the wrong side brushed against a 20-year-old who was walking on the road along with his friend. Apparently the scooterist was in a drunken state and following a heated argument, the boy was fatally stabbed in the chest.

Not long ago, in Mumbai a 33-year-old man was sentenced to six months simple imprisonment for using abuse words and gestures to a 66-year-old woman in a road rage incident. The offender suddenly came from the left and pushed the car of the woman being driven by her son towards the divider and went away. But a little later, at the traffic signal he took down the window and allegedly showed his middle finger to the woman and her son. The woman tried to pacify him in vain. A case



was booked after a traffic policemen intervened. The Metropolitan Magistrate observed that crimes related to the modesty of women are attacks on their fundamental rights to live with dignity and if the court is lenient in such cases then it would send a wrong message to society.

In a case of bail in respect of a road rage that was decided by the Kerala High Court last year, the offender had intentionally slammed his vehicle, a truck, on an Innova car belonging to the High Court of Kerala. The driver of the car had parked the vehicle and had gone to the nearby shop for purchasing a bottle of water. At that time, the truck driver reached the spot in his vehicle and on finding the car blocking the access to his shop, demanded to move the vehicle immediately. The driver of the car replied that he will move the vehicle after purchasing the bottle of water. This apparently enraged, the truck driver slammed his truck against the car. The incident resulted in the vehicle sustaining extensive damage and the driver getting arrested by the police. Since the incident had occurred on the spur of the moment, it was not premeditated and the offence was committed under the Prevention of Damage to Public Property Act, the Court agreed to provide bail to him but ordered him to deposit an amount equivalent to the damage assessed and surrender his driving licence for three months.

This May 19, the Supreme Court sentenced ace cricketer and politician Navjot Singh Sidhu to a one-year rigorous imprisonment jail term for the death of a 65-year-old Gurnam Singh in a road rage incident that occurred in 1988 at Patiala. Apparently, after a dispute arose on the right of way between Sidhu and Gurnam Singh, the former pulled out the latter from his vehicle and inflicted fist blows. After Sidhu left the scene of the incident, Gurnam was taken to hospital where was declared "brought dead". Although the trial court acquitted Sidhu in 1999, the

Punjab and Harvana High Court in 2006 held Sidhu guilty of culpable homicide not amounting to murder and sentenced him to three years in jail. In 2007, the Supreme Court stayed the conviction pending appeal but eleven years later, it held Sidhu guilty for voluntarily causing hurt to Gurnam and fined him Rs 1000. Gurnam's family filed a review petition in the Apex Court to treat the offence as more serious than just causing hurt and sought punishment. While sentencing Sidhu, the Supreme Court dwelled on the necessity of maintaining a reasonable proportion between the seriousness of the crime and the punishment. It maintained that punishments are awarded not because of the fact that it has to be an eye for an eye or a tooth for a tooth, rather having its due impact on the society; while undue harshness is not required but inadequate punishment may lead to sufferance of the community at large.

In India there is no specific provision under the Motor Vehicles Act or the penal statues which makes 'road rage' a punishable offence. But in several countries road rage is a serious violation of traffic rules especially when someone uses his/her vehicle as a weapon to retaliate against other drivers on the road, be it driving too close to another vehicle's bumper or bumping another vehicle's bumper, braking suddenly in front of another vehicle or using horn for an extended period of time, taking another driver off the road by force and exiting one's vehicle car to harm another driver. It is considered an extremely serious act in Australia and anyone whose conduct causes or threatens an impact involving the other vehicle while intending to cause a person bodily harm can be charged with predatory driving and jailed for up to five years besides fines amounting to USD 7000. In Germany, road rage - be it insults or rude gestures in traffic - can lead to fines and prison sentences for drivers who shout insults or make offensive gestures while driving. In New Zealand, drivers have a legal duty to take reasonable care to avoid endangerment of human life while driving a vehicle and although road rage is not an offence, anyone is liable to be booked for other offences committed during an act of road rage (usually assault or unlawful possession of an offensive weapon). However, ramming a vehicle constitutes intentional or reckless damage to property is a criminal offence, with a maximum penalty of seven years of imprisonment. Offenders found guilty of raod rage in Singapore can be imprisoned for up

It is rather worrisome that cases of road rage and rash driving (dangerous driving/rash driving) in the country are on the increase. As per the official centralized database in 2019 there were 155506 cases registered which increased to 183708 and 215327 in 2020 and 2021 respectively. This means on an average around 600 cases of road rage are reported daily but there could be many cases unreported as well

to two years along with a fine of up to USD 3500 for causing damage. In the United Kingdom, road rage can result in criminal penalties for assault or more serious offences against the person. Anyone who makes a rude hand gesture, expresses his/her anger or drives inappropriately close to another car or overtakes on the wrong side can be fined £1,000 besides endorsed with three penalty points on their licence. In the US, some States have strict laws in respect of road rage as reckless driving and those causing serious injury or death during road-rage incidents will suffer more serious penalties like in the case of Colorado driver who was convicted of first-degree murder and sentenced to two consecutive life terms for causing the deaths of two motorists in November 2005.

Various studies have shown that factors such as crowded roads, displaced anger, and stress, as well as the misuse of alcohol and drugs, can contribute to road rage. Notably, high-anger drivers are already stressed. They engage in dangerous behaviours such as hitting or nearly hitting other vehicles, speeding, swerving through lanes, tailgating, besides jumping red lights, screaming and honking incessantly. Such drivers have been found to experience more anger throughout the day, as well as anxiety and impulsive-

Next time when someone overtakes you from the wrong side or steals the parking space by suddenly occupying it or repeatedly honks or yells at you, it is best not to react.

Changing the attitudes and behaviour of those who break traffic regulations through counselling is challenging but not impossible. ©

Bob's Banter » BY ROBERT CLEMENTS

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No Doors to Hide Behind..!



here are many who are screaming about the Enforcement Directorate being used on many in the opposition, and others who oppose the policies of the government.

A few years ago, a senator in the US, waxed eloquent in the senate about something he didn't like about the mobility provider Uber, based in San Francisco. The senator, I was told, was quietly shown a detailed list of his activities, in which he visited a woman's house, how long he spent there, when he returned and how many times a week he went there. He was also told the lady of the woman he visited. All based on his travel records with the mobility provider.

He was thus silenced!

An article caught my attention in the Economic Times, and the caption of that article was "Data

in 2025 – Huge, but not fully secure". "Within the next few years," the article said, "worldwide, data on people is going to swell to about 163 zettabytes. That is the amount of data they have on you and me. What also caught my attention was that it was not fully secure. That's a startling amount of information about you and me that is in danger. Even now, when you think of the amount of personal information that is out there, it's too difficult to even imagine it. It is also a bit scary to think that there is so much of who you are that is available so freely to people all around.

Now do you see how easily a government that has the best software in the world, Pegasus for one, is so easily able to overthrow an opposition government?

Realize that you have no closed doors to hide, and that we now stand naked and totally exposed.

What do we do about it? Shout and scream that our privacy is being invaded even as we keep installing apps in our phone and laptop that tell the world what we do?

I feel sorry for those who have the ED and other agencies breathing down their backs, but I believe that only good can come out of all this. That there is no way out when a searchlight beams on you except the light finds nothing questionable on you.

For that harsh beam of light not to find us naked and vulnerable, we and the victims of today's scrutiny need to build our lives on the 'Six Pillars', which are Integrity, Trustworthiness, Respect, Responsibility, Justice and Caring!

Till that happens, what is going on is not witch hunting, but a 'cleansing' that will benefit the nation..! •

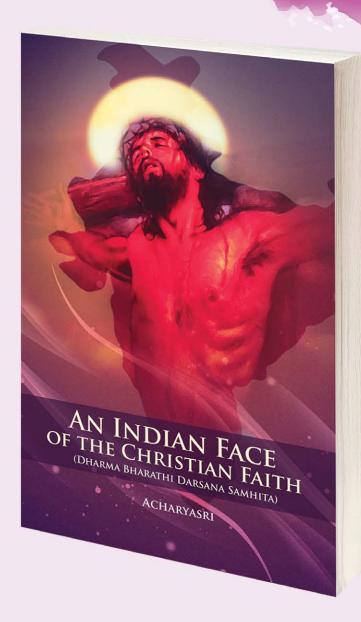
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ROBERT CLEMENTS is a Newspaper Columnist, with an estimated readership of 6 million. He also conducts a short-term Writer's Course. Contact him on bobsbanter@gmail.com for more details

AN INDIAN FACE OF THE CHRISTIAN FAITH

(DHARMA BHARATHI DARSANA SAMHITA)

BY ACHARYASRI



In this path-breaking book, the author presents a new hope that will inspire all peace-loving people of goodwill on earth to get involved in the mission of rebuilding the pandemic-devastated world on a peace and sustainable development paradigm with the power and wisdom of God revealed to humankind in, with and through Lord Jesus Christ.

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CAPUCHIN ONLINE PRESENTS HOLISTIC SPIRITUALITY



INTERNATIONAL ONLINE CERTIFICATE COURSE FOR FORMATORS (12 WEEKS)

TIME: 3RD WEEK OF THE MONTH, MONDAY-FRIDAY, 5:00pm-6:30pm (India)

PARTICIPANTS: Directors of Aspirants, Postulants, Novice Master/Mistress & Asst., Junior Mistress, Rectors, etc.
Visit for more details and to REGISTER, click this link: https://bit.ly/formators-12wks

PART A: GUIDING ON THE SPIRITUALITY AND VOCATION				
WEEK - I	18-22 July, 2022	Discerning one's Vocation		
WEEK - II	15-19 August, 2022	Call Within the Call		
WEEK - III	19-23 September, 2022	Guiding on Spiritual Growth		
PART B: SUPPORTING ON THE PSYCHO-SOCIAL WELLBEING				
WEEK - IV	17-21 October, 2022	Healing the Childhood Pains & Growing into Inner Grace		
WEEK - V	14-18 November, 2022	Personality Development		
WEEK - VI	19-23 December, 2022	Relevance of Religious Community		
WEEK - VII	16-20 January, 2023	Holistic (Spiritual, Physical, Emotional) Wellbeing of Formees		
PART C: FOCUSING ON THE MISSION OF THE CHURCH				
WEEK- VIII	15-19 February, 2023	Understanding Other Religions		
WEEK - IX	17-21 March, 2023	Documents of the Church		
WEEK - X	19-23 April, 2023	Vision of Pope Francis and Religious Life		
PART D: MOTIVATING ON THE APOSTOLATE				
WEEK - XI	13-17 May, 2023	History of Religious Life		
WEEK - XII	20-24 June, 2023	Social Commitments		

INTERNATIONAL ONLINE CERTIFICATE TRAINING FOR FORMEES (6 WEEKS)

TIME: 2ND WEEK OF THE MONTH, 5:00pm-6:30pm IST

PARTICIPANTS: Religious Aspirants, Postulants, Novices, Juniors, Seminarians etc. Visit for more details and to REGISTER click this link: https://bit.ly/formees-6wks

PART A: ROOTEDNESS IN SPIRITUAL GROWTH				
WEEK - I	08-12 August, 2022	Vocation to Religious life and Prayer		
WEEK - II	12-16 September, 2022	Community Life – Interpersonal Relationships		
PART B: GROWING INTO HOLISTIC HUMAN DEVELOPMENT				
WEEK - III	10-14 October, 2022	Self-Discovery Potentials and Excellence		
WEEK - IV	07-11 November, 2022	Psychology of Self		
PART C: UNDERSTANDING THE VOWS IN RELIGIOUS LIFE				
WEEK - V	12-16 December, 2022	Jesus Model for Religious Vows		
WEEK - VI	09-13 January, 2023	Conviction of the Apostolates		

INTERNATIONAL ONLINE CERTIFICATE COURSE ON FRANCISCAN SPIRITUALITY

TIME: 4TH WEEK OF THE MONTH 5:00pm-6:30pm IST

Visit for more details and to REGISTER, Click: https://bit.ly/franciscans-10wks

WEEK - I	22-26 August, 2022	Life of Francis with Socio-historic Context
WEEK - II	26-30 September, 2022	Writings of Francis of Assisi: Primary and secondary
WEEK - III	24-28 October, 2022	Early Biographies and other biographies on Francis
WEEK - IV	21-25 November, 2022	St. Clare: life, Writings and Spirituality –In depth analysis
WEEK - V	26-30 December, 2022	Franciscan Christmas Experience
WEEK - VI	23-27 January, 2023	Third Order: Context, Rule, growth and Relevance
WEEK - VII	20-24 February, 2023	Growth of Franciscan Order: From early stages till date
WEEK - VIII	27-31 March, 2023	Franciscan and the Missions: Challenges & innovations
WEEK - IX	24-28 April, 2023	Fundamentals of Franciscan Spirituality
WEEK - X	22-26 May, 2023	Franciscan Places & symbols and their relevance

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