

INDIA

India and British Rule – Historical background

Origins

After the Portuguese rounded the Cape of Good Hope on Africa's southern tip in 1488, opening sea lanes to the Far East by piracy on ancient trade lines in the Indian Ocean, the European powers strove to acquire Asian trading posts of their own. For centuries, the Viennese had controlled the European branch of the Silk Road, reaping enormous profits from the sale of silk, spices, fine china, and precious metals. The Viennese monopoly ended with the establishment of European incursions in the sea trade. At first, the European powers in Asia were solely interested in trade, but over time they became more interested in acquiring territory. Among the nations looking for a piece of the action was Britain.

The East India Company

The East India Company was primarily interested in the trade of cotton, silk, tea, and opium, but following the Battle of Plassey in 1757 during which Britain seized large sections of land, it functioned as the military authority in growing sections of India as well. The distance of the venture required merchants to set up fortified posts. The British entrusted this task to the East India Company, which initially established itself in India by obtaining permission from local authorities to own land, fortify its holdings, and conduct trade duty-free in mutually beneficial relationships.

After the battle, Britain seized the modern equivalent of about \$5 million from the Bengali treasury and used it to finance further expansion.

About the same time, the British Parliament began regulating the East India Company through successive India Acts, bringing Bengal under the indirect control of the British government. Over the next eight decades, a series of wars, treaties, and annexations extended the dominion of the company across the subcontinent, subjugating most of India to the determination of British governors and merchants.

By 1770, heavy Company taxation and other policies had left millions of Bengalis impoverished. While British soldiers and traders made their fortunes, the Indians starved. Between 1770 and 1773, about 10 million people (one-third of the population) died of famine in Bengal. At this time, Indians were also barred from holding high office in their own land. The British considered them inherently corrupt and untrustworthy.

The Sepoy Mutiny

Many Indians were distressed by the rapid cultural changes imposed by the British. They worried that Hindu and Muslim India would be Christianized. In 1857, a new type of rifle cartridge was given to the soldiers of the British Indian Army. Rumors spread that the cartridges had been greased with pig and cow fat, an abomination to both major Indian religions.

On May 10, 1857, the Indian Revolt began, with Bengali Muslim troops marching to Delhi and pledging their support to the Mughal emperor. After a year-long struggle, the rebels surrendered on June 20, 1858.

The immediate result of the mutiny was a general housecleaning of the Indian administration. The East India Company was abolished in favour of the direct rule of India

by the British government. In concrete terms, this did not mean much, but it introduced a more personal note into the government and removed the unimaginative commercialism that had lingered in the Court of Directors. The financial crisis caused by the mutiny led to a reorganization of the Indian administration's finances on a modern basis. The Indian army was also extensively reorganized.

Another significant result of the mutiny was the beginning of the policy of consultation with Indians. The Legislative Council of 1853 had contained only Europeans and had arrogantly behaved as if it were a full-fledged parliament. It was widely felt that a lack of communication with Indian opinion had helped to precipitate the crisis. Accordingly, the new council of 1861 was given an Indian-nominated element. The educational and public works programs (roads, railways, telegraphs, and irrigation) continued with little interruption; in fact, some were stimulated by the thought of their value for the transport of troops in a crisis. But insensitive British-imposed social measures that affected Hindu society came to an abrupt end.

Finally, there was the effect of the mutiny on the people of India themselves. Traditional society had made its protest against the incoming alien influences, and it had failed. The princes and other natural leaders had either held aloof from the mutiny or had proved, for the most part, incompetent. From this time all serious hope of a revival of the past or an exclusion of the West diminished. The traditional structure of Indian society began to break down and was eventually superseded by a Westernized class system, from which emerged a strong middle class with a heightened sense of Indian nationalism.

The Government of India Act – 1858

Following the rebellion, the British government abolished the remaining vestiges of the Mughal Dynasty and the East India Company. The Emperor, Bahadur Shah, was convicted of sedition and exiled to Burma. Control of India was given to a British Governor-General, who reported back to the British Parliament.

Much of the blame for the mutiny fell on the ineptitude of the East India Company. On August 2, 1858, Parliament passed the Government of India Act, transferring British power over India from the company to the crown. The merchant company's residual powers were vested in the secretary of state for India, a minister of Great Britain's cabinet, who would preside over the India Office in London and be assisted and advised, especially in financial matters, by a Council of India, which consisted initially of 15 Britons, 7 of whom were elected from among the old company's court of directors and 8 of whom were appointed by the crown. Though some of Britain's most powerful political leaders became secretaries of state for India in the latter half of the 19th century, actual control over the government of India remained in the hands of British viceroys—who divided their time between Calcutta (Kolkata) and Simla (Shimla)—and their "steel frame" of approximately 1,500 Indian Civil Service (ICS) officials posted "on the spot" throughout British India.

« Autocratic paternalism »

Queen Victoria promised that the British government would work to "better" its Indian subjects. To the British, this meant educating the Indians in British modes of thought and stamping out cultural practices such as sati—the practice of immolating a widow on the death of her husband. The British thought of their rule as a form of "autocratic paternalism."

The British also created "divide and rule" policies, pitting Hindu and Muslim Indians against one another. In 1905, the colonial government divided Bengal into Hindu and Muslim sections; this division was revoked after strong protests. Britain also encouraged the formation of the Muslim League of India in 1907.

British Raj = period of direct British rule over the Indian subcontinent from 1858 until the independence of India and Pakistan in 1947. The raj succeeded management of the subcontinent by the British East India Company, after general distrust and dissatisfaction with company leadership resulted in a widespread mutiny of sepoy troops in 1857, causing the British to reconsider the structure of governance in India. The British government took possession of the company's assets and imposed direct rule. The raj was intended to increase Indian participation in governance, but the powerlessness of Indians to determine their own future without the consent of the British led to an increasingly adamant national independence movement.

British India during WWI

During World War I, Britain declared war on Germany on India's behalf, without consulting Indian leaders. About 1.5 million Indian soldiers and laborers were serving in the British Indian Army by the time of the Armistice. A total of 60,000 Indian soldiers were killed or reported missing. Although most of India rallied to the British flag, Bengal and Punjab were less easy to control. Many Indians were eager for independence, and they were led in their struggle by an Indian lawyer and political newcomer known as Mohandas Gandhi (1869–1948). In April 1919, more than 15,000 unarmed protesters gathered at Amritsar, in Punjab. British troops fired on the crowd, killing hundreds of men, women, and children, even though the official death toll of the Amritsar Massacre as reported was 379.

British India during WWII

When World War II broke out, India once again contributed hugely to the British war effort. In addition to troops, the princely states donated substantial amounts of cash. By the end of the war, India had an incredible volunteer army of 2.5 million men. About 87,000 Indian soldiers died in combat. The Indian independence movement was very strong by this time, and British rule was widely resented. Some 40,000 Indian POWs were recruited by the Japanese to fight against the Allies in exchange for the hope of Indian independence. Most Indians, however, remained loyal. Indian troops fought in Burma, North Africa, Italy, and elsewhere.

Origins of the nationalist movement

Nationalism emerged in 19th-century British India both in emulation of and as a reaction against the consolidation of British rule and the spread of Western civilization. There were, moreover, two turbulent national mainstreams flowing beneath the deceptively placid official surface of British administration: the larger, headed by the Indian National Congress, which led eventually to the birth of India, and the smaller Muslim one, which acquired its organizational skeleton with the founding of the Muslim League in 1906 and led to the creation of Pakistan.

The reasons for independence were multifaceted and the result of both long and short term factors.

The pressure from the rising tide of nationalism made running the empire politically and economically very challenging and increasingly not cost effective. This pressure was embodied as much in the activities of large pan-national organisations like the Congress as in pressure from below - from the 'subalterns' through the acts of peasant and tribal resistance and revolt, trade union strikes and individual acts of subversion and violence.

With US foreign policy pressurising the end of western imperialism, it seemed only a matter of time before India gained its freedom.

There were further symptoms of the disengagement from empire. European capital investment declined in the inter-war years and India went from a debtor country in World War One to a creditor in World War Two. Applications to the Indian Civil Service (ICS) declined dramatically from the end of the Great War.

Britain's strategy of a gradual devolution of power, its representation to Indians through successive constitutional acts and a deliberate 'Indianisation' of the administration, gathered a momentum of its own. As a result, India moved inexorably towards self-government.

The struggle for Indian independence

The actual timing of independence owed a great deal to World War Two and the demands it put on the British government and people.

The Labour party had a tradition of supporting Indian claims for self-rule, and was elected to power in 1945 after a debilitating war which had reduced Britain to her knees.

Furthermore, with US foreign policy pressurising the end of western subjugation and imperialism, it seemed only a matter of time before India gained its freedom.

Even as World War II raged on, Gandhi and other members of the Indian National Congress (INC) demonstrated against British rule.

The 1935 Government of India Act had provided for the establishment of provincial legislatures across the colony. The Act also created a federal government for the provinces and princely states and granted the right to vote to about 10% of India's male population. These moves toward limited self-governance only made India more impatient for true self-rule.

In 1942, Britain sent an envoy to India, led by the British Labour politician Stafford Cripps (1889–1952), offering future dominion status in return for help recruiting more soldiers. Cripps may have made a secret agreement with the Muslim League, allowing Muslims to opt out of a future Indian state.

Arrests of Gandhi and INC Leadership

Gandhi and the INC did not trust the British envoy and demanded immediate independence in return for their cooperation. When the talks broke down, the INC launched the "Quit India" movement, calling for the immediate withdrawal of Britain from India.

In response, the British arrested the INC's leadership, including Gandhi and his wife. Mass demonstrations were carried out across the country but were crushed by the British Army. Britain may not have realized it, but it was now just a matter of time before the British Raj came to an end.

The soldiers who had joined Japan and Germany in fighting the British were put on trial at Delhi's Red Fort in early 1946. A series of court-martial trials were held for 45 prisoners charged with treason, murder, and torture. The men were convicted, but huge public

protests forced the commutation of their sentences.

Hindu/Muslim Riots and Partition

The growth of Muslim separatism from the late 19th century and the rise of communal violence from the 1920s to the virulent outbreaks of 1946-1947, were major contributory factors in the timing and shape of independence.

However, it was only from the late 1930s that it became inevitable that independence could only be achieved if accompanied by a partition. This partition would take place along the subcontinent's north-western and north-eastern boundaries, creating two sovereign nations of India and Pakistan.

The Muslim League failed to achieve the confidence of the majority of Muslims in the elections of 1937.

Muslims, as a religious community, comprised only 20% of the population and represented great diversity in economic, social and political terms.

From the late 19th century, some of its political elites in northern India felt increasingly threatened by British devolution of power, which by the logic of numbers would mean the dominance of the majority Hindu community.

Seeking power and a political voice in the imperial structure, they organised themselves into a party to represent their interests, founding the Muslim League in 1906.

They achieved something of a coup by persuading the British that they needed to safeguard the interests of the minorities, a demand that fed into British strategies of divide and rule. The inclusion of separate electorates along communal lines in the 1909 Act, subsequently enlarged in every successive constitutional act, enshrined a form of constitutional separatism.

While there is no denying that Islam and Hinduism were and are very different faiths, Muslims and Hindus continued to co-exist peaceably. There were, however, occasional violent outbursts which were driven more often than not by economic inequities.

The lack of confidence in the Muslim League among the Muslim population was to be dramatically reversed in the 1946 elections.

On August 17, 1946, violent fighting broke out between Hindus and Muslims in Calcutta. The trouble quickly spread across India. Meanwhile, cash-strapped Britain announced its decision to withdraw from India by June 1948.

Sectarian violence flared again as independence approached. In June 1947, representatives of the Hindus, Muslims, and Sikhs agreed to divide India along sectarian lines. Hindu and Sikh areas remained part of India, while predominantly Muslim areas in the north became the nation of Pakistan. This division of territory was known as the Partition.

Millions of refugees flooded across the border in each direction, and up to 2 million people were killed in sectarian violence. Pakistan became independent on August 14, 1947. India followed the next day.

Sources :

britannica.com

thoughtco.com

bbc.co.uk

Women's situation in India

Source : http://saarthakindia.org/womens_situation_India.html

"You can tell the condition of a Nation by looking at the status of its Women." Jawaharlal Nehru, Leader of India's Independence movement, and India's first Prime Minister.

So, how is women's status in India? Today's India offers a lot of opportunities to women, with women having a voice in everyday life, the business world as well as in political life. Nevertheless India is still a male dominated society, where women are often seen as subordinate and inferior to men. This gender bias is the cause that SAARTHAK is fighting for; therefore, in the following we will focus on the wrongs rather than on the rights. This doesn't mean that there aren't a lot of positives to report on, and we will cover some of those in the "Indian women on the rise" section. However, even though India is moving away from the male dominated culture, discrimination is still highly visible in rural as well as in urban areas, throughout all strata of society. While women are guaranteed equality under the constitution, legal protection has a limited effect, where patriarchal traditions prevail.

India's Patriarchal Traditions

1. The Dowry Tradition

Much of the discrimination against women arises from India's dowry tradition, where the bride's family gives the groom's family money and/or gifts. Dowries were made illegal in India in 1961, however the law is almost impossible to enforce, and the practice persists for most marriages. Unfortunately, the iniquitous dowry system has even spread to communities who traditionally have not practiced it, because dowry is sometimes used as a means to climb the social ladder, to achieve economic security, and to accumulate material wealth. The model used to calculate the dowry takes the bridegroom's education and future earning potential into account while the bride's education and earning potential are only relevant to her societal role of being a better wife and mother. The bridegroom's demand for a dowry can easily exceed the annual salary of a typical Indian family, and consequently be economically disastrous especially in families with more than one or two daughters.

2. Women as a Liability

The Indian constitution grants women equal rights to men, but strong patriarchal traditions persist in many different societal parts, with women's lives shaped by customs that are centuries old. Hence, in these strata daughters are often regarded as a liability, and conditioned to believe that they are inferior and subordinate to men, whereas sons might be idolized and celebrated.

But why is that?

There are a couple of reasons, why men might be regarded an asset for a family:

- Considered capable of earning money
- Carry on the family line
- Able to provide for their aging parents
- Bring a wife (and with this a capable domestic helper) into the family
- Play an important role in death rituals in Hindu religion, which ensure, that the soul is released from the body and can go to heaven.

On the other hand, there are a couple of reasons why women might be regarded more of a liability for a family:

- Not considered capable of earning money
- Seen as economically and emotionally dependent on men
- While they help with domestic duties during childhood and adolescence, they go to live with their husband's family after marriage, which means less help in the household of their originating family, and most importantly loss of money due to the dowry tradition.

This might explain why the birth of a daughter may not always be perceived as equally blissful as the birth of a son, and why “May you be blessed with a hundred sons” is a common Hindu wedding blessing.

Discrimination against women

It should be noted that in a vast country like India - spanning 3.29 million sq. km, where cultural backgrounds, religions and traditions vary widely - the extent of discrimination against women also varies from one societal stratum to another and from state to state - some areas in India being historically more inclined to gender bias than others. There are even communities in India, such as the Nairs of Kerala, certain Maratha clans, and Bengali families, which exhibit matriarchal tendencies, with the head of the family being the oldest woman rather than the oldest man. However, many Indian women face discrimination throughout all stages of their life, beginning at (or even before) birth, continuing as an infant, child, adolescent and adult. The stages can be divided in following sections:

- Before Birth / As an Infant
- As a Child
- After Marriage
- As a Widow

1. Discrimination against Women: Before Birth / As an Infant

India is one of the few countries where males outnumber females; the sex ratio at birth (SRB) – which shows the number of boys born to every 100 girls - is usually consistent in human populations, where about 105 males are born to every 100 females.

There are significant imbalances in the male/female population in India where the SRB is 113; there are also huge local differences from Northern / Western regions such as Punjab or Delhi, where the sex ratio is as high as 125, to Southern / Eastern India e.g. Kerala and Andhra Pradesh, where sex ratios are around 105. Though “prenatal sex discrimination” was legally banned in 1996, the law is nearly impossible to enforce and is not even familiar to all Indian families. Hence, the preference for a male child persists, quite often out of mere practical, financial concerns, because the parents might not be able to afford the marriage dowry for (another) daughter. This leads to some of the most gruesome and desperate acts when it comes to gender discrimination:

- Selective abortions
- Murdering of female babies
- Abandonment of female babies

Prenatal tests to determine the sex of the fetus were criminalized by Indian law in 1994, but the above mentioned imbalances in the sex ratio at birth, clearly point to gender selective abortions. While abortion is officially illegal in India there are some exceptions to this rule such as the failure of contraceptive device used by a couple; if the woman was raped; or if the child would suffer from severe disabilities. In total 11 million abortions take place annually and around 20,000 women die every year due to abortion related complications.

2. Discrimination against Women: As a Child

As a child, girls are often treated differently from male children in terms of nutrition and health care; where limited food or financial resources are available, the insufficient means are prone to be allocated unevenly in favour of the male offspring.

This imbalance results in insufficient care afforded to girls and women, and is the first major reason for the high levels of child malnutrition. This nutritional deprivation has two harmful consequences for women:

1. They never reach their full growth potential
2. Anaemia

Both consequences are risk factors in pregnancy, complicating childbearing and resulting in maternal and infant deaths, as well as low birth weight infants.

3. Education

India's constitution guarantees free primary school education for both girls and boys up to age 14. This has been repeatedly reconfirmed, but primary education in India is not universal, and often times not seen as really necessary for girls. Their parents might consider it more important, that they learn domestic chores, as they will need to perform them for their future husbands and in-laws. Another disincentive for sending daughters to school is a concern for the protection of their virginity. When schools are located at a distance, when teachers are male, and when girls are expected to study along with boys, parents are often unwilling to expose their daughters to the potential assault on their virginity, that would ultimately result in an insult to the girl's family's honor.

This results in one of the lowest female literacy rates in the world.

Literacy Rate for Women: 54%

Literacy Rate for Men: 76%

As a comparison, female literacy per 2009: Pakistan: 60%, Peru: 89%, Indonesia: 93%.

Mothers' illiteracy and lack of schooling directly disadvantage their young children. Low schooling translates into poor quality of care for children, consequently in higher infant and child mortality and malnutrition, because mothers with little education are less likely to adopt appropriate health-promoting behaviors, such as having young children immunized.

Social sector programmes e.g. "Sarva Shiksha Abhiyan" (Education for Everyone) are promoting girls' education to equalize educational opportunities and eliminate gender disparities, but these initiatives will take time to unfold their whole effect.

4. Child marriages

The Prohibition of Child Marriage Act 2006 bans marriage below age 18 for girls and age 21 for boys, but some 80 % of Indians live in villages where family, caste and community pressures are more effective than any legislature. According to UNICEF's "State of the World's Children 2009" report, 47% of India's women aged 20–24 were married before the legal age of 18, with 56% in rural areas. The report also showed that 40% of the world's child marriages occur in India.

Why does it happen?

– Financial Benefit :

- As outlined above, due to the dowry tradition women are prone to be a (financial) burden for their families, thus seen as a liability.
- If the match is made at an early age, the dowry is usually much lower, as the dowry is calculated on the future husband's societal status and education,

- which – obviously – would be much lower at an early age.
- Common Hindu phrase: “The younger the groom, the cheaper the Dowry”

In addition marrying off girls at an early age, ensures, that they marry as virgins, thus protecting the girl's and their family's honour.

- Historical Origins
 - Child marriages started during the invasions of Northern India around 1,000 years ago, when unmarried girls were raped by invaders.
 - To protect their women from abuse, family members began marrying their daughters at young ages.
- Religious origin : Copying the myth that the goddess Parvati had decided to marry god Shiva when she was only eight, girls were married off as young as eight or nine years old.

The consequences

Girls between 15 and 19 are twice as likely to die of pregnancy-related reasons as girls between 20 and 24. Girls married off as children sometimes stay in their parents' house until puberty, but it is just as common, that they move in with their husband and in-laws right after marriage. In that case, many child wives are inclined to experience domestic violence, marital rape, deprivation of food, and lack of access to information, healthcare, and education. Thus, the vicious cycle of illiteracy and abuse is likely to be continued and passed on to their own daughters.

5. Discrimination against Women: After Marriage

There is mainly a bias towards men and their superiority in marital relationships: while women ought to be respected, protected and kept happy by their husbands – their happiness being vital for the prosperity, peace and happiness of the whole family – they should also be kept under constant vigilance, since they cannot be completely trusted or left to themselves. Whereas as a child a girl is supposed to remain in the custody and care of her parents, after marriage she becomes the property and responsibility of her husband, who is supposed to take care of her and keep her in his custody.

Under the existing cultural and social ethos of India a married girl / woman is no longer considered to be part of the family of her birth, instead she has become part of the family of the groom. Hence, after marriage the woman leaves her parental home and lives with her husband's family, where she is required to assume all household labour and domestic responsibilities.

In certain parts of Indian society, women are conditioned from birth to be subservient not only to their future husbands, but also to the females in their husband's family especially, their mother-in-law. Accordingly, the surrounding society mandates a woman's obedience to her husband and her in-laws. Any disobedience would bring disgrace to both, the wife herself and her originating family, and might lead to the woman being ostracized and neglected by her very own family and in her own home.

- After marriage :

There is no cultural or religious tradition behind one of the most ghastly incidents of

female oppression, but the prevalence of the dowry tradition has supposedly lead to “Bride Burning” (or other form of murdering) of the newly-wed wife by the husband and his family, who would claim, that she died in a domestic accident, so that the widowed husband would be free to marry again and collect another dowry.

Indian law demands a formal criminal investigation when a newly married woman dies within the home within 7 years of marriage. According to Indian National Crime Record Bureau, there were 8,239 dowry death cases, 1,285 cases of attempted dowry deaths, and another 4,890 cases with pending investigations in 2009. The punishment for dowry deaths is a term of 7 years, which may extend to life imprisonment. Indian law clearly distinguishes the offence of dowry deaths from the offence of murder, for which a death sentence might be declared.

- As a Widow :

Indian government has enacted numerous laws to protect widow's rights, including prohibitions against traditional practices for which India has been discredited, such as the burning of widows (Sati). Whereas in India's contemporary culture, especially in the modern urban middle-class, these societal norms have given way to a more righteous conduct, the enforcement of the law continues to be challenging, where there are regional, religious or caste variants of family law, which tend to escape government jurisdiction. Hence, a widow is still seen as a liability in some part of the Indian society, which might result in her being abandoned by her in-laws. As her originating family is often unable or unwilling to take her back as well, she might be left on her own, without any education, skills, or financial assistance. Instead, she is subjected to many restrictions, and might be required to shave her head permanently, or to wear white clothes for the rest of her life; thus, stigmatized, she is not allowed to enter in any celebration e.g. weddings, because her presence is considered to be inauspicious. Moreover, a widow might face trouble securing her property rights after her husbands death, nor be allowed to remarry, disregarding at what age she became a widow. As the described discrimination against widows is likely to occur in the same societal surroundings as the above mentioned child marriages, this might lead to child or teenage widows, who are bound to be isolated and ostracized for the rest of their lives.

- For Inheritance :

While in the educated, urban middle class women's rights continue to improve, there remains a strong bias against gender equality in those societal parts of India, where patriarchal traditions prevail. Consequently, in these strata any inheritance of a deceased husband or father would be passed down to the oldest son, while his wife or daughters would not receive any financial benefit. There are laws in place to ensure legal protection for women's right to inheritance, but the enforcement of the law is challenging, when the woman is refused her right by the family, and when she is not confident or educated enough to claim her right.

Having looked at the status of women in India, we come back to the previously quoted statement from Jawaharlal Nehru "You can tell the condition of a Nation by looking at the status of its Women." The concluding questions are: which nation can claim to be a free and prosperous society, where half of its population is being oppressed? And which striving nation can afford to oppress half of its population? Obviously, the answer to that question is: none! Sustainable and long-term development is not possible without the participation and empowerment of women, only if they participate in the economic and societal development, the full potential of a society of India's society will be unfolded.

News articles

India is the most dangerous country for women. It must face reality

The Guardian, by Deepa Narayan, July 2, 2018

A global survey exposes a vicious cultural agreement that women have little value in our society

I am proud of the beauty and the ancient culture of my country, India. I am not proud of the fact that India has been named the most dangerous country in the world for women in a recent Thomson Reuters Foundation survey.

Perceptions matter. Perceptions dictate who we like, what happens to the stock market and who becomes the prime minister or president of a country. Perceptions of how women should be treated create a rape culture.

It is a jolt to see India scoring worse than war-torn countries such as Afghanistan or Syria or monarchies such as Saudi Arabia, where women have few rights. Everyone expects more and better for women from India, the world's largest functioning democracy. That is precisely why it shocks.

After all, the Indian constitution enshrines women's rights to equality, including freedom of voice, movement and rights over their own bodies. India's designation hurts national pride because it is a country where millions of smartly dressed women go to work in high-rise offices every day, where laws have changed to protect women and where women and men have spilled into the streets to protest against the grotesque rapes of toddlers, the gang rape of eight-year-olds, and of young women activists protesting at the trafficking of women.

The biggest contribution of the Thomson Reuters Foundation survey is that it reframes questions about the gender gap or gender equality into a question about women's safety and danger. It is no longer a philosophical issue of rights. It simply asks: are women safe and free? It forces us to consider cultural forces and the implementation of laws that impact how women are actually treated in a culture, despite formal law, education, employment or income.

India is in denial of the fact that a majority of its women do not feel safe alone on the streets, at work, in markets, or at home, even though they have learned how to cope with this existential anxiety. When I asked young educated women in Delhi if they feel safe, most said no. And most of those who said yes had learned to modify their behaviours to feel safe – they don't go out alone unnecessarily; come home at night before dark; get permission to go out; are always careful and alert; and they censor their speech, their clothes and their body posture, including whether or not they look men in the eyes.

Indian women are in a constant state of vigilance, like a country on terrorist alert. Satish, a 52-year old banker, told me: "For rape there is no fixed time: always be alert." No democracy is a democracy when half its population lives in fear.

Yet men are surprised when they hear this from women. Their common reaction is: "You must be mistaken." The paradox is that women have protected men and their families by keeping quiet. This is honourable behaviour, a part of our "honour society". But National Crime Records Bureau statistics for 2012 to 2016 show that approximately 40% of female reported rape victims were minors and 95% knew the rapist. The rapists belonged to the

“circle of trust” of extended family and friends. Young girls have nowhere to go.

What rape statistics really reflect is a vicious cultural agreement that women have little value. Which means in turn that girls must be trained to act as if they do not exist, to minimise their presence to survive, to serve men and not inconvenience them. This sounds archaic in this day and age, but it is true in India and to a greater or lesser degree across many cultures, irrespective of wealth or education.

The dirty secret about men’s crass abuse of power through sexual violence against women has hit the global press. The #MeToo movement in the US, in which highly successful and wealthy women finally broke the silence about their experiences of sexual violence, have resulted in the US ranking as the 10th most dangerous country for women in the poll of 198 countries. The irony is that without wide media coverage there is no possibility of cultural shift, and with media coverage, the illusion of women’s safety breaks and ratings plunge.

India – and the rest of the world – would do well to make women’s safety and freedom central goals of democracy and development, and learn about the science of cultural change.

Advertising firms and big data companies know how to change culture. We need to harness these skills to change conversations about what it means to be a man, so women can flourish without being imprisoned in the name of safety.

In India, two women defy protests — and centuries of tradition — by entering a temple

The Washington Post, by Niha Masih, January 3, 2019

NEW DELHI — Two women in southern India made history early Wednesday by entering a renowned Hindu temple where women of childbearing age have not been allowed for centuries.

The women — a university professor and a government employee, both in their 40s — entered the inner sanctum of the Sabarimala temple about 3:45 a.m., according to a local news agency that released video of the visit.

The shrine is dedicated to Lord Ayyappa, a deity who is considered celibate, and tradition forbade women of menstruating age from entering.

In September, however, India’s Supreme Court ruled that all women had the right to worship at Sabarimala, which sits in a tiger reserve in the southern state of Kerala and draws tens of millions of visitors each year.

The decision set off intense protests by religious conservatives and Hindu nationalists. The controversy represented a crucial test for the rule of law in India, pitting a legal judgment by the nation’s top court against religious custom.

After the ruling, more than a dozen women between ages 10 and 50 attempted to enter the temple. But all turned back after facing threats and physical intimidation by protesters.

On Wednesday, a backlash swiftly followed the news of the women’s entry into the shrine.

The head priest shut down the temple for an hour to carry out a “purification ritual.” Clashes broke out between protesters and police in Thiruvananthapuram, the state capital.

Indira Jaising, a lawyer who argued against the ban before the Supreme Court, said Wednesday’s visit marked “a historic moment.” The ban on menstruating women entering the temple amounted to a form of “untouchability” and gender discrimination, she said.

Bindu A., 42, a professor of legal studies, is one of the women who entered the temple Wednesday. It was her second attempt to visit the shrine: On her earlier try, on Dec. 24, she was forced by protesters to turn back.

“We did the trek to the shrine just like any other devotees,” said Bindu, who generally uses only one name, in remarks released to reporters. None of the other worshipers “had any problems with us visiting the shrine.”

To reach the temple, devotees must walk nearly three miles uphill, and Bindu began the trek at midnight. The group consisted of six men in addition to the two women, who had covered their faces. Four police officers in civilian clothes also accompanied them. At one point, the group was questioned by a couple of protesters but simply continued walking.

Prasad Amore, a psychologist based in Kerala who was part of the group, said the journey was not a political statement. “We are proud of these women who helped to implement the Supreme Court verdict,” he said. “We broke the inequality being carried out in the name of God for all these years.”

A day earlier, Prime Minister Narendra Modi commented on the Sabarimala controversy in a rare interview, calling the issue a matter of “beliefs.”

Modi’s Hindu nationalist Bharatiya Janata Party spearheaded the local protests against the Supreme Court ruling in Kerala, which is India’s only communist-led state and one of the most progressive.

On Jan. 1, millions of women in Kerala formed a symbolic wall stretching more than 300 miles, a demonstration initiated by the state government to highlight the struggle for women’s equality.

Rahul Easwar, an activist leading the fight against women entering Sabarimala, criticized local authorities for supporting Wednesday’s visit to the temple. The entry by the two women was “a midnight drama carried out by the atheist [state] government,” he said. “Even the prime minister of the country has supported the Sabarimala tradition.”

On Jan. 22, the Supreme Court will hear a petition challenging its temple ruling. The controversy over Sabarimala is not the first time the entry of women in religious spaces has sparked debate in India. In 2016, courts ruled in favor of a petition by a women’s rights group to enter the inner sanctum of a famous Muslim shrine in Mumbai.

India's female college students are fighting for their right to stay out after dark

The Washington Post, by Niha Masih, January 31, 2019

NEW DELHI — Late one night in the fall, about 200 female students in Bhopal, a city in central India, held a rare demonstration on their college's basketball court. Their very presence there was an act of protest: Women were not allowed to be outside their dormitories after dark, just one of many restrictions on their movement.

They spent the night outdoors — the first time many of them had seen the moon since they began college, one student recalled.

For years, college campuses in India have regulated the movement of their female students in the name of safety. But in protests over the past several months, women on college campuses across the country have voiced their demands: freedom from oppressive rules and equality with the male students. And slowly, colleges are responding.

Women's access to education in India has improved vastly in the past three decades, but social change has been slower. Reported crime against women has doubled in the past 10 years, which experts say is a result of deeply embedded patriarchal attitudes that are also evidenced by the persistent preference for male children and the decline in the number of working women.

The recent protests were inspired by a Delhi-based women's collective, Pinjra Tod, or Break the Cage, which campaigns against arbitrary curfews and rules imposed on female residents at colleges and universities — part of a broader battle by women's rights activists to take back public spaces and challenge the threat of sexual violence.

They're fighting not just the curfew, but also “the idea of policing women and how they are kept in gendered spaces,” said Joan Sony Cherian, a member of the collective.

In the past month, women in India have entered a temple that once banned female visitors of menstruating age and prompted the dismissal of a professor for comparing virgins to “a sealed bottle.” Last year, dozens of women shared stories of sexual harassment at workplaces as part of a burgeoning #MeToo movement.

At Bhopal's Regional Institute of Education, which trains students to become teachers, the campus residences had strict rules for women. Female students had to be back in their dorm rooms by 5:30 p.m. in the winter or by 6:45 p.m. at other times. Leaving campus was allowed only once a week on Saturday between 1 and 6 p.m. Food delivery was allowed only until 5:30 p.m.

If a woman wanted to leave campus for a longer period, her parents were required to fax the request, after which two sets of administrative signatures were required. Female students did not have access to the rooftop terrace. For the men on campus, most of these rules did not apply.

The women began their campaign with a sit-in, borrowing tactics and strategies developed by Break the Cage. Without its support, “our protest would not have been at this scale,” said Rai, a participating student, who spoke on the condition of partial anonymity to avoid possible retaliation by the college.

On the third day of the protest, the administration relented. Now women don't have to

return to campus until 8 p.m. and can remain outside their dorm rooms while on campus until 9 p.m. Later that week, a group of female students danced in a religious procession on campus in celebration. It was a new taste of freedom: Under the previous rules, they were locked in during festivals or could celebrate only in an enclosed space demarcated for them.

The protests weren't limited to Bhopal. They spread. In some instances, they were inspired by previous protests; others happened spontaneously.

Female students at a branch of the Regional Institute of Education in Ajmer, a town in Rajasthan state, broke their curfew barely a week after the Bhopal protests. In October, students from Panjab University protested for 48 days. Protests led by Break the Cage at prestigious Delhi colleges such as Miranda House and Lady Shri Ram College soon followed.

Administrators at the government-run Regional Institute of Education declined to comment on the protests. Lady Shri Ram College, a branch of Delhi University, said that the college had introduced changes such as ending the requirement for female students to have local guardians. The new rules were announced just before the planned protest.

Pratibha Jolly, Miranda House principal, acknowledged that the old rules were "archaic and major reform was overdue." After last year's protest, the college made the curfew later and increased the number of nights a resident could stay out of the dorm.

"Our biggest challenge is to provide a safe, secure environment while nurturing liberal and progressive education for an extremely diverse student population," Jolly said. "This requires nuanced responses."

But members of Break the Cage reject the safety argument. Devika Shekhawat, a member of the group, said women are aware of the risks. "We want to change the spaces" rather than force women to change their behavior, she said.

Break the Cage has been advocating for women on campuses since 2015. While curfews have been central to its demands, it has also drawn attention to issues such as higher fees charged by dormitories for women, the lack of sexual harassment committees mandated by law, and moral policing of female students.

The solidarity offered by Break the Cage has made a difference, said Kanupriya, the 23-year-old student union president of Panjab University, who goes by one name. She led a successful campaign to scrap the dorm curfew.

Of course, these successes alone will not bring about gender equality, Kanupriya said. But she sees them as a way of moving the needle. "This is about changing what is considered normal."

How COVID-19 is amplifying gender inequality in India

The Indian Express, by Kadambarai Shah, May 17, 2020

Women are bearing a disproportionate amount of the burden that the imposition of lockdowns, shrinking of economic opportunity has created.

While much of COVID-19's epidemiology remains shrouded in mystery, we know that it claims the lives of men more than women — at double the rate in some countries. Other coronavirus outbreaks, such as the 2003 SARS and 2012 MERS epidemics, were also more deadly for men than women.

But this epidemiological fact risks obscuring another gender dimension of the pandemic. While men's immune systems may be less equipped to fight the virus, the socio-economic consequences of COVID-19 are stacking the deck against women. These effects are clearest in developing countries like India, where gender inequality is a persistent challenge.

Our research on the virus's impact in slum communities in Mumbai, India's financial capital and the biggest COVID-19 hotspot, is revealing the ways in which lockdowns exacerbate the marginalisation of women, especially poor women.

Even in normal times, women face extra burdens when infrastructure is inadequate. According to Sitaram Shelar of Pani Haq Samiti, a non-profit focused on water access, about 4.5 million people in Mumbai lack access to a household water connection, forcing them to line up at community water taps. In her 2012 award-winning book *Behind the Beautiful Forevers*, Katherine Boo writes: “[S]he lost two hours of her morning standing in line for water at a dribbling tap...” The operative word here is she; this task almost always falls to women.

Under India's strict COVID-19 lockdown, household water needs have swelled, owing to high summer temperatures, all family members being at home, and the emphasis on frequent hand-washing. The result: Women are spending more time queuing up. Some are also turning to an underground water market, which operates under the cloak of darkness. Shelar explained that as women step out in the wee hours of the morning to buy water, they often face sexual and verbal harassment. [Follow Covid India live updates](#)

Harassment, however, is mostly escalating behind closed doors. Aparna Joshi, Project Director of iCall, a mental health helpline, called the current situation “a brewing pot”. Frustrated, unemployed, and/or struggling to access tobacco and alcohol, several men are unloading their anger through physical, verbal and sexual assault. The surge of violence is affecting millions of women of all classes.

Some non-profits in India are finding creative tactics to support women, like hiding phone numbers for domestic abuse hotlines inside food rations. Yet, these laudable efforts pale in comparison to the scale of the challenge. The UNFPA warns that the pandemic could reduce progress against gender-based violence by one-third.

COVID-19 is shifting other household dynamics, too. Domestic responsibilities that women bear, like cooking and cleaning, have ballooned. Even worse, because women in Indian families tend to eat last and the least, research has shown that financial strain and food shortages affect women's nutrition more than men's. The same pattern is visible across the developing world, from Zimbabwe to Bangladesh.

To make matters worse, the lockdown has cut off most formal and informal support

systems for women. In developing countries, low-income families often share one smartphone, owned by the husband. According to Joshi, women's lack of digital access is making them more vulnerable to misinformation.

Unequal access to technology will fuel other consequences for women — especially in education and employment. As many of the world's children switch to online learning, girls in countries like India may lose out, given that they are less likely than boys to have access to the internet. And as analysts foresee more jobs moving online post-pandemic, the digital divide might exacerbate job market inequalities.

In fact, many aspects of the COVID-19 economic fallout are likely to reduce job prospects for women.

As India eases its lockdown with requirements that businesses operate with fewer employees, trends toward mechanisation could accelerate. Because women are generally relegated to menial tasks within production processes, their jobs are often the first to go when firms automate. And with partial lockdowns involving reduced public transit, women might find their access to work curtailed, given their disproportionate reliance on buses and trains for commuting.

India already struggles with declining female labour force participation — on par with Saudi Arabia at 24 per cent. If women's employment continues to drop post-COVID, this will only magnify the damage to their position in families and society, given that employment is one of the strongest predictors of women's empowerment, not to mention important for boosting GDP.

What would a gender-sensitive pandemic response look like? It begins with a full-throttled focus on supporting women who face domestic violence. A recent court ruling in Delhi provides a roadmap: Publicising helplines, relaxing lockdown rules for women to leave home and seek support, and sensitising the police.

And women's employment must become a priority in recovery efforts. Initiatives to enhance digital access and skills should be scaled up and targeted specifically to low-income women. Direct employment programmes to provide necessary supplies should be expanded; for example, the government in the state of Andhra Pradesh is employing thousands of women to stitch masks.

Not only in India, but in every part of the world, the social and economic crisis of COVID-19 must be understood through the lens of gender. The policy response must be structured around rebuilding economies and societies in ways that empower women to lead safe, productive and fulfilling lives.

A bill meant to protect India's transgender community instead leaves them angry and aggrieved

The Washington Post, by Niha Masih, November 30, 2019

NEW DELHI — Last week, as the Indian Parliament passed a new bill for the protection of transgender people, thousands of LGBTQ community members came out to protest in the latest battle for gay and transgender rights in the country.

The bill prohibits discrimination and criminalizes physical abuse against the transgender

community but has been summarily rejected by the very people it seeks to protect. After receiving the president's assent, the bill will become law.

"It is not just problematic but regressive," said Grace Banu, founder of the Trans Rights Now collective. "The community has opposed it from the beginning."

The activists' demand was for comprehensive anti-atrocities and anti-discrimination legislation that would be able to uphold equal access to civil rights. But they say the new bill's discrimination clause is not clearly defined, which means the measure will have no teeth. It also does not explicitly state common forms of discrimination in employment, education and housing.

The penalty for sexual violence mentioned in the bill is lower than for such crimes against women and does not define specific physical sexual offenses that transgender people face, activists said.

Coming in the wake of a slew of progressive court judgments, the provisions of the new bill are seen as a setback in the struggle for gender rights. In 2014, the Supreme Court recognized the right of self-determination of gender identity to the trans community, acknowledging the need for affirmative action as well. Last year, the court decriminalized gay sex, overturning a 157-year-old colonial law.

After criticism, the first iteration of the bill introduced in 2016 was not passed, but activists say the needs of the community still have not been reflected in the new bill. While there is no accurate estimate of the number of transgender people in the country, the 2011 census put the population at nearly half a million.

The biggest cause for concern among community members is that to get an identity certificate, they must apply to a local government official.

"This is in contradiction of the right to self-determination mandated by the court," said Vihaan Vee, a 23-year-old who identifies as a trans man.

Moreover, this identity certificate will only identify people as transgender, not as male or female, unless the person has undergone sex reassignment surgery and can provide proof. Vee said he wants to be identified as a male, not transgender, but without surgery that is not possible under the new bill.

"This is almost like forcing our bodies into surgery," he said.

For many like Vee, surgery is prohibitively costly and difficult to access. The demand to make sex reassignment surgery free or far less costly is not mentioned in the bill.

For Banu, the non-inclusion of affirmative action for the transgender community, which exists in India in education and government jobs for historically marginalized communities, marks an institutional failure.

Another part of the bill being protested is a clause that seemingly pushes trans people into residing with their biological families or to be moved to rehabilitation homes. Vee, who ran away from home two years ago, said the family home is often the first site of violence for transgender people.

"Trans community has alternate family structures where people stay together," he said.

“This is an attack on that.”

Several members of Parliament raised these concerns before passage of the bill.

“A bill should be wholesome and comprehensive. Why don’t you give six weeks at least, send it to Select Committee and then you hear them out?” said Tiruchi Siva, a parliamentarian from a regional party.

The struggle that led to the bill is not over.

“This is the first time our gender identity would have been recognized,” Vee said. “But instead of making things better, it will do us more harm.”

Activists say they are gearing up to mount a legal challenge to the bill.

India Just Passed A Trans Rights Bill. Why Are Trans Activists Protesting It? *npr.org*, by Sushmita Pathak, December 4, 2019

At a massive LGBTQ pride parade in India's capital New Delhi last month, people danced to the beat of drums. "Love is love," they chanted, waving giant rainbow flags.

But the more than 1,000 people who came out on the streets weren't just celebrating India's sexual diversity. They were there to protest proposed transgender rights legislation, which they call regressive. Many participants carried placards in light pink and light blue colors — which signify trans pride — urging lawmakers to reconsider the bill.

Two days later, on Nov. 26, the bill was passed. But as the bill now moves to the Indian president's desk for signature, it has kicked off a fresh round of outrage from the very community it is meant to safeguard.

The new legislation purports to protect transgender rights — but many trans activists say it does the exact opposite. They say it's a huge blow to India's already vulnerable transgender community and undoes a lot of progress made over the past few years. The bill comes just over a year after the Indian Supreme Court's landmark decision to decriminalize homosexuality.

At a news conference in Delhi a day after the bill was passed, transgender activist Grace Banu described it as a "murder of gender justice."

The Transgender Persons (Protection of Rights) bill prohibits discrimination against transgender persons with regard to things like education, employment and the ability to rent or buy property. It also gives transgender persons a "right to self-perceived identity" — but requires them to register with the government if they want to be officially recognized as "transgender." If a transgender person identifies as a trans man or trans woman and wants to be legally recognized as such, they have to submit proof of gender confirmation surgery to the government.

Trans activist Gee Imaan Semmalar says the identity registration requirement flouts a landmark 2014 ruling by India's Supreme Court which recognized the right to choose gender.

"The bill goes against the right to dignity and bodily autonomy of trans people," Semmalar wrote to NPR in an email. He's a member of Sampoorna Working Group, an advocacy organization for transgender and intersex rights.

"You're basically putting a lot of burden on trans people and adding a lot of bureaucratic layers and red-tapeism," says Ajita Banerjee, a Delhi-based gender and sexuality rights researcher.

Banerjee added that the bill fails to mention civil rights like marriage, adoption, social security benefits and also does not provide quotas for transgender people in public education and jobs — something that the Supreme Court's 2014 ruling had directed the government to do.

Transgender individuals in India often face stigma and systematic exclusion in education and employment. As a result, some feel they have no alternative but to turn to sex work; HIV prevalence among India's transgender community is 26 times higher than the national rate. But Semmalar says it's difficult to access health care without facing discrimination.

Trans individuals also face disproportionate public violence and police brutalities, he adds.

The bill makes abusing transgender people a punishable offense with a jail term from six months to two years. But under Indian law, when a cisgender (that is, a person whose gender identity matches their sex at birth) woman or child is sexually abused, the punishment can be as severe as a life sentence or, in some cases, even the death penalty. Semmalar says the lesser punishment for crimes against transgender people reiterates and strengthens the idea that trans lives are dispensable and of lesser value.

Even among lawmakers, the bill was contentious.

"Certification itself is discrimination. It's humiliation of a human being," Jaya Bachchan, a member of India's upper house of parliament, said during a session last week.

Bachchan was among dozens of lawmakers who wanted to send the bill to a select committee for further review. Other lawmakers argued that sending the bill for review would further delay the protection of transgender rights.

"Justice delayed is justice denied," said lawmaker Anil Agrawal, who supported the immediate passing of the bill, in parliament last week. "The transgender community will never forgive us if we delay granting them their rights."

Another lawmaker who was against sending the bill for review insisted that any important points that had been missed could easily be added as amendments later.

In a last-ditch attempt to stop the bill, activists are urging India's president not to sign it into law. If that fails, they're gearing up to challenge the law in India's courts.

In 2014, in a massive victory for India's roughly half a million trans individuals, the country's Supreme Court recognized transgender as a third, separate identity and ruled that Indians have the right to choose their gender.

But this bill sets the whole movement back by a decade, Banerjee says.

One every eight minutes: India's missing children

bbc.com :

<https://www.bbc.com/news/av/world-south-asia-52685559/one-every-eight-minutes-india-s-missing-children>

Is coronavirus being used to turn India into surveillance state?

The Guardian, podcast :

<https://www.theguardian.com/news/audio/2020/may/11/coronavirus-india-surveillance-state-podcast>

Citizenship (Amendment) Act 2019: What is it and why is it seen as a problem

The Economic Times, December 31, 2019

The act seeks to amend the definition of illegal immigrants for Hindu, Sikh, Parsi, Buddhist and Christian immigrants from Pakistan, Afghanistan and Bangladesh, who have lived in India without documentation.

Protests have broken out across India, a few of them violent, against the Citizenship (Amendment) Act 2019. The Act seeks to amend the definition of illegal immigrant for Hindu, Sikh, Parsi, Buddhist and Christian immigrants from Pakistan, Afghanistan and Bangladesh, who have lived in India without documentation. They will be granted fast track Indian citizenship in six years. So far 12 years of residence has been the standard eligibility requirement for naturalisation.

At the first hearing on petitions challenging the CAA, the Supreme Court declined to stay the contentious law but asked the Centre to file its reply against the petitions that say it violates the Constitution. The petitioners say the Bill discriminates against Muslims and violates the right to equality enshrined in the Constitution. Here's a primer.

Who makes the cut ?

The legislation applies to those who were “forced or compelled to seek shelter in India due to persecution on the ground of religion”. It aims to protect such people from proceedings of illegal migration. The cut-off date for citizenship is December 31, 2014 which means the applicant should have entered India on or before that date. Indian citizenship, under present law, is given either to those born in India or if they have resided in the country for a minimum of 11 years. The Bill also proposes to incorporate a sub-section (d) to Section 7, providing for cancellation of Overseas Citizen of India (OCI) registration where the OCI card-holder has violated any provision of the Citizenship Act or any other law in force.

What is the Centre's logic behind the bill ?

Centre says these minority groups have come escaping persecution in Muslim-majority nations. However, the logic is not consistent – the bill does not protect all religious minorities, nor does it apply to all neighbours. The Ahmedia Muslim sect and even Shias face discrimination in Pakistan. Rohingya Muslims and Hindus face persecution in neighbouring Burma, and Hindu and Christian Tamils in neighbouring Sri Lanka. The government responds that Muslims can seek refuge in Islamic nations, but has not answered the other questions.

Some say it is like Partition, is that true ?

Amit Shah says that the Bill would not have been necessary if the Congress did not agree to Partition on the basis of religion. However, India was not created on the basis of religion, Pakistan was. Only the Muslim League and the Hindu Right advocated the two nation theory of Hindu and Muslim nations, which led to Partition. All the founders of India were committed to a secular state, where all citizens irrespective of religion enjoyed full membership. Either way, this logic for the CAB also collapses because Afghanistan was not part of pre-Partition India.

How much of Northeast does the Bill cover?

CAB won't apply to areas under the sixth schedule of the Constitution – which deals with autonomous tribal-dominated regions in Assam, Meghalaya, Tripura and Mizoram. The bill will also not apply to states that have the inner-line permit regime (Arunachal Pradesh, Nagaland and Mizoram).

Why is Assam angry about it?

Among the states in the Northeast, the outrage against CAB has been the most intense in Assam. While a chunk of these states have been exempted from the legislation, CAB covers a large part of Assam. The protests stem from the fear that illegal Bengali Hindu migrants from Bangladesh, if regularised under CAB, will threaten cultural and linguistic identities of the state.

Isn't it the same like the NRC?

The National Register of Citizens or NRC that we saw in Assam targeted illegal immigrants. A person had to prove that either they, or their ancestors were in Assam on or before March 24, 1971. NRC, which may be extended to the rest of the country, is not based on religion unlike CAB.

What is the Opposition's argument?

The CAB ringfences Muslim identity by declaring India a welcome refuge to all other religious communities. It seeks to legally establish Muslims as second-class citizens of India by providing preferential treatment to other groups. This violates the Constitution's Article 14, the fundamental right to equality to all persons. This basic structure of the Constitution cannot be reshaped by any Parliament. And yet, the government maintains that it does not discriminate or violate the right to equality.

What will be govt's move post protests?

The President gave his assent to the Citizenship (Amendment) Bill, 2019, on December 12, a day after it was passed by the Rajya Sabha. However, the home ministry has yet to notify the rules to operationalise the law. The notification of rules may now have to wait as a decision in this regard will be taken after seeking experts' advice since the matter is sub judice before the Supreme Court.

The petitions against the Act are listed for hearing on January 22. In case experts feel that the rules can be challenged on legal grounds, the government will wait till January 22. Since the apex court did not clamp a stay on CAA, the home ministry could notify rules about who all can apply for citizenship, notify the authority and state minimum requirements and cut-off date.

India clamps down on citizenship law protests

The Guardian, by Hannah Ellis-Petersen, December 18, 2019

Critics say Narendra Modi's Citizenship Amendment Act 'has declared war on Muslims'

Authorities have imposed an emergency law banning large gatherings in parts of India's capital, Delhi, as nationwide protests escalated, injuring police and demonstrators.

A week after a controversial new citizenship law was passed by parliament, which has been accused of openly discriminating against Muslims, protests across the country showed no sign of abating.

Clashes between demonstrators and police in the Seelampur district of Delhi turned violent on Tuesday, with 21 injured and buses and a police outpost set alight, leading police to bring in emergency measures to prevent the gathering of more than four people in certain Muslim-dominated areas of the city.

Under the new legislation, tens of thousands of Hindu, Christian, Jain, Buddhist and Sikh migrants from Bangladesh, Pakistan and Afghanistan will be allowed to claim Indian citizenship. The same will not apply for Muslims, who the BJP government argues are not a threatened minority in these countries.

Some of the most violent altercations between protesters and police over the past week have occurred on Muslim-majority university campuses, where students who were marching against the citizenship law were met with police brutality.

Harsh Mander, a prominent human rights activist, said he would be filing an official complaint of serious police atrocities over officers' actions at Aligarh Muslim University (AMU) in Uttar Pradesh on Sunday. Police violently stormed the campus, firing teargas and detaining dozens of Muslim students.

Speaking to the Guardian, Mander said multiple students and teachers recounted how the police had used Islamophobic slurs and taunts at the Muslim students as they beat them with batons, including calling them "khatana", which means circumcised, and shouting the Hindu nationalist slogan "Jai Shri Ram", meaning Hail Lord Ram, a Hindu God.

He also spoke on behalf of another 19-year-old AMU student, who did not want to speak to the media directly for fear of retribution, who had been detained and beaten by police for almost 24 hours.

"When they brought him to the police station, he described the hateful Islamophobic taunts that the police were saying to him," said Mander. "They beat him up so badly that his hand was broken, and even after they broke it, they kept beating him. He showed me the terrible marks all over his body."

Mander alleged that those students who had been attacked by the police had been informed by the university administration that if they filed an official complaint they would be both expelled and also be charged under the national security act.

"The openness of the Islamophobia of the police here is what really troubles me," said Mander. "We've transitioned from vigilante lynching, where the government created an enabling environment for hate, into the state actually doing it itself. What this citizenship act and the police response to the protests makes clear is this government has declared war

on its Muslim citizens.”

While the BJP government has widely denied that the citizenship act discriminates against Muslims, critics say it is their most explicit attempt yet to forward their Hindu nationalist agenda and divide the country down religious lines.

It followed reports of “barbaric” violence against students at the Muslim-majority Jamia Millia Islamia University in Delhi on Sunday, where dozens were injured, including one student who lost an eye after being hit with a teargas canister.

On Tuesday night, the UN raised concerns about the “excessive force” used against students. Stéphane Dujarric, a spokesperson for the UN secretary general, said: “We call for restraint and urge full respect for the rights of freedom of opinion and expression and peaceful assembly.”

In Assam, the north-eastern state where the protests first began a week ago, and where six people have lost their lives in the clashes so far, thousands of government employees took to the streets.

Among the demonstrators was eminent Assamese literary critic and social scientist Hiren Gohain, who described the new citizenship law as “ghastly and malicious”.

“We want to maintain our the tradition of social harmony,” said Gohain. “We are at one with the rest of the country in opposing an unconstitutional, communal idea of citizenship. If people want freedom, if they don’t want to be slaves, they will have to maintain the struggle.”

Meanwhile, the Urdu writer Mujtaba Hussain declared he would return his Padma Shri award in protest against the Citizenship Amendment Act. “The situation in the country is becoming worse day by day and in my lifetime I have never witnessed such situations ... the country is getting separated in the name of religion and hatred,” he said.

Cross Contraction

INDE : DES ARRESTATIONS POUR ÉTOUFFER LA DISSIDENCE

amnesty.fr, le 28 avril 2020

Deux étudiants ont été arrêtés et inculpés après avoir participé à des manifestations ces derniers mois . Le gouvernement utilise ainsi la principale loi antiterroriste en Inde, pour réprimer quiconque critique l'État.

Le 2 avril, la police de Delhi arrête Meeran Haider, étudiant en thèse à l'Université de Jamia Millia Islamia et coordinateur médias du Comité de coordination de Jamia. Quelques jours plus tard, Safoora Zargar, étudiante en master de philosophie à la même université, est également interpellée pour avoir bloqué la route aux abords de la station de métro de Jaffrabad, en février. Tous deux sont maintenus en détention dans l'attente d'un complément d'enquête.

Les deux étudiants avaient participé à des manifestations contre la loi relative à la citoyenneté adoptée en décembre dernier.

Une pratique se dessine, qui consiste à utiliser la Loi relative à la prévention des activités illégales pour réprimer la dissidence en Inde. Plusieurs organisations de défense des droits humains ont condamné la Loi relative à la prévention des activités illégales, la jugeant répressive et non conforme aux normes internationales relatives aux droits humains. De récents exemples indiquent que les autorités se servent abusivement de cette loi. On peut citer le cas de la photjournaliste Masrat Zehra, récemment inculpée en raison de ses posts sur les réseaux sociaux publiés depuis le Cachemire, et ceux des défenseurs des droits humains Anand Teltumbde et Gautam Navlakha, également arrêtés ce mois-ci.

Il est à déplorer que celles et ceux qui ont exercé leur droit de réunion pacifique contre la loi sur la citoyenneté et le Registre national des citoyens (NRC) depuis le mois de décembre dernier soient arrêtés et intimidés au moyen de diverses lois répressives. Le gouvernement indien semble faillir à son obligation de protéger les défenseurs des droits humains, ainsi que les droits à la liberté d'expression et de réunion pacifique. La criminalisation des manifestants menace des droits et libertés durement acquis : tout le monde a à y perdre.

Depuis décembre 2019, des manifestations contre les amendements à la loi sur la citoyenneté ont eu lieu dans toute l'Inde. Cette loi accorde l'éligibilité pour la citoyenneté indienne aux hindous, sikhs, parsis, chrétiens, bouddhistes et jaïns originaires d'Afghanistan, du Bangladesh et du Pakistan, et exclut les musulmans. Elle légitime ainsi la discrimination fondée sur des motifs religieux.

En outre, les amendements apportés à cette loi instrumentalisent le Registre national des citoyens (NRC), le Registre national de la population (NPR) et les tribunaux pour étrangers, et poussent les minorités, musulmanes notamment, vers une situation de détention et d'apatridie. Le Haut-Commissariat des Nations unies aux droits de l'homme, le Parlement européen, la Commission des États-Unis sur la liberté religieuse internationale (USCIRF) et plusieurs sénateurs américains ont fait part de leurs vives préoccupations au sujet de la loi sur la citoyenneté.

Dès le 12 décembre, Akhil Gogoi, militant et dirigeant d'un syndicat qui a joué un rôle

essentiel dans l'organisation des manifestations contre cette loi était arrêté par la police d'État en vertu de la Loi relative à la prévention des activités illégales. Le 26 mars 2020, Akhil Gogoi a été libéré sous caution.

En décembre 2019 à Varanasi (Bénarès), la police a tiré sans discrimination avec des armes à feu et des armes à létalité atténuée afin de disperser des manifestants pacifiques. Un enfant de huit ans est mort écrasé le 20 décembre et plus d'une dizaine de personnes ont été blessées.

La police a aussi attaqué des étudiants manifestant sur le campus des universités Jamia Millia Islamia et Jawaharlal Nehru (JNU), à Delhi, en décembre 2019 et janvier 2020 respectivement. Des étudiants ont aussi été attaqués à l'Université Aligarh Muslim (AMU) alors qu'ils manifestaient contre la loi sur la citoyenneté en décembre 2019. Le 23 février, Kapil Mishra, dirigeant du Parti du peuple indien Bharatiya Janata (BJP), a tenu un discours provocateur et donné trois jours à la police de Delhi pour évacuer les manifestants qui bloquaient pacifiquement une portion de route à New Delhi près du métro Jaffrabad. Au cours de la semaine du 24 février, des affrontements ont éclaté. Plus de 50 personnes ont été tuées dans ces émeutes, dont un policier, et des centaines d'autres blessées.

Cependant, à ce jour, aucune plainte n'a été déposée contre des policiers pour usage d'une force excessive contre les manifestants.