

Liberation

AUGUST 2021

CENTRAL ORGAN OF CPI(ML)

Rs. 25

PEGASUS HACK, SPY, ARREST, KILL

CALL RECORDING
ON

READING
WHATSAPP/ MESSAGES/
EMAILS/ PASSWORDS

LOCATION
ON

CAMERA
ON

MICROPHONE
ON





IT Raids For Truthful Journalism

During India's deadly Covid second wave, Dainik Bhaskar was one of the only Hindi daily newspapers that did its job of truthfully covering the horror of oxygen shortage, overflowing crematoriums, and dead bodies floating in the Ganga. Likewise, the UP based TV channel Bharat Samachar also had diligently covered the crisis of oxygen shortage and resulting Covid deaths in UP. Dainik Bhaskar also covered the Pegasus political spying scandal. Predictably, the Modi regime, which tolerates only propagandist and sycophantic media channels and papers, has sought to punish real journalism. Offices of Dainik Bhaskar all over India, and the Lucknow office of Bharat Samachar were subjected to "IT raids" under the pretext that they were accused of "tax fraud".

In solidarity with the Dainik Bhaskar and Bharat Samachar, here is an excerpt from an op-ed in the New York Times on June 17, 2021, by the editor of Dainik Bhaskar, Om Gaur.



The Ganga Is Returning the Dead. It Does Not Lie.

I am the national editor of Dainik Bhaskar, a Hindi-language newspaper that sells about five and a half million copies a day across India, mostly to readers in small towns and villages. To get a clearer sense of the devastation caused by the pandemic among them, we sent 30 reporters and photojournalists to walk the banks of the Ganges in major cities and districts in Uttar Pradesh.

Our reporters counted 2,000 bodies on May 12 and 13 alone as they traveled 700 miles along the river. The bodies weren't only floating in it; on some days, 65 or 70 were washing up on its shores. Yet by our calculations, based on official data, the state authorities claim that just 7,826 people died from Covid-19 from April 1 to May 13. After more reporting, we estimated that between mid-April and mid-May some 4,000 corpses had been placed in shallow pits by the river along a stretch of less than one mile.

The rains also laid bare the government's colossal failure to strengthen rural health care or ensure adequate vaccine supplies — or take responsibility for its shortcomings.

Uttar Pradesh has been governed by the Bharatiya Janata Party of Prime Minister Narendra Modi since March 2017, under Chief Minister Yogi Adityanath, a Hindu monk turned politician. Mr. Adityanath's response in April to grave shortages of oxygen, ventilators and beds in intensive care units throughout the state and to the images of overcrowded cemeteries and crematoriums was to issue denials and threats. He directed state officials to invoke antiterrorism laws against and seize property from people he accused of spreading rumours.

Rural poverty has exacerbated the effects of the second wave of infections, but it was the Modi government's callous disregard that triggered the latest surge. The authorities allowed the Kumbh Mela pilgrimage, one of the world's largest religious gatherings, in the spring, as well as elections in several states, including Uttar Pradesh.

When Mr. Modi campaigned to become prime minister in 2014, he ran for a parliamentary seat from Varanasi, a holy city on the Ganges in Uttar Pradesh. He said then, "I feel Mother Ganga has called me to Varanasi." Today, the Ganges is calling him out.

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The Call of August 2021: Freedom from Tyranny, Freedom from Devastation



On August 15, 2021 India will enter the seventy-fifth year of independence from British rule. Ironically, far from celebrating the gains of independence, today Indians are increasingly being reminded of the cruelty and coercion of the colonial era as the country reels under the combined offensive of Covid 2.0 and Modi 2.0. In fact, it was none other than CJI NV Ramana who recently had to ask the Union Government why it still needed the Sedition Law of the colonial rulers even after all these years. The Sedition Law, or Section 124 A of the IPC, is however no isolated example of a colonial law that the British rulers used to suppress India's freedom fighters being invoked by the current rulers to silence critical dissenting voices.

More than laws, it is the cruel nature of contemporary governance, the attitude of India's current rulers towards citizens who are increasingly being treated as dispensable subjects, that is today reigniting the colonial comparison. The UAPA law, which has a post-colonial chronology, would perhaps put even the colonial era to shame. An octogenarian priest and human rights activist who spent the best part of his life fighting for Adivasi rights in Jharkhand, against displacement and for dignity, for release of prisoners languishing for years in jails without basic amenities and rights, was displaced from Jharkhand to Maharashtra and made to die in jail. The Parkinson's afflicted Father Stan Swamy was even denied for days the use of a sipper and a straw to drink water and his last wish of spending his last days in Ranchi amidst familiar faces was repeatedly rejected. It was one of his bail hearings that was greeted with the news of his death.

The case of Father Stan Swamy is again not an isolated example, but illustrates only a larger pattern. He was one among the sixteen detainees arrested in the thoroughly fabricated Bhima-Koregaon case, and there are several such 'conspiracy' cases being built up against rights activists and dissenting citizens, the 'Delhi riots case' in which Natasha, Devangana and Asif recently got bail from the Delhi High Court, but a number of others continue to languish in jail being another particularly brazen one. Each of these fabricated conspiracy cases remind us of the cases the British rulers built up to persecute Indian freedom fighters. And while the British rulers had to rely primarily on draconian laws and repressive measures, the

Modi government has also got its most sinister surveillance arsenal to snoop and plant electronic evidence at will.

We now know that an Israeli company has been selling cyber-surveillance spyware in the name of combatting terrorism and crime (it openly admits to selling to 'vetted' governments) and more than 50,000 phones are already being targeted globally. The list in India revealed so far includes opposition leaders and election strategists, investigative journalists and human rights activists (among them Father Stan Swamy), an election commissioner (Ashok Lavasa, who had found Modi guilty of model code violation in the 2019 elections), family members of the woman who lodged a sexual harassment complaint against

former CJI Ranjan Gogoi, and even sitting judges and Modi's own ministers. It clearly gives us an idea of the kind of super-invasive surveillance and blackmail on which the Modi-Shah regime has built up its architecture of statecraft.

And then we have the reality check inflicted by the Covid19 pandemic, especially the lethal second wave in which the whole world saw Indians die of oxygen shortages and corpses floating in the Ganges and being buried and burnt en masse without any dignity. Now the government tells Parliament that nobody has died for lack of oxygen in India. From testing and treating people to counting the dead, we only see a shocking disregard for human life. The message that the super-arrogant and super-callous regime is constantly sending out

is that it is least bothered and could not care less. True to Modi's dictum of discovering opportunity in disaster, the government is treating the pandemic only as a series of opportunities to promote corporate profit and plunder and rob the people of their resources and rights, and even lives.

In 1947 India had emerged with a dream of a modern democratic republic and the goal of a welfare state. Today India has turned into an elected autocracy and Indians are living the nightmare of tyranny. A second freedom movement is the urgent call of the hour: freedom from tyranny, freedom from state-sponsored disaster and devastation, freedom from fascism.



Hack, Spy, Arrest, Kill: The Regime's Toolkit To Demolish Democracy

Pegasus Hacking Scandal: Modi Government Must Face Independent Investigation

The Modi Government's use of Israeli "Pegasus" spyware technology to secretly and illegally hack into and take control of the phones of thousands of Opposition leaders, journalists, Supreme Court judges, activists and other Indian citizens is by far the biggest criminal act by a Government in 75 years of independent India.

Investigations by the Paris-based non-profit 'Forbidden Stories' as well as Amnesty International have been verified and simultaneously published by reputed media organisations around the world. These investigations establish that the Israeli firm NSO sells Pegasus software only to governments,

ostensibly for "national security" and "counter-terrorism" purposes. Pegasus can be used to hack into smartphones remotely, and then gain control over those smartphones, without the knowledge of the target. Media organisations conducted forensic analysis of phones belonging to those whose numbers figured on the list of targeted numbers. This forensic analysis has conclusively established that not only was Pegasus used in 2017-18 to target Opposition leaders, journalists, judges, lawyers, activists of student movements, workers movements, human rights defenders and other individuals – Pegasus continues to be active on the current phone sets of several of those targets.

The targets include leader of the Opposition Rahul Gandhi and his closest aides; Trinamool Congress leader Mamata Banerjee's nephew Abhishek Banerjee; election strategist Prashant Kishore; Congress and JD(S) leaders in Karnataka; a sitting Supreme Court judge; a large number of journalists (editors as well as reporters); and a large number of activists.

Pegasus has been found active on Prashant Kishore's phone currently, which indicates that he was a target for hacking during the recent West Bengal elections in which he was the election strategist for the BJP's rival Trinamool Congress. The numbers of key Congress and JD(S) leaders of Karnataka were reportedly added to the list of targets just prior to collapse of the Congress-JD(S) coalition government, paving the way for the BJP to capture power. Here, the question arises – was the



Modi government using Pegasus technology purchased at a steep cost to the taxpayers, to target its political rivals to benefit the ruling BJP party? If so there can be no greater instance of political corruption.

The most shocking and blatant act of criminality is the inclusion of the Supreme Court staffer who accused Chief Justice Ranjan Gogoi of sexual harassment, and 11 of her family members in the list. Phones belonging to members of this particular family were selected for targeting days after one of them filed a sexual harassment complaint against CJI Gogoi. This raises the question: was the government of India hacking into the phones of a sexual harassment complainant and her family members in order to be able to stalk and intimidate them as well as snoop on their legal strategy? Was this done to protect the accused Chief Justice of India Ranjan Gogoi – and if so was any deal struck with the CJI in exchange? What was the impact of these actions on crucial Supreme Court judgments in which the Government had a special interest?

In its defence the Modi Government says that the UPA tapped phones too. But there is a legal infrastructure governing phone taps: phones can be tapped by the government in exceptional circumstances relating to national security, but only with a range of checks and balances which ensure that the order permitting the phone taps are sent to a Review Committee within a week. If the UPA violated these rules in its tenure, why has the Modi regime not pursued those cases and punished the offenders? Pegasus is used to hack phones, not tap them – and hacking is a criminal offence in India.

The Modi Government further says there is no proof linking Pegasus to the BJP or its government; however, it has not categorically denied purchasing and deploying Pegasus. NSO says that it sells only to governments. But if some non-government entity purchased and used Pegasus against Indian citizens, why is the Modi Government not interested in identifying and punishing this entity? Why is it not interested in protecting Indian citizens from such an entity? Why is it treating the Pegasus revelations

as a non-issue?

According to 2016 estimates, the NSO's charge for spying on just 10 people using Pegasus was around Rs 9 crore. The recent revelations show that Pegasus was used to hack into some 1500 phones in India in 2017-18. Presumably this number only increased in the years since 2018 till the present. Have Indian taxpayers (suffering demonetisation; joblessness; rises in food and fuel prices; and lockdowns) been footing the bill for this massive crime? How has this expense been disguised in the accounts? How was the Comptroller and Auditor General (CAG) office prevented from noticing such a massive expense?

A Government which hacked into phones of judges, journalists, Opposition leaders and activists could potentially stalk and blackmail these individuals or threaten their lives to silence them or to extract favours from them. It could plant evidence on their phones in order to frame them: as in the Bhima Koregaon case where Pegasus was used to target the accused. It could keep track of the strategies

of Opposition politicians; and use knowledge obtained through hacking to topple Opposition governments and buy Opposition MLAs. It could be pre-warned of every journalistic investigation, so that it could destroy evidence in advance.

In other words, the list of targets indicates that Pegasus was used, not for any purpose of governance or national security, but simply to serve the private interests of the ruling party or some of its leaders. In the USA's Watergate episode, President Nixon was forced to resign for planting bugs to listen in on a Convention of the opposition party. The use of Pegasus in India is a crime of far greater proportions than Watergate – and demands investigation and punishment.

Did the Modi regime purchase Pegasus during Prime Minister Modi's visit to Israel in 2017? Did it deploy Pegasus to try and control every branch of India's democracy: the political Opposition;

the judiciary; the press; and civil society? Why does the Government not tell the people: did they, or did they not, purchase and deploy Pegasus? If they did not, who did? Indian citizens deserve answers to these questions.

If the Government hacked our phones, it is an attack on the Constitution and the rights of Indian citizens. If some other force hacked our phones, then it is truly a threat to national security and the security of India's citizens. The fact that an Israeli company has access to thousands of India's citizens including journalists and judges, is in any case a serious breach of national security.

An independent tribunal must be empowered to seek time-bound answers from the Modi government and its functionaries at every level, so as to ensure that those responsible for the criminal use of Pegasus are identified and prosecuted. □

Understanding the Pegasus Project

The Pegasus Project is an international media consortium that launched a collaborative investigation into spying on thousands of individuals across the world being done through the spyware developed and sold by the Israeli technology firm NSO Group.

Some facts:

- **Who did the investigation?** Multiple global media houses were involved. Media from 17 countries across the globe are part of the consortium, including some of the biggest media houses in the world – Washington Post, Le Monde etc.

- **Scope of the investigation?** Investigation was not India specific; it covered at least 45 countries. The most number of targets of the Pegasus spyware were from Azerbaijan, Bahrain, Hungary, India, Kazakhstan, Mexico, Morocco,

Rwanda, Saudi Arabia, Togo, and the United Arab Emirates (UAE).

- **How many victims of snooping?** 50,000 individuals in all globally have been identified as potential targets. This includes 1000 Indians, 300 of whom we know for sure through forensic evidence have been snooped on. This includes journalists, human rights defenders, civil society members, lawyers, diplomats (most of them based in New Delhi, including heads of diplomatic missions of Pakistan, China, Afghanistan, Iran, Saudi Arabia, Nepal). The Indian list includes 49 Indian journalists, 3 opposition leaders, 2 Union Ministers. The global list includes 3 Presidents, 10 Prime Ministers and 1 King.

What does Pegasus do?

- 24x7 surveillance: Allows remote

and complete access to electronic devices (phones, laptops) – call records, messages, audio and video, all apps being used. All personal and intimate details of one's life is laid bare to those controlling the spyware. In other words, the mobile phone purchased by an individual essentially allows entire private life to be accessed by someone else, with no consequences.

- **Is planting of evidence possible?** The Bhima Koregaon episode tells us that Pegasus can be used to plant evidence too (at least on laptops). We are not yet sure if Pegasus allows planting of evidence (say sending emails on behalf of the tracked person) on mobile phone. It does not look improbable, given the nature of the software.

- **Who owns and develops Pegasus?** It is sold by an Israeli tech firm, NSO. It is the sole product of the company.

- **What is the role of governments?** Pegasus is sold to a client only with the permission of the Israeli government's Defense department and only to national governments and security agencies working under the aegis of national governments.

- **Is this snooping illegal?** Surveillance can be done by governments under certain (very stringent) conditions. According to India's Telegraph Act:

In the landmark PUCL [People's Union for Civil Liberties] verdict of 1997, the Supreme Court set restrictions on the scope of the Indian Telegraph Act that permits phone taps. The concerned section S.5(2) of the Telegraph Act reads:

“ On the occurrence of any public emergency, or in the interest of public safety, the Central Government or a State Government or any Officer specially authorised in this behalf by the Central Govt. or a State Government may, if satisfied that it is necessary or expedient so to do



in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States or public order or for preventing incitement to the commission of an offence, for reasons to be recorded in writing, by order, direct that any message clear of messages to or from any person or class of persons, relating to any particular subject, brought for transmission by or transmitted or received by any telegraph, shall not be transmitted, or shall be intercepted or detailed, or shall be disclosed to the Government making the order or an officer thereof mentioned in the order.”.

The PUCL verdict introduced a number of rigorous procedural safeguards, among them,

“1. An order for telephone-tapping in terms of Section 5(2) of the Act shall not be issued except by the Home Secretary, Government of India (Central Government) and Home Secretaries of the State Governments. In an urgent case the power may be delegated to an officer of the Home Department of the Government of India and the State Governments not below the rank of Joint Secretary. Copy of the

order shall be sent to the Review Committee concerned within one week of the passing of the order.”

• **What is the government saying?** Essentially, denial, obfuscation and lying.

◦ **Has the Modi government purchased the Pegasus spyware?** The Government has not categorically admitted or denied that it has the Pegasus spyware. It is indulging in obfuscation and diversion (for example, saying that several other countries have been named so why target India and so on). An RTI reply to a request filed by Saket Gokhale says that the government, through the Integrated Finance Division, had indeed allocated a budget for purchase of Pegasus spyware.

◦ **Is the snooping by the Modi government legal and authorized?** Government says “no illegal, unauthorized snooping”. So does that mean the snooping is legal, and authorized by a government agency? Which one and why? Surveillance has to be okayed under Section 5(2) of Indian Telegraph Act, 1885 and section 69 of the IT (Procedure and Safeguards for Interception, monitoring and Decryption of Information) Rules, 2009 by the Home Secretary of Union or State government, or authorities designated to do so by them. There is also an oversight mechanism in the form of a review committee headed by a Cabinet Secretary, which allows for adjudication process for those affected. So was this done? No clear answers as of now. The adjudication process has certainly not taken place.

◦ **Official justification (or not) for the snooping:** The spyware is supposed to be used only to detect and stop acts of terror. It is clear from the list of targets that ‘terror’ and ‘national’ security’ have nothing to do with the use of Pegasus. Rohini Singh, who was following up on scams related

to Jay Shah, Amit Shah’s son, was tracked; women journalists covering the education and election commission, as well as the home ministry beats were tracked; the woman complainant who accused Ranjan Gogoi of sexual harassment and her entire family were put under surveillance after the complaint was filed; Ministers and leaders from the Karnataka Congress and JD(S) were tracked just when the BJP was trying to topple the coalition government in Karnataka; a sitting Election Commissioner known to have been tough on Narendra Modi and the BJP was put under surveillance; the CBI chief that the Modi regime ousted in a midnight coup was added to the list along with seven members of his family. Such snooping could potentially obtain information through any means possible on political opposition and dissenters; information that could then be used to blackmail individuals, sabotage opposition campaigns, sabotage institutions and democratic processes, and even steal elections.

◦ **Lying:** The government is also simply lying. We are being told for instance that WhatsApp denies any infiltration via Pegasus, whereas WhatsApp said exactly the opposite. It informed MeITY in September 2019 that 121 Indians were targeted by Pegasus via its platform.

◦ **Is this a global conspiracy to defame India?** The government says this is a grand conspiracy to defame India. As mentioned earlier, this is an international effort conducting investigations across the globe. India is not a specific target.

◦ **Is the timing of release of Project Pegasus suspicious?** The government claims that the Pegasus report has been released only to derail the Monsoon session of the parliament. This does not make any sense, as multiple media outlets (from 17 countries)

are involved. It is highly unlikely that that India's parliamentary procedures would have figured in any decisions regarding date of release of the report.

o **We Surrender Digital Privacy To Facebook, Google etc, So Why Object At Pegasus Hacking?**

This argument peddled by pro-Modi propagandists, is like saying, we wear swimsuits in swimming pools, so why object if our boss secretly peeps into our window to see us in our underwear? Companies like

Facebook and Google nominally ask our permission to take our data; their collection of our data is impersonal (i.e it targets everyone, not a specific individual); and the data is used for commercial purposes (to track our consumption preferences for example). All this, while very objectionable, is still a far cry from the Government secretly hacking into the personal phones of specific individuals to spy on their every action, including their most private moments. □

forces in fact did purchase and use Pegasus to target Indian citizens? Surely, if a foreign power is spying on Indian citizens and meddling in Indian Parliamentary and Assembly elections, and if an Israeli company possesses the private data of Indians in sensitive positions, it is a serious breach of national security? Why is the Government unconcerned about investigating such a breach, and identifying the offenders?

CPIML Statement On Pegasus Spying Scandal

It has taken a collective global effort (called the “Pegasus Project”) by human rights organisations and journalists to expose the dubious use of Israeli Pegasus phone-hacking software in at least ten countries including India. These painstaking investigations including independent forensic analysis of phones pose very disturbing questions for democracy in India. It stands established that at least a 1000 Indian phone numbers (belonging to prominent leaders of Opposition, an Opposition election strategist, a large number of editors and reporters, a sitting Supreme Court judge, an Election Commissioner, a range of human rights defenders and activists, as well as a woman who complained of sexual harassment by a Supreme Court Chief Justice, and members of her family) figured on a 2017-18 list of potential Pegasus targets. Forensic analysis of a number of phones belonging to the potential targets has established that several were successfully infiltrated by Pegasus, and Pegasus has been found active this very month on the phone of at least one target – Opposition election strategist Prashant Kishor.

The Israeli company NSO states that it only sells to governments. So either the Government of India, or some foreign government, bought Pegasus (rates of which amount to at least Rs 1.5 crore per phone) to use the personal phones of journalists, judges, and activists to spy on every aspect of their lives, including their most private moments. Such a use of Pegasus is clearly nothing to do with “national security”; it is nothing but politically motivated espionage targeting critics of the ruling party. Information gathered thus can be used to blackmail, control, fabricate evidence against and falsely implicate the targeted individuals, thus undermining the key pillars of democracy: the free press, the judiciary, and an alert and active citizenry.

The Government of India's bluster in response to these revelations indicates that it has something to hide. It dismisses the Pegasus Project revelations as a “conspiracy to defame India”, and at the same time denies any wrongdoing on its part. If indeed the Government did not buy and use Pegasus to hack phones, then why does it feel “defamed” by the revelations? Why is it not interested in investigating which

The Government also claims that any surveillance done by it is in keeping with the provisions of Indian laws. Existing Indian laws do allow for phone taps – in exceptional cases where there is a clear threat to public safety – as long as the orders to tap are reviewed by a panel within a week. Pegasus does not tap phones – it hacks them, and hacking is illegal in India. The Government must come clean and tell the Indian public: did it purchase Pegasus or not? Who authorised the purchase, and who footed the bill? Who selected the targets? Was there any panel reviewing such spying and seeking a justification for the selection of each target? Was a woman complainant who accused CJI Gogoi of sexual harassment, along with ten of her family members, targeted using Pegasus? Is there any record of the findings of such surveillance? In whose custody are such records stored?

We demand the immediate resignation of the Home Minister Amit Shah, as the first step towards an independent investigation, that is empowered to seek time-bound answers from the Modi government and its functionaries at every level, to identify those responsible for the criminal use of Pegasus. □

New IT Rules 2021: An Agenda of Surveillance, Control and Manipulation of Public Discourse

Over the past couple of years, we have seen much discussion and controversy over regulations meant to police the digital space in India and abroad. In December 2019, the Ministry of Electronics and Information Technology (MEITY) tabled the Personal Data Protection Bill (DPB), and this bill is currently being scrutinized by a Joint Parliamentary Committee. While the DPB was officially tabled as a mechanism to guarantee personal privacy and freedom from unwanted intrusions, several observers pointed out that it has the potential to allow an extensive programme of mass, state-sponsored profiling and surveillance. The DPB apart, the past few years have seen some high-profile and well-documented battles between media giants such as Twitter and WhatsApp and people yielding political power – the censoring and subsequent banning of Donald Trump's posts and tweets between December 2020 and January 2021 being a case in point. In countries across the globe, the struggle over regulation of the digital space continues. These debates over privacy, surveillance, rights and democracy are inevitable, given the questions and concerns involved. Regulating the digital space today is challenging. It requires maintaining a balance between curbing hate speech, disinformation and fake news and allowing for free expression of ideas (and dissent). It requires controlling some of the most influential actors of our times, including the State as well as tech giants whose profits are deeply linked to the data that people continuously produce. Moreover, it requires dealing with the ever-increasing power of newly emerging

computational tools of surveillance. Given this backdrop, regulating the digital space is always going to be contentious process. And the latest attempt at regulation, the new IT Rules 2021, have brought concerns over surveillance, control and manipulation of public discourse to the fore once again.

Attacking End-to-End Encryption, Attacking Privacy

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (henceforth referred to as IT Rules 2021) announced in February this year by MEITY are the latest in long series of attempts of the Indian government to control public narratives. There are multiple issues with the new IT Rules 2021. The one issue which has received the most coverage is that the new regulations require social media and other digital platforms to trace all posts and messages. The government can demand (couching this demand within the framework of 'fighting terror', 'ensuring national security' and so on) and receive information about the originator of a particular post or message. Why is this so important? Simply because if digital platforms were to conform, they would have to ensure appropriate technology to be able to do so. The current technology used by Signal WhatsApp and other platforms, known as end-to-end encryption, safeguards the privacy of an individual's conversations and does not allow digital platforms access to messages. All this will change with the new IT Rules. Digital platforms will have to change their architecture, and

our conversations will no longer will be private as a result. All platforms – from WhatsApp and Signal to Telegraph – will have to comply. Responding to criticism, Ravishankar Prasad (then IT Minister) sanctimoniously claimed that the Modi government was not forcing any platform to give up end-to-end encryption; it was their job, he claimed, to develop a system to protect privacy. The point however is that any technology that platforms use will now have to compromise on privacy or risk violating the law. WhatsApp has sued the government and we will have to wait to see the outcome of the case. Till then, the government has effectively destroyed any chances of private conversations, since now all platforms will perforce have to create some mechanism wherein they store origin, content and data about our posts and messages. The Pandora's box, in other words, is now open; private conversations are likely to be accessed and clearly the State as well as tech companies will find it difficult to resist the temptation to use this information towards their own ends.

Regulatory Architecture for Control and Manipulation of Public Discourse

The new IT rules demand that an elaborate system of regulatory vigilance be put in place. In simple terms, all digital platforms will have to have a system to address any 'grievances' (read messages from troll armies and the BJP IT Cell) within a specified time limit. They will be answerable to an elaborate 3-tier regulatory system designed to be under the control of the executive

(read bureaucrats appointed by the government). Platforms will now have to monitor and proactively identify and take down content using automated tools, while ensuring human oversight and lack of bias in the algorithms used. The new rules state that the control over content should not infringe upon the legitimate right to free speech; fake news and content which disrupts law and order and national security should be pulled down. This ambiguous ambit however leaves the door open to subjective interpretations and subsequently to arbitrary censorship on content, thus rendering moot the question of freedom of expression. Moreover the government can order the takedown of any content it deems unfit, and platforms have to comply with this request within 36 hours, a clause which succeeds in making the process arbitrary and somewhat opaque.

What are the three regulatory tiers now in place? The first tier exists at the level of the organisation (consisting of a Chief Compliance Officer and a Resident Grievance Officer), and is mandated to ensure compliance with the IT Rules on a continuous basis. The next level provides for a self-regulatory mechanism where an independent body is to be headed by a person who should be either an eminent jurist or a retired Supreme court or High Court Judge. These Self-Regulatory Organisations (SROs), while meant to be independent and free from the influence of vested powers, are nevertheless designed to be limited in scope. Any decision taken this level is liable to be overturned by the third and final tier envisaged by the IT Rules. The third tier consists of an interdepartmental government committee, with significant oversight powers over digital spaces. This committee, essentially an extension of the executive bureaucracy, has the right to successfully appeal against and overturn the rulings of the SROs.

In other words, the balance of power in the entire administrative set-up is clearly skewed in favour of the State, allowing the government the power to appoint complaint committees and influence the process of content moderation. It is precisely for the above reasons that the constitutionality of the new rules has been questioned. There are currently several petitions being heard in multiple states, arguing that the new rules are unconstitutional since the executive cannot take over the powers of the legislature and the judiciary.

Deliberate and Calculated Vagueness

The new IT Rules are characterised by much vagueness. Even simple definitions are left vague and open to subjective interpretations. We don't know, for instance, who is an 'intermediary' and who is an 'aggregator'. While platforms have been told to use the help of automated algorithmic systems, we don't know how the use of algorithms will limit (or enhance) their legal liability. There are clauses such as the 'Good Samaritan' principle that deliberately introduces ambiguity and contradictions. This principle is supposed to reward platforms for voluntarily taking down content. This will however mean that anyone doing this will be admitting to be in control of content and therefore liable to be prosecuted under the new Rules. They will no longer be able to shelter under the ambiguity of definitions in the rules. In other words, the government wants platform to censor and self-censor and become its willing partner in this game of manipulating public discourse.

The Fig Leaf of National Security

In keeping with what is now a predictable pattern, the government is claiming that these regulations are necessary to protect the "sovereignty and integrity" of India,

to crackdown on planned violence and acts of public disruption and terror, and to keep the digital space free from disinformation and fake news. What is actually happening is an open attempt to control and manipulate public and digital spaces, and mould them to be compatible with the ideological goals of the government, the BJP and the RSS. The IT Rules use the classic carrot and stick approach – asking platforms to 'self-regulate', while the threat of punishment is always dangling over every published piece which might not meet the approval of the powers-that-be.

Nikhil Pahwa of MediaNama tells us that through the new IT Rules, India is charting a new model of regulatory control over digital spaces, distinct from the existing US, EU and Chinese models. The Indian model is however far closer to the Chinese model of surveillance and control than before. It is likely that major platforms such as Google, Twitter and WhatsApp will not be banned in India as they are in China. While the veneer of free speech is thus maintained, what is far more likely is that they will be controlled through a subtle system of regulation, surveillance, and even punishment. This bodes no good for democracy in India, hitting as it does on the ability to foster a free exchange of ideas, dissent and criticism.

As of now, companies such as Google and Facebook are agreeing to comply with the new rules, while also stating that they will protect democratic norms. This double speak and opaque negotiations between powerful actors will continue. What we need is constant vigilance and pushback against all forms of control, manipulation and surveillance. We cannot allow either the State or tech giants to run roughshod over democratic norms in their bid for profits or control over narratives. ■

Father Stan Swamy: A Custodial Killing

The death of octogenarian human rights defender Fr Stan Swamy is a cold-blooded custodial killing. It was clear as day to all that prison was likely to prove a death sentence for an elderly, frail man with Parkinson's disease, especially during the Covid-19 pandemic. By arresting him and imprisoning such a man as an undertrial, the National Investigation Agency (NIA) knowingly and deliberately sought to take his life. The courts, whom Fr Stan repeatedly told that his life was in danger and he would not live long in prison, displayed a shocking degree of callousness, and failed in their duty to protect him from the lethal NIA strategy. Fr Stan, denied even a straw to sip liquids, unable to walk without help, infected by Covid-19, was denied bail over and over by courts. Such treatment is custodial torture, which took his life. Ironically he passed away even as the farce of yet another bail hearing was underway.

We know that the Bhima Koregaon accused were targeted using Pegasus and Netwire software to plant evidence on their computers and phones – evidence that was then used to fabricate pretext to arrest them. Father Stan has been killed as a result of this conspiracy.

The NIA knows full well that not a single one of the Bhima Koregaon accused will ever be found guilty by a court once a trial is held. So their strategy is to delay the trial indefinitely and use the Supreme Court's interpretation of UAPA to torture human rights defenders in prison, for their remaining lifetime. The pandemic only increases the chances that these activists, elderly or not, could die in this process. Meanwhile the Government says "let the law take its course" - confident that the very course of the law, thanks to apathetic and weak-willed courts, can kill those whose



work exposes the government's crimes.

The Delhi HC, granting bail to three student activists accused under UAPA, rightly warned that democracy is in peril thanks to a government that equates protests with terrorism. Fr Stan's custodial murder must be a wake up call for Indians everywhere. The investigative agencies and courts cannot between them be allowed to take the lives of human rights defenders and dissenting

voices. We must not rest till all the Bhima Koregaon accused; those accused in the Delhi riots case; adivasis, Dalits, Muslims, journalists, Left activists jailed indefinitely under draconian laws; and all other political prisoners are free. We must demand justice for Fr Stan and ensure that the government responsible for his killing faces punishment in the court of the people. That would be the most fitting tribute to Fr Stan's memory. □

Impoverished Adivasis Hunted as Criminals: A Study of Jharkhandis alleged as Naxalites

(Excerpts from a Report co-authored by Father Stan Swamy, published by the Bagaicha Team based in Ranchi)

This study discloses several undisclosed, striking realities about alleged "Naxalite" under-trials in Jharkhand. Disproportionately large numbers of Adivasis, Dalit and other backward castes have

been trapped in several false cases especially when they try to assert their constitutional and human rights...This argument is corroborated by discussing the very poor responses from Jharkhand's jails to petitions served under the Right to Information Act 2005, presenting relevant data gathered from 102 alleged Naxalite under-trials from eighteen districts of

Jharkhand and by sharing personal experiences of several alleged Naxalite under-trial detainees in Jharkhand's jails...These persons have been alleged as Naxalites and foisted cases mostly under section 17 of the Criminal Law and Unlawful Activities (Prevention) Act 2004.

A summary of the significant findings of the study in quantitative terms is as follows.

About 46 per cent of under-trials under study belongs to the age-group 29-40 years and 22 per cent belongs to 18-28 years. Adivasis or Scheduled Tribes constitute 69 per cent of the respondents. About 42 per cent of respondents belongs to Sarna Adivasis; 31 per cent Hindu, 25 per cent Christian and two per cent are Muslims. 78 per cent of the respondents is married and per cent unmarried. Agriculture is the main occupation of about 63 per cent and about 17 per cent are casual labours. 22 per cent of the total respondents owns 3-5 acres of cultivable land; 14 per cent two acres and 23 per cent one acre. However, respondents' monthly income shows that 59 per cent earns up to or less than Rs. 3000 only and 38 per cent earns up to Rs. 5000 or less, showing a very low productivity of their landholdings.

Arrest of about 93 per cent of all respondents has taken place during the last 15 years i.e., between 2001 and 2015. The highest number of arrests occurred between the year 2010 and 2013. Regarding the location of arrests, the data shows that about 57 per cent was arrested from their homes; 30 per cent was arrested from nearby towns or on journey; 8 per cent had surrendered at the court after being informed by the police about their being charge sheeted. Five per cent of the respondents was summoned to the police station to be arrested. At the time of interview, 84 per cent of all respondents was under trial. They continue to attend courts on a regular basis. About five per cent

of them has stopped attending the court after being bailed out due to fear of being harassed by the police again although their cases have not yet been disposed of. About six per cent of them is still in prison.

One of the most significant findings of the this study is that 97 per cent of all 102 respondents, who were accused as being Maoists or 'helpers of Maoists' reiterate that the allegations by the police is wrong and their arrests and imprisonment were based on misinformation. Other significant findings of the study is that a large number of fake cases under the draconian 17 CLA Act, UAPA and the anti-state sections of the IPC have been foisted upon the Adivasis, Dalits and the other backward classes in various parts of Jharkhand, particularly within the last decade; that all this is part of the gross misuse of the criminal justice system by the state which favours only the rich and powerful to the detriment of the poor and downtrodden, and is now more and more unscrupulously in favour of the take-over of the economically poorest people's land and the nation's resources by both multinational and domestic corporates (corporatization); that local vested interests at times do act hand-in-glove with the police to foist such fake cases against innocent people with whom they might have some scores to settle; that in the current system, justice remains very much beyond the means of all such accused; that once implicated in such cases, the threat of further persecution in the form of various forms of harassment, intimidation, re-arrests, etc. persist even after the accused are released on bail; and that even after being released on bail, their cases, mostly false and often fabricated, have been prolonged unnecessarily causing major financial difficulties.

Another dimension of this study exposes the deliberate misuse

of criminal justice procedures to repress alleged Naxalite undertrial detainees inside Jharkhand's jails. This section of the report presents a range of very significant findings: (1) instance of blatant torture while in custody, in gross violation of the rights of prisoners, (2) administrative procedures that amount to blocking and inhibiting pre-trial and trial proceedings while under detention, (3) serial foisting of cases/rearrests, (4) exceedingly faked-up cases that do not deserve cognizance of even arrest, not to speak of case committal, (5) prejudiced denial of bails, (6) under-trial detention amounting to unwarranted conviction, (7) large proportion of acquittals indicates gross misuse of the criminal justice system, and (8) convictions by the lower courts (whether dismissed by the higher courts or not) that reflect upon the sordid state of adjudication.

The prolonged detention and the exceedingly slow pace of progress of cases, especially retarded due to the serial foisting of multiple case, jail transfers on administrative grounds, nonproduction from jails to all the courts on the respective dates of hearing, production through video-conferencing also hindered for months and years on end due to technical failures of the machinery, communication failures and administrative lacunae – all these together result in accused persons being punished for offences which they may not have committed. This state of affairs might also suggest that a large number of people have also been so punished on political grounds of their oppositions to the policies of the reigning state.

...most of the respondents were arrested for reasons of speaking out against injustice done to them or trying to unite themselves against exploitative elements in their villages

and localities, which intend to deprive people of their entitlements and rights to land and common property resources in territories that have been constitutionally and legally deemed to be protected for the benefit of Adivasis.

Looking at these processes, most clearly visible in predominantly Adivasi regions, from a broader and historical perspective, these exploitative and oppressive forces work apparently in three mutually supporting patterns: (1) progressive encroachment of land, forests, water-bodies, mineral and other common property resources by state supported neoliberal capitalist corporate groups in the name of “national development” which is a buzzword in India to mask the

discursively naturalised processes of sanskritisation, socioeconomic differentiation (along the line of “upper” versus “lower” or “pure” versus “impure” leading to production and naturalisation of graded inequality among Adivasis) and consequent detribalisation animated by political Brahmanism or the Manu system that seeks to advance unrestricted competitive individual pursuit of riches, power and honour. This process has forcibly been accelerated in recent times by the activists of sangh-parivar (a familial name for several Hindu fundamentalist organisations); (2) the longest, most resilient and continued history of people’s resistance movements demanding self-determination and self-rule for Adivasis from all over

‘greater Jharkhand,’ which has been violently suppressed, divided, co-opted and pacified; (3) consequently, in recent times, especially since the liberal reform periods, i.e. from the 1990s, these areas have been characterised by increasing militarisation (deployment of the state’s repressive apparatus – the police and paramilitary forces) – to suppress people’s resistance and simultaneously advance industrial-scale extraction of natural and mineral resources to the perils of already impoverished Adivasis-Moolvasis and the environment; and (4) this, of course, has been accompanied by increasing misuse of almost all criminal (justice) procedure codes and an already crisis-ridden Indian legal system. □

Example of case study

Case – 1

Biren Guria – Those who speak out assertively in Adivasi villages are “Naxalites.” Biren (45) is from a village at the heart of the famous Sal forest of Saranda. Before initiating the so-called “Saranda Development Plan” (SDP) in 2011, the Jharkhand and central governments had jointly initiated what was called “Operation Anakonda” to “cleanse” Saranda of Naxalites. Below is an excerpt from a newspaper report on the operation, SDP and intentions of the state and industrialist’s agents behind these operations and plans and their consequences for the Adivasi villagers in there.

Biren was one in a group of 12 “hard-core Naxalites,” from his and his neighbouring villages, whom the CRPF men air-lifted by a helicopter to be taken to Chaibasa, the district headquarters (about a 110 KMs away by road). He was arrested on June 27, 2011 and imprisoned on July 1, 2011. His wife had to run from pillar to post to find an advocate to get him out on a bail which she eventually got on January 30, 2012. She spent more than 20,000 rupees for the purpose. She collected the amount from neighbours in her village later returned the money by selling a few goats and cattle.

Biren’s case is not yet disposed of; he continues to attend the court at Chaibasa, initially twice every month, and later once a month. One such trip to Chaibasa court takes three days and a minimum of 700 rupees. Biren is accused of providing rice, dal and other food materials to Naxalites. His neighbours and friends say that there is no truth in this accusation.

According to Biren, “I was ploughing the field. The CRPF men arrived at our village and asked all the villagers to gather near the school building. Among the villagers, I was the only one who could speak Hindi, since others speak only the Ho language. They mistook me for a Naxali and took me to Chaibasa by a helicopter. Actually, I was working as a security guard at company in Joda (Odisha). I had come home for holidays. I also was an agent of a welfare group. I had collected a sum of Rs. 25,000 from the consumers of this welfare group. This sum was kept at home. The CRPF men took away this money as well.” □

Withdraw Fine Against Five Environmental Activists Of Uttarakhand

An order by the Uttarakhand High Court imposing a Rs 10000 fine each on five environmental activists for a PIL filed by them, will serve to intimidate and deter any citizen from raising environmental and social concerns that conflict with the interests of corporate projects.

On 7 February 2021 a glacier with debris rolled down to Raini village situated 20 km from Joshimath at the confluence of the Dhauli and Rishiganga rivers, submerging the Rishiganga Power Project and washing away 30 workers working at the site. The debris filled waters then rolled on, destroying buildings in its wake, and submerged the 530 megawatt Tapovan Vishnugarh project, killing some 170 workers working on this project.

Local citizens and activists have for decades been raising concerns about the steep human and environmental costs of building large projects on Mountain Rivers. Their repeated warnings have been ignored in spite of the fact that these concerns stand validated by the repeated accidents of the kind witnessed in February 2021. Since politicians in power tend to make decisions aimed at short-sighted and expedient

gains for their own class and for big business, they tend to ignore social and environmental concerns. It is the job of courts to uphold the environmental laws and the larger public good in these matters, as well as the constitutional rights of ordinary citizens. This is why five people (Sangram Singh, Sohan Singh, and Bhawan Rana from Raini village; Atul Sati and Kamal Raturi from Joshinath) filed a PIL in the Uttarakhand HC seeking cancellation of the Rishiganga and Tapovan Vishnugarh projects. The HC has unfortunately fined the petitioners steeply deeming the PIL to be “highly motivated” and accusing the petitioners of being “mere puppets in the hands of an unknown puppeteer”. Such language seems to stem from an ideological hostility to environmental activism rather than from any specific facts relating to the petitioners who are well known and respected activists in Uttarakhand.

We may recall that in March 2021, the same bench of the Uttarakhand HC imposed a fine of Rs 50,000 on a petitioner who had filed a PIL seeking that exams for the post of assistant conservator of forests be held after

the Kumbh Mela at Haridwar was over, to avoid exposing candidates to coronavirus infections that the influx of out-of-state devotees to the Kumbh might cause. The court dismissed the petition as frivolous on grounds that the exams were being held two weeks before the Mela was to begin. But the fact is that the influx of lakhs of devotees and visitors into Uttarakhand had begun long before the formal start of the Mela. Moreover now we know that the petitioner’s cause was far from frivolous -it stands vindicated because the Mela did indeed prove to be a super-spreader event, contributing hugely to the second wave of Covid-19 which killed lakhs of people all over India.

We would urge the courts to be less hasty in dismissing petitions raising life and death matters of public interest. In the specific case in point, we strongly protest the imposition of a fine on CPIML activist Atul Sati as well as Sangram Singh, Sohan Singh, Bhawan Rana, and Kamal Raturi. These activists deserve respect and gratitude for their work to save the Himalayan rivers and mountains, reminding us in India that we are not the owners of these rivers and mountains; we are, to use the words of Karl Marx, “simply its possessors, its beneficiaries, and have to bequeath it in an improved state to succeeding generations.” □

Why Keep The Colonial Sedition Law 75 Years After Independence?

Agreeing to examine the pleas filed by Editors Guild of India and Major-General S.G. Vombatkere (Retd), challenging the constitutionality of section 124A (sedition) in the IPC, a bench headed by Chief Justice N V Ramana posed strongly worded questions in open court to the Central Government.

The plea, contending that the sedition law “is wholly unconstitutional and should be unequivocally and unambiguously struck down”, argued that “a statute criminalising expression based on unconstitutionally vague definitions of ‘disaffection towards Government’ etc. is an unreasonable restriction on the fundamental right to free

expression guaranteed under Article 19(1)(a) and causes constitutionally impermissible ‘Chilling Effect’ on speech.”

In response the SC bench observed:

“Mr Attorney (General). We want to ask some questions. This is the colonial era law and the same law was used by the British to suppress freedom movement. It was used by British to silence Mahatma Gandhi, Gokhale and others. Is it still necessary to keep this in statute even after 75 years of independence? We do not know why the government is not taking a decision. Your government has been getting rid of stale laws.

“If we go see history of charging of this section, the enormous power of this section can be compared to a carpenter being given a saw to make an item, uses it to cut the entire forest instead of a tree. That's the effect of this provision.

“We not blaming any state or government for misuse of the provision but unfortunately, the executing agency and particularly the authorities misuse it. Take example of 66A which was struck down but people were arrested. There is misuse of these provisions, but there is no accountability!

“The situation is so grim that if some State or a particular party doesn't want to hear a voice, they will use this law to implicate such groups of people.” □

On CPI(M)'s Review of the 2021 West Bengal Elections

POLITICAL OBSERVER

Two months after the announcement of the West Bengal poll results, CPI(M) state secretary and polit bureau member Surjya Kanta Mishra addressed a Facebook live programme on 7 July. His nearly two-hour-long address came in the wake of two months of organisational review of the West Bengal poll outcome at different levels of the party organisation and mass organisations led by the party. The address thus can be seen as a public articulation of the CPI(M)'s essential election review.

The address sought to place the election review in the emerging post-poll context of West Bengal, which partly explains the extraordinary length of the address. But the listeners were obviously more interested in getting a sense of the CPI(M)'s own assessment of the situation and explanation for its weakest ever poll performance in West Bengal. The address has widely been reported in the media as a kind of post-poll volte face, but if one really listens to the whole speech it becomes clear that while the state secretary did offer a few explanations and admitted a few mistakes, the silence about the unacknowledged and unanswered questions remained more eloquent than the explanation, and the answers only gave rise to new questions.

Let us first take a quick look at what he said, especially the admissions that have now been made official for the first time. The address clearly admitted that the CPI(M) had actually been facing a relentless dip in its vote share since 2008 panchayat elections (observers of West Bengal politics will remember that this was the first

panchayat election after Singur and Nandigram). The decline took the most serious proportions in 2019 when the CPI(M) and its LF allies not only failed to win any LS seat, but as Mishra pointed out, also failed to lead in any Assembly segment either. So, in a way, 2021 only reinforced the 2019 pattern with an increase in CPI(M) votes in 94 of the 130-odd seats compared to 2019.

To counter this decline, the CPI(M) had tied up with the Congress in 2016, and additionally with the ISF/RSMP in 2021. The Congress overtook the CPI(M) in 2019, and the RSMP secured the lone seat won by the Left-Congress-ISF combine in 2021. In other words, the alliance strategy once again failed to revive the CPI(M)'s electoral fortunes. Mishra did not get into a discussion over the CPI(M)'s choice of allies in West Bengal except indicating that the party would like to continue with the alliance it forged in the elections. What was more conspicuous was his silence over the CPI(M)'s stark tactical debacle, its failure to win a single seat when it campaigned for formation of an alternative government.

The keyword used in the address to explain the situation is polarisation, of course not in the sense of communal polarisation, but political or electoral polarisation between the BJP and TMC. The dominant media is of course duly blamed for promoting this polarisation, but then it has always been difficult for any third force to get due space in the dominant media. In fact, what is new is not polarisation but the kind of exclusive or unipolar domination that the BJP enjoys in the mainstream media, nationally

and in most states. West Bengal is rather exceptional where the BJP still does not enjoy that kind of domination at least in large sections of the print media.

The question that needs to be discussed is not so much the level of polarisation in West Bengal which became strikingly manifest in 2019 itself, but what the CPI(M) did to counter this polarisation. The CPI(M) tried to wish it away by lumping the two popularly perceived poles together into a single category, gave it a catchy name 'bijemool' (BJP+Trinamool), repeatedly talked about the equivalence of the two poles, and posited itself as the only alternative. The backdrop of the February 28 rally said so explicitly and loudly: 'amrai bikalpo, amrai dharmaniropekkho, amrai bhabishyat' (we alone are the alternative, we alone are secular, we alone are the future).

The poll results in fact reflected a heightened polarisation with the TMC increasing its vote share by 5% even as the BJP vote share remained more or less intact, dropping only by 2%, and this clearly meant a total defeat of the CPI(M) strategy to counter the polarisation. If the BJP, a fascist party, constitutes one of the two poles, then the primary position of the CPI(M) in West Bengal has to be anti-BJP. Mishra tells his listeners that the CPI(M) had declared 22 years ago that the BJP could not be equated to or bracketed with any other party. How come then in West Bengal, one of the CPI(M)'s strongest bastions where it held power for 34 years, the TMC was effectively held to be the bigger enemy for all these years? He tells us how the BJP/RSS encouraged

and helped in the formation of the TMC in West Bengal and the two were actually direct or indirect allies till 2019.

So what really changed in 2019? The Modi government came back to power for its second successive term and unleashed its fascist agenda with such rapidity and aggression that the entire country and the world sat up and took notice. From Operation Kashmir and Ram Mandir to the discriminatory amendment to citizenship law and the imposition of new farm laws and labour codes to serve corporate interests, the Modi government is implementing the RSS dream agenda of transforming secular democratic India into a fascist Hindu Rashtra at breakneck speed. Every election since 2019 has been about dethroning or defeating the BJP. It was the CPI(M)'s inability to see this basic truth and adopt a firm anti-BJP position which actually enabled the TMC to almost exclusively appropriate the anti-BJP space, buck the anti-incumbency and increase its vote share by as much as 5%.

This anti-BJP polarisation is perfectly understandable, especially in a state like West Bengal after the BJP had unleashed a no-holds-barred campaign to conquer the state. The whole of India understood the ominous implications of a BJP victory in West Bengal. Leaders of the farmers' movement in Delhi rushed to West Bengal with a fervent plea to the West Bengal electorate to defeat the BJP. Large sections of Bengal's Left and liberal camp also felt the absolute urgency of stopping the BJP. The eventual outcome reflected this collective concern and the entire country heaved a huge sigh of relief as West Bengal gave a decisive rebuff to the BJP's aggressive bid for power. The BJP game plan of completing its mission of sealing its domination over the entire eastern and north-eastern region has been foiled, at least for the time being.

Professor Prabhat Patnaik, while expressing his delight at the Bengal outcome, has described the poor showing of the CPI(M) as the price that had to be paid for the larger objective of defeating the fascist forces. This sounds rather deterministic: the CPI(M) certainly did not choose to pay this price, and such an exorbitant price could surely have been avoided. Is it too difficult to imagine the CPI(M) retaining its presence as a significant, if not the leading, opposition in a state where the party was in power with a massive majority only ten years ago? The CPI(M) has often won a few seats in Rajasthan in polarised elections, the CPI(ML) too won three seats in Bihar in 2015 or more recently in Jharkhand in highly polarised contests. If a communist party has powerful pockets of grassroot work and is seen as a fighting force against the main adversary, it can locally defy the statewide polarisation and have a good chance of winning a few seats. It holds good not just for communist parties but for small parties in general. This is the question that both Mishra and Patnaik do not really address.

Mishra would like us to believe that the CPI(M) got it right about the TMC being in league with the BJP till 2019, but things changed thereafter. What exactly did the TMC do that the CPI(M) failed to read and assess properly? The TMC tried to address the growing anti-incumbency by redesigning its mass outreach and articulation and firming up its anti-BJP posture. The CPI(M) kept rubbishing the TMC government's populist schemes as theft and alms, and kept equating the TMC with the BJP, even going to the extent of suggesting a TMC-BJP government in the event of a hung assembly.

There must be some deeper reasons for such an abject misreading of the situation. There

is a fundamental reluctance and inability on the part of the CPI(M) to come to terms with its loss of power in West Bengal. The first thing to realise is that it was no conspiracy that ended the CPI(M)'s prolonged uninterrupted reign. The party had committed major mistakes and the people had got sufficiently disillusioned and desirous of change. In fact, Mishra now traces the decline not to 2011 but to 2008, even though the CPI(M) in West Bengal may like to see 2008 not so much in the context of Singur and Nandigram as in the context of the Left's withdrawal of support from the UPA government over the Indo-US nuclear deal and the subsequent Congress-TMC realignment in West Bengal.

It should also be realised that the very fact that the TMC came to power riding on the Singur-Nandigram agitation, accommodating sizeable sections of the rural poor, rural and urban middle class and the intelligentsia who were long-standing supporters of the Left, determined that it could not follow the typical trajectory of a regional party, certainly not the type of Naveen Patnaik's Biju Janata Dal. The irony is while the TMC feels compelled to take a vocal anti-BJP stand, the CPI(M) has ended up diluting its anti-BJP thrust, thereby handing over the anti-BJP vote on a platter to the TMC. This, coupled with the steady migration of blindly anti-TMC forces from the CPI(M) to the BJP, has reduced the CPI(M) vote share from the formidable heights of 40-50% to only about 4-5%.

Be that as it may, it is good to see the CPI(M) belatedly acknowledge the fact that something has surely gone wrong somewhere. And rather than blaming the whole thing on organisational deficiency,

it has also accepted some political-tactical gaps. Is it only to reconcile with the emerging political reality of opposition unity where the CPI(M) will have to work with the TMC in national politics? Or is there really an attempt to address the changed reality in West Bengal for the sake of a Left resurgence? For the latter to happen there will have to be deeper introspection and course correction. And there has

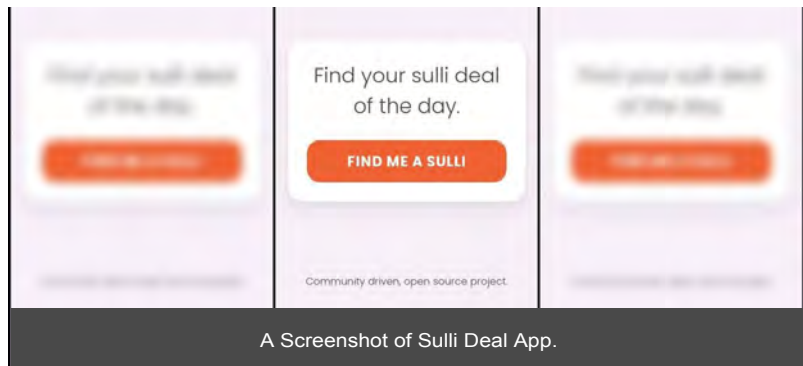
to be more humility. The arrogance with which the dominant social media contingent of the CPI(M) attacked and virulently trolled every different opinion from within larger Left and democratic circles was just a repeat of the party's arrogance during the Singur-Nandigram period which played a big role in the Left Front government's eventual downfall. Will the CPI(M) be more careful next time? ▣

Sulli Deals: A Place for "Auctioning" of Muslim Women by Hindutva Patriarchal Bigots

HEENA FATIMA

On 4th July this year, a twitter account holder by the name "k" tweeted about an App created for the "public auctioning" of Muslim women. When this incident came to light, it led to an outrage on various platforms, as concerned citizenry spoke out in protest. The App was named 'Sulli Deal' and was available on Github; a platform for open source software. Through this App, Muslim women were being 'auctioned and sold' as 'deals of the day'. The photographs, twitter account information and other details of more than 80 Muslim women, including journalists, activists, students and artists, was shared on the App without their consent or knowledge. It is important to note that these women featured without their consent on this App were amongst those Muslim women active on social media and regularly share their opinion on the current socio-political situation around us. This act of auctioning off women is clearly an attack on their identity as Muslims and as women, even as it is sadistic sexual harassment and targeting.

Earlier this year, on the occasion of Eid, photographs of Pakistani and Indian Muslim women were stolen and auctioned on YouTube and Twitter by the 'liberal dodge' account. For instance, the National Convenor of the Congress Party, Hasiba Amin, was 'auctioned' for 77



A Screenshot of Sulli Deal App.

paise (approx 0.010 USD). Haseeba Amin, in an interview with Feminism in India says "I had lodged an FIR in this matter. I have full faith in my police Investigating Officer, but after talking to him, it seemed that he had little knowledge of social media. He asked me to change my phone, which I refused. I don't understand on what basis the investigation of cyber crime cases is handed over to officers who are not aware of social media? Had any action been taken in this matter earlier, it might not have been an incident of Sulli Deal and people would have had some fear of the law."

The result of the lackadaisical attitude then is that we are seeing a repeat of such incidents. A few months later, once again this App was created with the same intention of harassing, bullying, intimidating and trolling Muslim women. Not only this, the App was once again

re-registered on Godaddy platform, even after strong protests and its temporary removal from Github.

Fearless Perpetrator

The Modi led BJP government is a proponent of Hindutva (an extremist ideology which falsely claims itself to be a true carrier and adherent of Hinduism). After it came to power in 2014, there has been a drastically sharp increase in the cases of violence against Dalits and Minorities.

Being a former member and activist of the RSS, Narendra Modi is a believer and proponent of the ideology of the RSS and propagates it through the government he heads.

The RSS's apologist icon Vinayak Damodar Savarkar appears to favour the use of rape as a political weapon against Muslim women. Many reports also confirm this. According to a Newsclick report, Vinayak Damodar

Savarkar, in one of his books *Six Glorious Epochs of Indian History* clearly explains why “raping of Muslim women is justifiable and not to do so when the occasion permits is not virtuous or chivalrous but cowardly”. This report further bolsters its argument by sharing an excerpt from Savarkar's book which says “Once they are haunted with this dreadful apprehension that the Muslim women too, stand in the same predicament in case the Hindus win, the future Muslim conquerors will never dare to think of such molestation of Hindu women (para 451).”

The Prime Minister Narendra Modi himself follows people on Twitter who propagate the ideology of extremist Hindutva and troll women as they support lynching by mobs and majoritarian violence. BJP leaders Kapil Mishra, Anurag Thakur, Parvesh Verma and many others have given anti-Muslim and anti-minority statements on which no action has been taken yet. In the recently held panchayat in Haryana's Pataudi, Rambhakt Gopal, the same person who fired a gun at the Jamia students during the anti-CAA movement last year, exhorted the people present in the panchayat to “kidnap Muslim women” in revenge for the alleged abduction of Hindu women. All these incidents cannot be seen in isolation from the ‘Sully Deal’; all of them are part of the same ecosystem of hate, bigotry and toxic masculinity that characterise Hindutva politics.

Targeting Muslim Women

While talking about this issue in *Feminism in India*, Afreen Fatima Khan whose profile too was created on Sully Deal said, “this incident shows that Muslim women will get the status of ‘sex slaves’ in what has been envisioned for a complete Hindu Rashtra”. The online harassment, trolling and abuse against the Muslim community has significantly increased after the anti CAA-NRC movement in 2019, a movement

that was in a big way led by Muslim women. Many women have pointed out that this trolling is Islamophobic. An Amnesty International report also states that “For Muslim women politicians in India, the abuse is more frequent and severe. 55% of the most aggressive trolling was directed at Muslim women leaders. In terms of types of abuse, Muslim women received 94.1% more ethnic or religious slurs than women from other religions.” Clearly, there is a pattern here which needs to be identified and acknowledged.

After the anti CAA-NRC movement, Muslim women have been the target of right wing Hindutva extremists. Even during the Shaheen Bagh movement, many sexist and misogynistic campaigns against them were run on the mainstream media and social media. Muslim leadership started becoming a part of mainstream politics after the anti CAA NRC movement. In particular, the participation of Muslim women increased. Sulli Deal is an attempt to stop these women from entering politics and from being able to shape public discourses through voicing an independent and assertive politics. Campaigns such as the Sulli Deal and other such Apps and platforms are a direct violation of the fundamental rights, such as the right to equality enshrined in Article 14 of the constitution, the right to live with dignity and the right to bodily autonomy protected under the Article 21 of the constitution.

Systemic Exclusion

Women are already deprived of using public places because of routine misogyny prevalent in the society. Social media is probably the only alternative present these days for women to be able to voice their opinions in relative ease thanks to the partial, anonymity offered by online spaces. Many reports affirm that such attacks against women exclude them from socio-economic political participation.

A survey conducted in 2019 tells

us that only 51 per cent of women had a phone, compared to 75 per cent of men who owned phones. While 37 per cent of adult men had smartphones, only 14 per cent of adult women used smartphones. The Observer Research Foundation's report states that “as of 2019, only 33 per cent of women in India used social media, against 67 per cent of men. Data also shows that 52 per cent of women users in India do not trust the internet with their personal information. Women are 26 per cent less likely to access mobile internet because of misogyny, harassment and revenge porn.”

These figures of discrimination are likely to have increased during and after the CoVID lockdown. According to the National Commission for Women, in April 2020, 54 cyber crime complaints were received online, in comparison to 37 complaints received online in April 2019. In June, NCW received 100 cybercrime complaints. In January 2021, NCW chairperson Rekha Sharma stated that online harassment cases have seen a five-fold increase since the outbreak of the COVID-19. She said “While earlier we would record 300 complaints of online harassment, this shot up to 1,500 post the Covid-19 pandemic”. Plan International, a global survey revealed that 60 per cent of women have faced harassment on social media and one-fifth of them have either quit or severely reduced the use of social media.

‘Sulli Deals’ is a case of systematic intimidation, trolling and exclusion of Muslim women. Not only Hindu extremists but Muslim fundamentalists have also blamed the victims for this incident. So far, various organizations and its victims have filed cases in the Sulli Deal case. The victims of Sulli Deal continue to fight back, saying that they will not be afraid because the intention of the hate campaign was to scare them. □

Memorandum On UP Population Bill



PROPOSED DRAFT BILL

THE UTTAR PRADESH POPULATION (CONTROL, STABILIZATION AND WELFARE) BILL, 2021

A Bill to revitalize efforts and provide for measures to control, stabilize and provide welfare to the population of the State by implementation and promotion of two child norm and for matters connected therewith and incidental thereto.

AND WHEREAS in UTTAR PRADESH, there are the limited resources ecological and economic at hand, it is necessary and urgent that the provision of the basic human life including affordable food, safe drinking water, decent housing, quality education, economic/livelihood opportunities, power/ electricity for domestic consumption, and a secure living is accessible to all citizen.

(Text of a memorandum submitted by women's groups including AIDWA, AIPWA, and NFIW to the President of India on the UP Population Bill)

We, the undersigned women, women's organisations, health networks, academics, health and legal rights activists, and concerned individuals, express our dismay, concern, and protest at the proposed Draft Uttar Pradesh (UP) Population Control, Stabilisation and Welfare Bill, 2021, which forms part of its Population Policy 2021-2030. The Draft Bill was made public on 11 July 2021.

At the outset, we would like to state that the proposed Bill is a violation of Reproductive Health and Rights, which are considered basic human rights of women. These rights have been well defined and duly recognised within varied International Human Rights Commitments that India

is a signatory to, as well as the national policy level processes in the country to advance India's compliance to reproductive rights of women.

Reproductive Rights are well defined in the 1994 International Conference on Population and Development's (ICPD) Programme of Action (POA) in Cairo- declaration was adopted by 179 countries including India.

As per paragraph 7.1 in Programme of Action, reproductive rights are defined as a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so.

This approach was further reflected in the National Population Policy 2000 adopted by India under Prime Minister Vajpayee, which committed the government to a target-free approach based on informed and voluntary choice of citizens. It is well understood since then how 'two-child norm' or any such restrictive policies are coercive in nature and work against the development agendas and goals set for the nation to achieve both nationally and internationally. The UP government, with a complete lack of understanding of this, takes us a step back by proposing this rejected, anti-development, anti-women, and coercive approach in the form of the proposed Bill.

This Bill is also in violation of the Declaration adopted at the conclusion of a colloquium on population policy, organised by the National Human Rights Commission (NHRC), the Ministry

of Health and Family Welfare (MoHFW), and the United Nations Population Fund (UNFPA) (2003). The Declaration explicitly recognised the two-child norm as a violation of human rights-

“Population policies framed by some State Governments reflect in certain respects a coercive approach through [the] use of incentives and disincentives, and are violative of human rights. The violation of human rights affects, in particular, the marginalised and vulnerable sections of society, including women; [and] the propagation of a two-child norm and [the] coercion or manipulation of individual fertility decisions through the use of incentives and disincentives violate the principle of voluntary informed choice and the human rights of the people, particularly the rights of the child.”

As recently as December 2020, in an ongoing petition in the Supreme Court, the Ministry of Health and Family Welfare (MoHFW) stated in its Affidavit (in response to a petition) that “the Ministry will not implement a mandatory two-child policy by denying government jobs and subsidies and has reportedly remarked in its that Programme of Action of the International Conference on Population and Development 1994 (ICPD) to which India is a signatory, is unequivocally against coercion. The MoHFW pointed out that there is a decline in India's total fertility rate as per NFHS 4. ”

Evidence in the past has clearly shown how such a norm is discriminatory and threatens people's civic-political rights to participate in electoral democracy. It also poses tremendous barriers to accessing reproductive health information, care, and the benefits of social welfare particularly

for women. Some states, after implementing such a policy, have also withdrawn the ‘two-child norm’ such as Madhya Pradesh (MP) in 2004. Over the past several years, many of us have strongly opposed the two-child norm policy that continues to be implemented in several states. Many studies on the two-child norm in the past highlighted that any enforcement of the two-child norm on Panchayat representatives had encouraged sex selection, increase discrimination against the girl child, and worsened the already declining sex ratio, given the strong son-preference in the society. It begs the obvious question as to why are we proposing a law despite of the proven worse outcomes for women, children and marginalised communities; instead of taking learning from this policy led mistakes in the past.

The ICPD Programme of Action (POA) had clearly stated in 1994 itself that “Over the past century, many Governments have experimented with such schemes, including specific incentives and disincentives, in order to lower or raise fertility. Most such schemes have had only marginal impact on fertility and in some cases have been counterproductive. Governmental goals for family planning should be defined in terms of unmet needs for information and services”.

It is critical to understand that the recent references to “population explosion” and the need to “control” completely ignore the robust evidence that the total fertility rate (TFR) in the country is already down to 2.2 in 2015-16, marginally above the 2.1 replacement rate in almost 24 States. The Desired Fertility Rate is 1.8, which also indicates that

women in India prefer to have no more than two children. Further, the Census data also showed that the decadal growth rate during 2001-2011 had reduced to 17.7 per cent from 21.5 per cent over 1901-2001.

The Bill also directly contradicts the ruling under Justice K. S. Puttaswamy (Retd.) and Anr. vs Union of India and Ors (August 2017) which clearly states – “Privacy includes at its core the preservation of personal intimacies, the sanctity of family life, marriage, procreation, the home and sexual orientation. Privacy also connotes a right to be left alone.” [Page 263] The judgement held the right to privacy as a constitutionally protected right emerging from the right to life and personal liberty under Article 21 of the Constitution of India.

Sir, as you may also fully understand that in complex socio-economic and political realities such as of Indian society, the proposed Bill raises several concerns on range of aspects. Following are some examples to mention for your kind reference-

- Whereas such a Bill builds up a situation for people to not register their marriages/marriage like relationships in the light of incentives/disincentives; this will make the women and children further vulnerable in situations of domestic violence, or abusive relationships wherein they would face hardships to access the legal recourses such as maintenance and support, right to property etc. It clearly poses the risk for decreased reporting of gender-based violence which is already an issue across the country including the state of UP.

- The Bill also limits the identity of women and their reproductive rights expressions within marriages alone. It defines women only in relationship to a 'man' within a marriage. Women face situations of child birth outside marriages too, whether it is an outcome of an unwanted pregnancy from a sexual assault/rape. Women also face situations of continuing an unwanted pregnancy due to lack of access to safe abortion services which is the primary responsibility of the state governments to provide and ensure. It is to be reminded that during the COVID-19 related lockdown in India (March to May 2020)-1.85 million Indian women could not terminate an unwanted pregnancy; out of which 80% or 1.5 million compromised abortions were due to the lack of availability of medical abortion drugs at pharmacy stores. The gap in abortion services will further lead to violence and abandonment of women, children, and vulnerable persons.
- In a country like India, with little social protection available for the elderly population, children and close relatives have been a form of social insurance for many. Experiences from population control in other countries have shown a skewed demographic of the elderly population which one or two children may find hard to take care of. In the absence of strengthened government programmes for elderly population, such a step by the UP government seems to be missing the priorities to be set for 'sustainable development', and those priorities clearly have

to be increased social security and universal entitlements on provision of basic healthcare, food security, right to work etc; and not the steps of coercion and disempowerment.

- In 2018, infant mortality rate for Uttar Pradesh was 43 deaths per 1000 live births and the maternal mortality rate is that of 197 deaths per 1,00,000 live births. The casual mention of 'child death' within the Bill does not make any provisions for improving these indicators, but instead treats them as a reality around which the two-child policy will be implemented. Coercing population control without improving the health conditions of the people which the government is aware of, raises deep concerns.

We unequivocally oppose the proposed Bill, and register our concerns for any such policy level thinking which are extremely anti-poor, anti-women as they adversely affect both the democratic rights and reproductive choices of women, who are at the receiving end.

We are concerned that young women of the reproductive age group becoming a tool to achieve demographic goals. This ideological position of the Bill is geared to control (and reduce) women's fertility rather than improving women's health and promoting women's reproductive rights. Such policies disempower women, treat them as objects of control and surveillance, and violate the basic feminist tenets of reproductive choice and bodily integrity.

The proposed Bill should be deemed unconstitutional since they violate the right to equality guaranteed to all citizens of

the country under Article 14 of the Constitution of India, it is a gross violation of people's human, reproductive and sexual health and rights as committed within India's compliance towards International Human Rights Conventions and Treaties as well.

We strongly believe that incentives and disincentives will not improve quality and address the problems of equity and access to health services and they will not enhance the accountability of service providers to the community, especially to women and poor. These incentives and disincentives completely impinge on rights of women, poor and marginalized. Additionally, social protection as a form of incentive or disincentive by itself is a violation of human rights. All citizens of the country should fundamentally have the right to food, education, employment, health, and more regardless of the number of children they have.

The timing of the Uttar Pradesh Population Control, Stabilisation and Welfare Bill, 2021 in the context of an on-going pandemic that has led to social and economic devastation in the form of loss of livelihoods, hunger, escalation of domestic violence, and more completely dismisses the lived realities, needs, and concerns of the population at such a time. The proposed Bill will further exacerbate these experiences through its proposed conditionalities and disincentives to ration, health care, education, employment, etc., creating deeper deprivation, loss of health and lives. ■

Modi's Mega Cabinet Reshuffle: Jumbo Cabinet, Zero Governance

Ahead of the monsoon session of Parliament, the Modi government has effected a mega cabinet reshuffle. Several ministers resigned before the reshuffle to make room for the changes, several had their responsibilities swapped or modified, while a few others were inducted for the first time. Modi's self-proclaimed motto of 'minimum government, maximum governance' is fast turning into its opposite: 'jumbo cabinet, zero governance'!

What are the implications of this massive exercise? The key ministries affected in the reshuffle are the ones that have drawn a lot of flak in the pandemic period. Health, education, labour, environment, information and broadcasting, all key ministries have seen a change at the helm. Clearly, the government intends to give the impression that it is keen on improving its performance. Ministers who did not perform well have perished – this is the official propaganda buzz.

This mega reshuffle raises an obvious question. If all these key ministries have failed to perform in a pandemic situation, does it not amount to a failure of the total government? Should not the Prime Minister and his most important colleague, the Union Home Minister, be held primarily accountable for this failure of governance? When the engine is down, how does it help to change a few bogies? Finding new scapegoats is clearly not the answer.

Dissension is growing in the BJP in many states in the wake of the Modi government's monumental mismanagement of the Covid19 second wave and the drubbing received by the BJP in West Bengal elections. The reshuffle is an attempt to manage this crisis. As

many as seven ministers are from poll-bound Uttar Pradesh. There are new ministers from post-poll West Bengal, including a deputy for Amit Shah, where the BJP is out to overturn the people's verdict and destabilise the state government. Many of the other ministers have also been selected with similar considerations from other states.

True to the BJP's political character, many of the new ministers have major charges against them. Several are infamous for their irresponsible remarks. The new health minister is one who has made frivolous comments against allopathy. The most brazen choice is that of Anurag Thakur, the BJP leader who was debarred by the Election Commission from campaigning in Delhi elections for his incendiary 'goli maro' call. The call led to actual violence in Delhi in February taking a toll of dozens of lives. If rule of law really prevailed in India, Thakur should have been in jail. Instead he has now been rewarded with the cabinet portfolio for information and broadcasting!

The most intriguing and explosive part of the cabinet reshuffle script is the creation of a new ministry of cooperation with Amit Shah being put in charge. Agriculture and cooperation are state subjects according to the Seventh Schedule of the Constitution of India. Last year the Modi government intruded into the federal domain of the states to pass three laws to promote corporate control over agriculture triggering massive outrage and the powerful ongoing movement for the repeal of the laws. Now the government has signalled its intent to violate the federal framework once again by creating a Ministry of Cooperation under the stewardship of Amit Shah.

The move is fraught with significant economic and political messages. The cooperative sector has emerged as a powerful component of rural economy, especially in the areas of marketing and banking. The dairies, sugar cooperatives, spinning cooperatives and similar agencies of collective bargaining are driving forces of the rural economy in many states. The cooperative banks represent the credit lifeline for farmers and other sections of rural producers. The Modi government is already involved in major agricultural and banking reforms with a view to promoting corporate control over both sectors. The creation of a Union Ministry of Cooperation marks yet another step in this direction.

The cooperative sectors have been playing a key role in the socio-political dynamics of different states. With greater control from above, the BJP clearly intends to create its own power lobbies in different states to counter its growing isolation from the entire farming community and the rising unity among non-BJP ruled states in defence of the federal rights of states. Because of the chronic agrarian crisis and the economic disruption and decline caused by the protracted pandemic and lockdown situation, rural cooperatives are in a state of crisis in many areas. The cooperatives need greater participation, democratic environment and state assistance to withstand this crisis and the pressure of corporate aggression. The Modi government on the other hand is seeking yet another opportunity in the crisis to capture the cooperative sector and subject it to corporate control and the BJP's blueprint of centralisation of more political and economic power. ▣

CPI(ML) Statement on the Centenary of Communist Party of China

On the occasion of the centenary of Communist Party of China, the Communist Party of India (Marxist Leninist) salutes the revolutionary legacy of the CPC. The heroic Chinese people, under the inspiring leadership of Mao Tsetung and the CPC, accomplished the people's democratic revolution in just twenty eight years after the CPC's birth, and achieved basic socialist transformation of a backward agrarian society in another seven years.

The liberation of the world's most populous country from the domination of feudal lords, the big bourgeoisie and imperialist powers provided a tremendous boost to the international communist movement in general and national liberation struggles in colonial and semi-colonial countries like India in particular. The armed agrarian revolution in China was a major source of inspiration to the great Telangana struggle and later the Naxalbari movement. During the International Great Debate of early 1960s, the CPC led Marxist-Leninists across the world in the struggle against modern revisionism and this contributed a lot in the emergence of the CPI(ML) in India.

We in India can perhaps understand the full significance of the Chinese revolution by comparing China's journey since 1949 with India's journey since its independence in 1947. The fact that China has forged far ahead of India when it comes to most indicators of social wellbeing – including standard of living, health, education, and maternal and child mortality – can only be explained by the fact that revolutionary China laid the foundations for such progress with

its radical measures of social and economic transformation, in stark contrast with the Indian model that accommodated feudal vestiges and appeased private monopoly capital and foreign corporations.

While appreciating all such revolutionary achievements and contributions, we deem it our duty also to voice our concerns over certain disturbing trends and developments in the last few decades.

The CPC's record of socialist modernisation, of building a socialist market economy with Chinese characteristics, is marked not just by spectacular economic growth that has turned China into the second most powerful economy in the world, with great advances in science, technology and infrastructure, but also by maladies like aggravated social, regional and gender disparities, growing cronyism and corruption, ideological-cultural degeneration and brutal suppression of dissent.

Neither the 19th Congress of the CPC held in October 2017, nor President Xi Jinping's address to the recent centenary celebration indicates any attempt at course correction, especially with regard to the party's handling of collective or individual protests, nationality movements in Tibet and Xinjiang regions as well as autonomy movements in Hong Kong and Macau, and the treatment of the Uighur Muslim minority population. The growing extension of the surveillance state is also a cause for concern.

President Xi's speech describes the "leadership of the Party", in particular "the core position of the General Secretary on the Party Central Committee and in the Party

as a whole"; as well as the need to "follow the leadership core, and keep in alignment with the central Party leadership", as "the defining feature of socialism with Chinese characteristics". This is a distortion of the Marxism-Leninist principle of democratic centralism, which does not fetishise the role of the Party General Secretary in this fashion; nor does it equate the country or the state with the party. The touchstone for socialism can only be the control of the immediate producers (workers and peasants) over the means of production and the fruits of their labour.

The central theme that stands out in Xi Jinping's speech is national rejuvenation, which is fair enough, but sadly, one does not find what one expects on an occasion like this: an expression of solidarity with anti-capitalist movements by workers and people in China and across the world; a commitment to proletarian internationalism, a call for unity of multiple people's movements against imperialism and its lackeys in various countries. Conspicuously enough, President Xi's speech even remained silent on the far-reaching crisis arising out of the ongoing Covid19 pandemic which incidentally had originated in China.

While saluting the revolutionary legacy of the CPC we extend our warm wishes to the Chinese people and Chinese communists in carrying it forward towards meaningful socialist progress and people's democracy within China and towards lasting world peace and an equitable international order. We cherish friendship and close cooperation between the countries and peoples of India and China. ■

US Withdrawal from Afghanistan: Changing Priorities of Imperialism

AISHIK SAHA



As the two decades of imperialist war waged by the US on Afghanistan come to a close, millions of Afghans were confronted with a tragic Eid ul-Adha with a bloody ongoing war between the Taliban forces and the Government of Afghanistan and its allied groups. While the end of imperialism should have been cause for celebration and jubilation, most Afghans seem to believe that the US withdrawal has been facilitated by a back-channel understanding between the Taliban and the US administration. The lives of millions of Afghans hang in the balance as many are forced to flee into neighbouring countries as a result of the fighting.

Gunar Olsen points out that the US state department maintains a myth that the war in Afghanistan is a 'good war turned bad'. This myth is perpetrated by the fact that while most of US acts of imperialism have been justified by events that have been proven to be false (think WMDs in Iraq or the Gulf of Tonkin incident in Vietnam), the horrific reality of the 9/11 attacks and the anger felt

by the American public justified the US invasion of Afghanistan. Olsen points out that the opportunity to enact justice was rejected by the Bush regime when the US rejected the Taliban's offer to extradite Bin Laden. While many Americans did oppose the war, the spectacular nature of the terrorist attacks made serious political opposition to the war untenable. Even ideological opponents of the conservative presidency of George W. Bush found themselves invariably supporting an imperialist war. 'Feminist' groups like the Feminist Majority Foundation justified the war in the name of ending 'gender apartheid' in Afghanistan. Even former anti-imperialists like Christopher Hitchens turned into vocal champions of imperialist destruction in the name of opposing 'totalitarianism'. These trends coalesced into the so-called 'War on Terror' that became the foundational principle of global Islamophobia.

The Watson Institute for International and Public Affairs at Brown University estimates that over 800,000 people have been killed in the course of the war, with even more deaths unaccounted for. We are forced to confront the question, why is the US withdrawing from the war at this point? The more conventional answer would be that having spent \$ 6.4 trillion, in an 'unwinnable' war the US has realized its folly and is now withdrawing. The fundamental folly is the belief that 'winning' was ever the objective of the conflict rather than perpetuating an endless cycle of violence that would generate enormous profit for the Military-Industrial Complex. Peter McLaren pointed out as early as 2003 that the key motivation for the US was to secure oil and gas reserves in Central Asia by building

a pipeline through Afghanistan. The Taliban was propped up by the US in order to secure a compliant regime, who would facilitate the construction of the pipeline. The US withdrawal from Afghanistan is facilitated by a number of factors. The first is the growing demand for Green Energy, which means that over the next few decades, non-renewables would start to lose value, meaning that the US imperialist efforts would better be directed towards securing resources towards that end (Latin America having the largest reserve of Lithium being an obvious target). The second is that the US sees the increasing foothold of China in the region through the Belt and Road project in Central Asia and CPEC in Pakistan as a threat, and a war-torn Afghanistan could potentially throw in a wrench into the process. It would therefore be a grave error to mistake the reorganization of imperialist priorities for a 'defeat' of imperialism in Afghanistan.

The Taliban have claimed that they control 85% of the country, though certain areas seem to be putting up an obstinate resistance. Kabul seems to have been turned into an active battle zone, with a video emerging of the country's president Ashraf Ghani offering prayers on Eid as rockets are fired all around. However, the Taliban sensing that their return to power may not be met with enthusiasm on the part of the various ethnic minorities in the country, have promised that they will not return to their old ways once in power. Its conduct so far has failed to inspire confidence. The killing of Danish Siddiqui demonstrates that its commitment to the freedom of expression remains flimsy and its contempt for even the rules of conflict. □

Unboxing the South African Crisis

AISHIK SAHA

The arrest of former President Jacob Zuma on the charges of corruption has resulted in a wave of violence and unrest in South Africa. What is even more concerning is the fact that the violence has resulted in increased ethnic tensions in a country where apartheid was ended less than 30 years ago. This has led to divisions regarding the fundamental cause of the violence as well as what responses should be given to it.

Jacob Zuma, who served as the president of South Africa between 2009 and 2018, was a widely divisive figure. He had already faced multiple charges of corruption by the time of his presidency and was even accused of rape. The most significant charge of corruption against Zuma seems to be in his dealing with the Gupta family. The Guptas, who migrated from Saharanpur in Uttar Pradesh to South Africa in 1993, were accused of running a 'shadow government' during his rule. It was also revealed that the Guptas had run an extensive disinformation campaign in order to deflect the focus on their engagement with the government and stir up ethnic tensions.

Zuma was removed from the post of president by his party,

and Cyril Ramaphosa was elected to replace him. Soon after his removal, the Zondo Commission was established to investigate the corruption allegations against Zuma and specifically the charges of 'state capture', i.e. that Zuma had effectively allowed the Guptas to run the state. Zuma accused the commission of conspiracy against himself and hinted that foreign forces were involved in the conspiracy. Subsequently he refused to appear on testimonies for which the court sentenced him to 15 months in prison. This has since led to violence all over South Africa mainly unleashed by the supporters of Zuma.

The violence has left over a hundred people dead with more than 3000 arrests. The South African government has deployed 10,000 soldiers on the street and has sanctioned a further 25,000 reservists to be deployed if necessary. The provinces of KwaZulu-Natal and Gauteng have been the worst hit by the protests as en-masse looting of stores and homes resulted in insecurity in various communities. In many places the task of 'community defence' has been taken up by self-organized militias in white, Indian and coloured communities. This has

resulted in further acts of vigilante violence where these militias have been involved in the shooting of those whom they have suspected of being looters.

Mohammed Jameel Abdulla points out that there are systemic roots to the violence. He points out that "Impoverished communities with limited prospects, rejoice as they leave megastores with stolen food and essential resources". South Africa is the country with the highest levels of inequality in the world, with a Gini coefficient of 63. In many South African cities the wealthiest and the poorest communities are often separated by a single street or a fence. Any violence must be seen through the lens of the effects of this inequality, further compounded by the economic crisis imposed by the COVID19 crisis. Ayanda Kota points out that the high levels of corruption and inequality are facilitated by the country's apartheid past.

Heavy deployment of military and law enforcement as proposed by the ANC leadership cannot provide solutions to systemic problems of material inequality. What is clear is that South Africa is deeply requires redistributive justice for the violence to come to an end. The sooner such reforms are enacted by the Ramaphosa government, the faster South Africa can start the process of healing from the wounds of apartheid. □

Factory Fire in Bangladesh Kills Child Labourers

Bangladesh's economic growth has been branded a miracle in South Asia, growing from one of the poorest countries in the world to one of the fastest developing economies comparable to the 'Asian Tigers'. Recently the per-capita income of Bangladesh surpassed that of India. Much of this growth has been driven by export in garments. However much of the working class has been deprived off the benefits of its own labour as the recent factory fire in Narayanganj demonstrated.

At least 52 children have perished

in a fire at the Hashem Food Factory triggering memories of the deadly Rana plaza collapse in 2013. The factory is alleged to have employed children at least as young as 14-years-old. Locals have further alleged that the factory had used padlocks on the floors, which prevented the children from escaping the floor when the fire broke out. A dozen children jumped from the second and third floors to escape the fire suffering grievous injuries in the process. An appalling lack of fire safety measures is the

clear reason for the death of these children. The owners of the factory were however granted bail by the district court of Narayanganj.

The economic 'success' in Bangladesh is being built upon the corpses of workers, who are forced to work in hazardous conditions. The Awami government has suppressed the voice of civil society and workers alike by unleashing violent repressive machinery. The children at the Hashem Food Factory will no doubt be cast aside as 'collateral damage' in the story of economic growth in Bangladesh. □

Defy The Command To Forget, Bear Witness To Collective Grief



PM Modi says the pandemic is not a political issue, it is a human issue. Is that an admission that human concerns have no place in his politics?

The Union Health Minister told Parliament that no one died because of oxygen shortage.

Bihar Health Minister Mangal Pandey echoed him: “A total of 9,632 people have died of Covid-19 in Bihar so far but none of them died due to shortage of medical oxygen.” Gujarat CM Vijay Rupani says the same: No one died for lack of oxygen in our state.”

The project to alter our memory is underway. Dead bodies no longer float down the Ganga in silent accusation; cremation grounds are no longer crowded with pyres; the bright shrouds have been removed from the riverside graves.

The necessary number of tears have been shed on camera for the official number of deaths. Any deaths or tears in excess of these official ones are no doubt a conspiracy to defame India.

TV channels declare that Modi’s tears are humanity and our tears are politics. In the face of this, merely to meet the bereaved, to bear witness to grief, is a political act of defiance.

CPI(ML) comrades in Bihar took up the task of mapping every death in April-May 2021 in around 5000 villages. The methodology they adopted was as follows: they visited homes where deaths had occurred, and filled up a proforma based on family members’ replies as to a) symptoms preceding the death; b) where medical care had been received from an informal doctor, a government facility or a private

facility; c) whether a Covid test had been done, and what the result was if so; and d) whether the family had applied for Covid compensation or not, and if they had applied, whether they had received it or not.

A central team comprising CPIML CCM Santosh Sahar, Politburo member Kavita Krishnan, and V. Arun Kumar from the party’s central headquarters joined this survey, in an effort to achieve written and audio-visual documentation of the testimonies of the bereaved. It seemed important that the voices of the bereaved be heard and amplified – even as governments at state and centre, and the dominant media, stopped their ears and covered their eyes.

The central team began its journey on 7 July 2021 with a visit to Pavna village in Bhojpur District. In the course of the next few days the



Radhika Musahar lost her 16-year-old daughter Sumanti to COVID19

team visited Pasaur (Charpokhri, Bhojpur), Ghusian Kala and Salempur Pokhra (Bikramganj, Rohtas), Bihta (Tarari, Bhojpur), Avgila and Peur (Sahar, Bhojpur), Motha, Sakri and Prasadi English (Arwal), Bhaberia English and Ankuri (Paliganj, Patna), Puraina, Chakia and Shekhpura (Punpun, Patna), Nagwan (Phulwari, Patna), Jaijor (Aandar, Siwan), Daraili Mathia (Darauli, Siwan), Kelharua, Kalyani, Damodara, Cheetakhil and Koharbalia (Guthni, Siwan), Mairwa and Imlauli (Mairwa, Siwan), Hathauji (Nautan, Siwan), Chhotka Manjha and Pathar (Jeeradei, Siwan).

These were all villages where an unusual number of deaths had occurred between April and July 2021. The team visited the bereaved family members of those who died in these villages since April 2021, recording their testimonies. The results of the survey are quite startling, and the testimonies are a rebuke to the powerful.

The Bihar Government has announced a compensation of Rs 4 lakh for each Covid death. But it

demands a death certificate which records Covid-19 as the cause of death, in order to claim the compensation.

In village after village, it became clear that an abnormal number of deaths had occurred, and that in most of the deaths, the symptoms of fever, cough/cold, and breathlessness clearly indicated Covid-19 as the cause. Most patients had been unable to get care in a government facility. They had all spent far beyond their means on informal doctors, medicines, private doctors, private hospital beds, oxygen cylinders, and transport from villages to towns and cities in search of care – and as a result, every household we met was deep in debt. But only a small handful had any documentary proof that the patient had died of Covid. Many died before they reached hospitals. A large number were misdiagnosed as typhoid patients even though they clearly had Covid-19 symptoms and eventually lost their lives. Hospital documents often did not name Covid-19; death certificates issued in Bihar stated

hear or kidney failure as a cause of death, with very few listing Covid-19 as an intermediary cause. There was no question, of course, of listing lack of money to afford transport and private hospital care; or lack of oxygen or hospital beds as a cause of death. No connections were made between Covid-19, and post-Covid deaths from conditions like deep vein thrombosis. Many destroyed hospital documents, either because they had been advised that anything from the hospital could be infectious, or in sheer despair and anger at the futility of medical care.

The second wave of Covid-19 has waned, but the virus is by no means gone. And the devastation, distress, and trauma wrought by the virus and the absence of basic medical facilities, is still an open wound.

The survey's findings are being analysed and the report is still in preparation. But here are some of the central team's observations, with some of the testimonies of the Covid bereaved. We believe that these findings are by no means unique to rural Bihar: the situation

would be similar in rural UP, MP, Gujarat and other states.

Clear Covid-19 Symptoms

In village after village, we met bereaved people who did not understand how what looked like a mild cold, could so soon snatch away the breath of life from their loved ones. Among Bhojpuri speaking people, we heard the phrase “khokhi-bukhar-hanfi” (cough-fever-breathlessness) most often to describe the symptoms preceding death. We were using the “verbal autopsy” method – a method used by health workers to track causes of death in populations where medical death certification is weak, unreliable, or absent. And it was clear that there were a vast number of deaths in rural Bihar that either not been recorded at all, or had not been recorded as Covid deaths, in spite of the fact that the symptoms preceding the deaths were classic Covid symptoms.

Sairun Bibi (Pasaur): my husband Kalamuddin Ansari (65) had sardi khokhi haanf (cold, cough followed by breathlessness). We took him to hospital but he died before any test could be done or treatment could begin.

Arti Devi (Pasaur): my husband Karan Sah got fever, a cold and



Mrityunjay of Bihta Village

cough, and then became breathless. We took him to Ara to see a doctor but we were told to take him to Patna. We didn't have the money to do that. “Kahin na theek bhail, hanfi na band hua” (He just didn't get better, and the breathlessness would not stop.”

Mrityunjay (Bihta): My father Kapilmani Tiwari got a mild fever. We gave him medicine, and he ate his meals well. But then his cough continued and he got out of breath. And he died within 5 days. His

death certificate prepared by the anganbadi centre says he died of a heart attack.

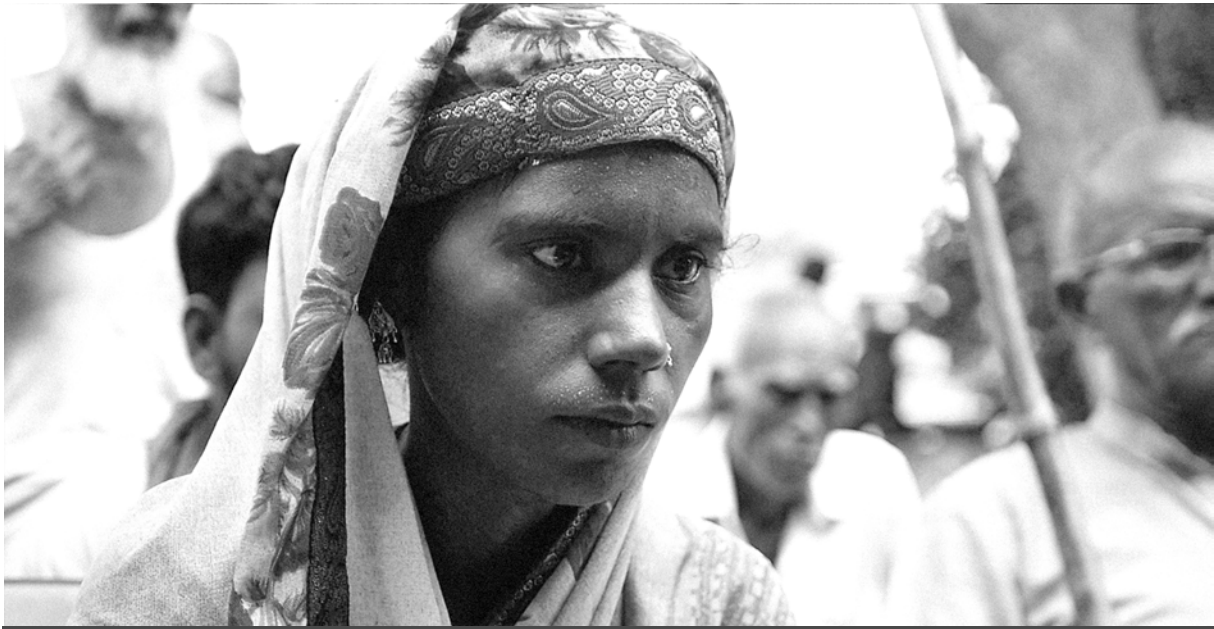
Sonia Devi (Bihta): My husband Motilal Pasi (60) got bukhar, khokhi-sardi (fever, cough, cold) and then became out of breath. We took him to Kachawa, then Tarari, where they told us to take him to Sahjani for a Corona test but he died on the way. So no test could be done.

Sonajhari (Bihta): My husband Deshlal, an agricultural worker from the Ravidasi caste, got a fever, and a cough. He took medicines and got better, and then went to attend a wedding. He collapsed on his return, and the fever and cough returned. He became out of breath, and died. We did not have any money to take him anywhere for treatment. I have two sons, one 20, one 10.

Mayadevi (Bihta): My husband Manoj Pasi (38), an agricultural worker, got a fever which went away with medicine. But then the cough and breathlessness began. He died on the way to a private hospital. I



Sairun Bibi of Pasaur



Arti of Pasaur

have a 14-year-old son.

Sohra (Guthni): My husband Swaminath Bhagat (56) got a cold. Then, “dam phulat lage” - he began gasping for breath and he said, “I won’t survive.” We took him to Gorakhpur in UP, and he was admitted to a private hospital there but he died within a few hours, on the same night.

Rinki Gupta (Guthni): My husband Subhash (30) was a plumber. He got fever, a cough – and then “hanfi” (breathlessness). He died within just three days. We never realised he needed to go to hospital, and could not afford it anyway. We have a daughter, and a 3-year-old son with skeletal dysplasia.

Motijharo (Jaijor): Last year my husband Sriram Gond got a cough and breathlessness, and he was treated with asthma medicines. This summer he got a cough and breathlessness again. What could my daughter and I do, alone? He suffered for a month and then passed away.

Oxygen shortage

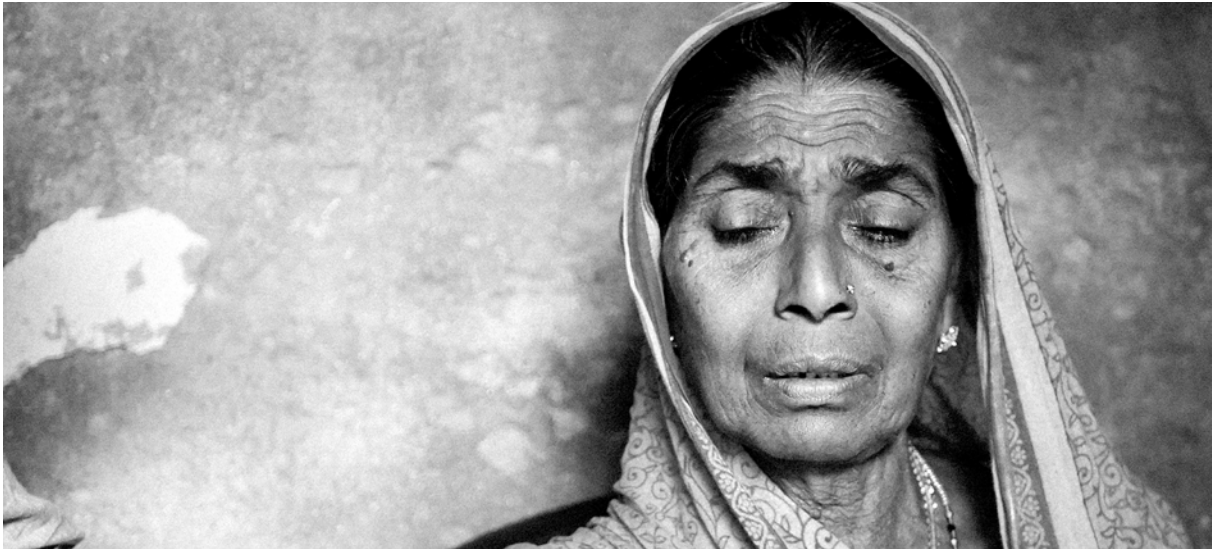
Sunaina (Pavna): My son Rohit (24) worked in a restaurant in Vapi, Gujarat. He got fever and a cough there. He would speak to us on phone and I told him to sip hot water to ease his throat. But a couple of days later he told me, “I do not feel like talking Ma, I cough so much that I do not have the breath left for it.” They hunted high and low for oxygen – but none was available in private or in government hospitals in Vapi. We were helpless, hearing all this from his friends. The day he died, he called me to tell me he was okay but did not feel like talking.

Chunchun Khatun (Avgila): My one and a half year old granddaughter, Arifa Parveen, born 4 January 2020 got fever and we took her to hospital in Sahar. They told us we can’t treat her, take her to Patna. We took her to a private hospital in Sahar next – there also they told us that we can’t treat such a small baby, go to Patna. So we took her to a private hospital in Patna. They had no oxygen, and as a result she died

on 21 April at 2 pm. The doctors did not even touch her. If she had got oxygen she would have survived. The day she died, 5 people died at the same hospital. The papers carried her name in the news – “Khurshid Mistri’s granddaughter died of Corona.” The doctor told us that she had Corona, after she died. He said he didn’t tell us earlier so as not to scare us. But we don’t have any Covid positive certificate. We threw away all her medicines and the medical papers also.

Shradha (Kalyani): My husband Daya Shankar Bhar, an agricultural worker, had trouble breathing. I have small children, I tried taking him in the night to the government hospital at Guthni. Paisa na kaudi (we had no money). The hospital said they did not have oxygen. We began the journey home but he died on the way.

Asmavati (Kalyani): My husband Dina Rajbhar got fever and a cough. We went to a doctor who sent him to the government hospital at Guthni. There they said he had Corona, but there was no oxygen there.



Chinta Devi who lost her husband Anant Vishwakarma

They gave him some injection, after which it was as if “ulta saans go gail” – his breath inverted itself, he was struggling to breathe, and then he died. We threw away all the medical papers. I have one married daughter, another 13-year-old daughter and one 19-year-old son who is mentally ill and cannot earn.

Ramsakhi Devi (Jaijor): My husband Satyanarayan Prasad Chaurasia got Corona, the doctors said so but would not admit him to hospital and there was no oxygen.

Soni Khatun (Motha): My husband Shafiqullah Khan (45) was an electrician. He got a cold, cough, fever. We took him to a private local hospital – Mangalam – then to a private hospital in Arwal. They asked us to take him to PMCH Patna because there was no oxygen in Arwal. We took him there but PMCH did not even let him in the door – they did not even let us alight from the vehicle. They said they could not do anything for him. We brought him back to Mangalam – but there was no oxygen even for money. The doctors asked us to take him home to die. I am left with our sons Afridi (11) and Ali Asghar

(8). They used to study in a private school, their dad wanted them to study. Now how will I educate them?

Difficulty finding Hospitals

Baby Khatun (Avgila): My mother Moharram Bibi (60) got a cold and cough. My father passed away long ago. My husband is disabled thanks to a workplace injury, and he cannot earn. I have been taking care of my mother, and she was a great help to me, I never had to worry about my kids because she took care of everything. I got her medicines but she became worse. So I took her to a private hospital in Arwal, where we were told that they do not have any care to offer Covid patients, so I should take her to a government hospital in Patna. The Government hospital in Arwal would not admit her either, we were waved away from a distance and told to go away. We just got her home after that. Her hanfni (breathlessness) would not get better. And she died at home. The hospitals would not admit her saying she had Corona but now they won't give us compensation because she does not have any report saying she had Corona.

Could Not Afford Transport or Treatment

Radhika Musahar (Pasaur): My 16-year-old daughter Sumanti got fever and a cold. We did not have the money to take her to Patna, we just got her the medicines the local doctor prescribed. Last year's lockdown hit jobs badly, “pet ke aafat ba” (we had a hard time beating hunger). We earn Rs100-200 a day, out of which we spent Rs 50-60 daily on medicines for her. We could not even think of taking her to Ara or Patna: we could not afford to hire a vehicle let alone paying for hospital care. Sumanti did such a lot of work: “ropni-dohni-sohni-kadhni, lakdi-eendhan-khaye ke paani” - sowing, milking, weeding, embroidery to earn; as well as collecting wood, fuel and drinking water for our home. I think of her and miss her all the time – what to do, I gave birth to her, I am helpless and cannot help mourning her.

Purunia Devi (Bihta): My father Madan Sau (55), an agricultural worker, did not have his own land. He worked on the land of others.

He had a cough, fever, for eight days. We got him medicines but did not have money to take him to hospital. I'm married, but I am staying with my mother now to comfort and console her.

Radhika Sah (Bihta): My husband Chandarma Sah had fever, cough and breathlessness. I had no money to take him to Ara or Patna. The village doctor gave him some injections. He stopped being able to speak – and then he died. Our 2 sons are migrant workers but lost their jobs in Delhi because of the lockdown. We do not own any fields.

Sita (Bihta): My husband Sudarshan Baitha had fever for two days and then died. We did not have the money to seek any treatment at all.

Debt Trap

Poonam (Chakia): My husband Baiju Kewat was an ironsmith. He got fever and breathlessness, and we got him admitted to Sahara Sandhya hospital in Mithapur. It's a private hospital where they take a down payment of Rs 1.5 lakh. His hospital care cost Rs 5 lakhs, though he died after just one day. We are badly in debt.

Usman Khan (Gusiya Kalan): My brother Najam (41) used to work in Bhiwandi in Mumbai, but he had been home because of the lockdown. He got diarrhoea and breathlessness. In fact at that time the whole village was down with the same symptoms. We took him to a private hospital in Banaras where he was admitted on June 1. he died on June 12. We ended up spending Rs 8 lakhs and we are deep in debt. Our whole family has been in financial crisis for the past four years or so – ever since demonetisation, GST and then the lockdowns. His wife Nazreen

Block Level Applications Submitted for Covid Death Compensation

Applications regarding Covid death compensation were submitted under the CPIML banner on 15 July 2021 at Block HQs in Bihar, demanding Rs 4 lakhs compensation without delay for the families of every death in the Covid period.

Covid, lockdown, and inflation have proved back-breaking for the people. This compensation amount is very important in order to enable people ruined by the 2nd wave of Covid to re-start their lives.

The application submission program was carried out at most Blocks in various Districts including Arwal, Bhojpur, Muzaffarpur, Darbhanga, Madhubani, Eastern Champaran, Siwan, Gopalganj, Jehanabad, Gaya and Buxar. CPIML is collecting statistics of deaths that occurred across Bihar between 1 April and 31 May during the 2nd wave of Covid. According to this report, the actual death toll in the state is 20 to 25 times greater than the numbers shown in government data. Only a few families have received the compensation amount so far. Therefore the CPIML is helping people to submit applications for the compensation amount.

CPIML has prepared a list of all the people who died of Covid-like symptoms. Since there were no testing facilities in the villages, most of the people never got tested. CPIML MLAs and other people's representatives said that such deaths should be counted as Covid deaths and demanded compensation for them.

and small son and daughter live with us now. The medical reports show "severe thrombocytopenia, anaemia, GI bleed, Budd Chairi syndrome", but do not use the word "Covid-19. His death certificate cites "Cardio-respiratory arrest" as cause of death.

Signath Singh (Bihta): My wife Urmila got fever and stomach pain. I took her to Tarai, where she was referred to Patna, where I could get her admitted in a private hospital. She tested positive for Covid-19. She died after 8 days. It cost us Rs 2.5 lakh, I had to take a loan. We have one son. I have not applied for compensation.

Women and children without support

Kanti (Salempur Pokhra): My husband Manoj Rai (35) got a little cough; he took medicines from the village doctor and the cough got better. He never had had a sick day before this. He began to get breathless, but he was eating his meals and I did not really worry. But at night, I was terrified – I never saw anyone gasp for breath as he did. And then he died. I have three small children – two sons Krishna and Sudama and a daughter Rani. They used to go to school, but how can I afford to educate them now? Look at our hut – you can see the



Kausalya (Damodara)

rain leaking in. It drips all night.

Kausalya (Damodara): My husband Harihar Bhagat (35) suddenly had trouble breathing one night. I could not help him – could do nothing for him. Villagers told me, he needs oxygen, you will have to buy oxygen – but I had no money. I borrowed just enough money somehow to hire a vehicle to take him to hospital – but I had to watch him die on the way there. I brought him back and arranged the cremation all alone, everyone was too scared to come and help. I have a 12 year-old boy and a five year-old girl, and my in-laws want nothing to do with us. I never thought this would happen to me. You say ‘be strong’ – but where can I find the strength?

Shradha (Kalyani): My husband Daya Shankar was an agricultural worker. He died for lack of oxygen in the government hospital at Guthni. I have six small boys, and no means to support us.

Phoolkumari (Asaon, Siwan): My husband Amarnath Sah (45) had a cold, fever, cough and breathlessness. He died at home in 3 days. He was a construction worker. I have 2 sons (16 and 14 years old) and two daughters (9 and 7).

Poonam (Pavna): My husband Krishna Kumar had fever, cold and cough, and then trouble breathing. He was never tested for Covid though we did take him to a doctor. He died. I have 11-year-old twin girls, and no means to support myself and educate my children.

Depression

We met many bereaved persons who displayed signs of clinical depression. Some of them seemed to be a serious suicide risk. There is an unacknowledged mental health epidemic in rural India, with the sufferers having no means of treating it.

Arti (Pasaur): She was stony faced, and her neighbour told us she had not been eating or sleeping, “she just looks at her children and weeps”. Arti told us, “my parents live far away and we don’t have phones, so I cannot speak to them regularly. My in-laws do not love me. My husband loved me – but he is gone, love is over now. I do not want to live.”

Poonam (Chakia): My husband Baiju Kewat was a rare man, a lovely man. It is really impossible to find another like him. I cannot sleep, and I don’t know what to do – I feel desperate, like I want to “do

something” unspeakable.

Radheshyam (Jaijor): My brother’s wife got Corona and we took her to hospital – first a private hospital and then we managed to get her a bed in a government hospital. We took loans to get her treatment – but still she died. When her dead body came home, my wife Shrimati Devi collapsed at seeing it. She too then had the same symptoms – fever, cough, breathlessness. But I had no money so I could not even try to get her treatment. She died within three days. I am besides myself – bilkul nervoussiya gaya hun – I cannot understand anything. What is the point of working when she is gone. What is the point of doing anything now that she is gone. I neither sleep nor eat. I want to take poison.

Tahsin Ahmad (Peur): Tahsin’s mother Shakila Bano (65) died of Covid-19. Her death hit his father so badly that he (his father) was semi-conscious for twenty days. He wept for his wife all the time we were there. Tahsin said his father did not eat or sleep well. Tahsin tried to hold it together, but he was obviously scared for his father and struggling with his own grief.

Deaths Due to Post-Covid Illness

At Bhaderiya English village, we visited a house in which a young 25-year-old man had just died two days before our visit, after suffering a strange, sudden and severe pain his legs. His father-in-law and others had rushed him to four private hospitals, one after another. But he died. His medical papers said he had suffered a “CVA” – a cerebrovascular accident, i.e a stroke. We asked if he had been ill recently but no one thought so. However, we learned that he was a barber and used to work in a saloon

in Surat, and had only returned to his village in June. So he had been in Surat at the peak of the Covid second wave in April-May. The sudden and otherwise unexplained stroke was very likely caused due to a recent bout of Covid.

Conclusions

1. The government statistics of Covid deaths are not the correct numbers. The real numbers are 20 to 25 times more than what the government statistics show. The illness of most of the dead started with cold, cough and fever, and progressed with great difficulty in breathing, after which death occurred within 2 or 3 days.

2. Very few people were able to reach hospitals. A considerable number died on the way to hospital or immediately on reaching hospital. Many people avoided government hospitals due to their decrepit condition, shortage of oxygen and other treatment, fear of quarantine, and fear that the family would not be given the body in case of death. Many poor people could not reach hospital or get proper treatment due to lack of money.

3. Most of the people were treated by rural doctors. Generally there are no treatment facilities available in Panchayat level health sub-centres. Oxygen was not available even in Block level Primary Health Centres and Additional Health Centres. Ambulance facilities were also very poor.

4. Government hospitals refused admission to patients citing shortage of beds and oxygen. People had to take refuge in private hospitals, where they had to pay through the nose. The average expenditure was Rs 1.5 to 2 lakhs. In some cases the expenditure reached as high as Rs 10 to 12 lakhs. There are several families

that are bowed down with the burden of heavy debt.

5. Most patients with Covid symptoms were not tested for Covid. They did not get Antigen, RT-PCR or other test facilities at hospitals. Also, despite having Covid symptoms and dying of them, many people's test reports were negative.

6. Many Covid patients in hospitals were labelled as typhoid patients and treated for typhoid. The hospital papers make no mention of the cause of death. We also found family members of some of the dead who destroyed, burnt, or threw away the hospital papers.

7. Some people have applied for the compensation announced by the government. Only a very few have so far got this compensation. The government needs to make significant changes in the compensation policy so that families of all the victims can get compensation.

8. Most of the dead were sole earning members in their homes. Also, some of the aged victims were pensioners and the whole family depended upon the pension for sustenance. All of them should get immediate compensation in view of medical expenses and burden of debt.

9. Family members of the dead, especially women and men who have lost their spouses, are suffering severe depression. They need urgent intervention and care, which is unavailable as of now.

10. The team found that despite more than a year having passed since Covid appeared, there are all kinds of misconceptions among people. The importance of wearing masks, washing hands, and awareness of preventive medicines has not at all percolated to ground

level. Fear of vaccination is also very much present. A big reason for this is lack of confidence in the Modi-Nitish governments. However, we found that this fear is gradually decreasing and now there are people who want to get vaccinated but the government has failed to make vaccines available to them.

Recommendations

The Covid second wave has abated but the devastation it wrought is still very much present in rural Bihar. The levels of destitution and distress are dangerously high. Instead of seeking to suppress numbers of Covid deaths and minimise the compensation paid, the Government ought to be looking the bereaved in the eye, and acknowledging its own culpability in the Covid deaths (which are just as much due to the appalling state of healthcare in Bihar and the criminal lack of hospital beds and oxygen as due to the virus). As a measure of this acknowledgement, the Government should pay compensation to the bereaved, without demanding documentary proof of Covid as cause of death. As long as a local elected representative (a member of the village panchayat, or the local MLA), or local health worker (ASHA or anganwadi worker) confirms that a death occurred and that the symptoms included cold, cough, fever or shortness of breath, compensation must be opaid out without further ado.

All talk of "development" in Bihar is a cruel joke if basic healthcare is available only at a steep cost and even so, oxygen and hospital beds and ventilators etc are in short supply. Health infrastructure must be built up in rural Bihar on a war footing, and free healthcare in government hospitals must be guaranteed for all as a right. □

The Pledge of July 28:

Get ready for a more decisive phase of people's movement against the fascist Modi-Shah regime!



July 28, 2021 marks the 49th anniversary of the custodial killing of Comrade Charu Mazumdar and 47th anniversary of the reorganisation of the CPI(ML). Even as nearly five decades have elapsed since those early years of the stormy 1970s that culminated in the infamous 1975 Emergency, the Indian state is once again back to the repressive repertoire of the Emergency era, on a scale that even puts the cruelty and coercion of the colonial period to shame.

The repression is so pronounced that even courts are having to remind the Modi regime that indiscriminate repression is incompatible with the constitutional framework of democracy. Delhi High Court underlined the centrality of the right to dissent and protest to democracy. Supreme Court has asked the government why it needs the colonial era Sedition Law after seven decades

of Independence.

The demand for the release of political prisoners and the scrapping of draconian laws like the colonial era Sedition Act or the post-colonial UAPA has once again started animating the public discourse. Together with the other key questions of the moment like the repeal of the discriminatory citizenship amendment and disastrous farm laws, rollback of the new labour codes and restoration of labour rights, halt to privatisation and price rise, creation of jobs and increase in wages, compensation for every Covid death and guarantee of healthcare and education for all, these demands constitute the core democratic agenda for the present situation.

As the Modi government with its reshuffled jumbo cabinet gets ready for its monsoon session agenda of new bills, the opposition in the country, the movement on the streets

as well as the opposition parties in the parliamentary arena, especially the Left forces, must also mount a more decisive phase of resistance.

Party committees and members must respond with full vigour to this new situation.

For the second successive year, we find ourselves faced with the Covid19 pandemic and its fallouts, especially varying degrees of lockdown and restrictions. We have lost several comrades in this period and many are still suffering from post-Covid complications. This situation has put a brake on many of our conventional activities and modes of assembling and agitating. Yet we managed to undertake many effective campaigns by combining digital and physical initiatives. As the pandemic period lengthens and uncertainty prevails about 'restoration of normalcy', we must continue to find innovative ways of stepping up our active role and expanding the reach of our movement.

Comrade Charu Mazumdar's last words – of upholding the people's interests and keeping the Party alive by all means – inspired and guided us through the setback of the 1970s. The same spirit must continue to drive us in facing up to today's challenging situation where we have to counter the lethal combination of Modi 2.0 and Covid 2.0. There must be no room for passivity and inaction as we get ready for the coming battles on different fronts and carry forward the movement and the party in keeping with the demands of the situation.

**Central Committee
Communist Party of India
(Marxist-Leninist) □**

Remembering Danish Siddiqui

Pulitzer prize-winning Delhi-based photographer Danish Siddiqui was tragically killed by the Taliban in Afghanistan. He had been covering Taliban atrocities and the ongoing war there. Siddiqui's work captured the most enduring and haunting images of every recent crisis in India and South Asia: the Rohingya refugees; the CAA protests; the Hindu supremacist shooter at Jamia; the Hindu supremacist mob beating a Muslim man to death; the migrant workers walking home during the lockdown; and the mass funeral pyres during the Covid second wave in India. We pay our respects to his memory and legacy. Here are some of Danish's iconic photographs:



Anti CAA protest at Jama Masjid, New Delhi in 2019.



A migrant workers and his family during a 21-day nationwide lockdown to limit the spreading of coronavirus, in New Delhi in 2020.



A Rohingya refugee after crossing the Bay of Bengal.



A gunman threatens anti-Citizenship Amendment Act protestors near Jamia Millia Islamia University in Delhi on January 30, 2020.



A group of men shouting pro-Hindu slogans beat a Muslim man during the Delhi riots on February 24, 2020



A photograph of a mass cremation in Delhi on April 22 taken from a drone.

Red Salute to Comrade AK Roy, founder of Marxist Coordination Committee on his death anniversary (21 July) and to Comrade Charu Mazumdar, founder of CPIML, on his martyrdom day (28 July).



AK Roy



Charu Mazumdar

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