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# Bhartiya Manyaprad

International Journal of  
Indian Studies

BHARTIYA MANYAPRAD is a call to bring closer all Indians at one mental meadow irrespective of them being Indian residents, NRIs or PIOs. Certain issues touch all of them with same concern. BHARTIYA MANYAPRAD is a new International Journal of Indian Studies aiming to bring the best of cultural studies to a diverse academic and non-academic audience. We feature research articles and features practices and conditions specific to contemporary popular culture, traditions, norms and societies etc. BHARTIYA MANYAPRAD shall include scholarly articles pertaining to the issues which are faced by Indians in any part of the world including India. It also invites books for review. It's a platform for all those who want to share the issues which need an attention and get the things changed for betterment. In fact it shall culminate into a dialogue bringing in a silent revolution amongst the people who are connected to India in any manner.

Though it is a research journal still it shall include the restlessness of an Indian as s/he faces in the society around the world. It is a multicultural journal inviting articles from all sectors of life. BHARTIYA MANYAPRAD shall contain socio-cultural-psycho issues as faced by Indians throughout the world including India.

Articles should borrow from semiotics, psychoanalysis, queer theory, and other academic disciplines associated with cultural studies and critical theory, while remaining accessible to a general audience. Ideally, articles should surprise and entertain, presenting smart, pithy analysis of familiar subject matter. Articles are liable to be published after peer review.

Each Volume shall have one issue in a year.

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- First name, last name, institutional affiliation (full address and e-mail).
- Abstract of about 300-word, Key words: maximum 10
- Text of the article: justified.
- References: the authors should be ordered alphabetically.
- Titles of books: italics.
- Titles of articles: quoted.
- The submissions should follow MLA Style Sheet guidelines
- Articles will be submitted as MS Word documents and sent as .rtf attachment via email to any of the editors as specified.
- Submissions are accepted year round.\

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- The first reference to the book should include the publisher, space and the year of publication
- A first hand copy should be mailed along with book review

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*Executive Editor*

**Dr Sanjeev Kumar Sharma**

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*Neerja A Gupta*

## **Editorial**

Voices of Indian wisdom can be heard in many forms. Easiest is to hold the scriptures and reach out to the seers. This mode has divided the learning into the categories of ancient and contemporary. Sometimes we start questioning if there is any relevance of ancient Indian wisdom or it's only a glory gone element, which simply spreads magnificence and stamps upon India as an ancient society. A number of scholars and professors have been indulged in the study of ancient Indian wisdom systems as an integral knowledge methodology. There is no dearth of such devoted learners in our learning institutions. The idea of this issue is the result of constant interaction among multiple societies in which we live. Academic writing is usually associated with intellectual research oriented academic phenomenon. There are thinkers and practitioners who indulge into pragmatic discourses at different platforms, directly addressing ingeniously the attributes of Indian wisdom. Frequently they quote from ancient scriptures in more apposite comportment than the scholars who are authoring pages on Indian-ness. Our current professional education system seems to be subjected to a kind of academic apartheid in the form of avoiding usage and coverage of such common and useful concepts as Indian ancient wisdom. Traditional Indian

concept of knowledge accords mind an almost limitless omnipresent, field-like quality, besides omnipotent, and omniscient qualities. The reason why a common man does not experience these qualities according to the scriptures is due to the mind being overwhelmed by preoccupation with materiality and attendant loss of required subtleness and sensitivity. Its doubt whether ancient Indian wisdom still serves any purpose or not is constantly under debate.

Sages have established that the studies in ancient Indian wisdom give credibility to the ancient Indian concept of mind's association with soul in a physical body. The spiritual aspect and the concept of *Dharma* integrate mind and body and bring a state of unification in society. When someone questions, "Can thought drive any society?" My answer is "Yes". Thought is the root of creation according to ancient Indian ideas. According to these ideas: (i) The mind with its creative potential was the first entity that came into being and everything else was created subsequently. (ii) The physical body is just a grosser, material replica, or "image" of the mind. This is the basis of one of the classical Indian doctrines of "mind-over-matter." (iii) Mind and body are on an immaterial-material continuum, and mutually influence each other. As the sage says:

मनो भवति भूताम्मा तरंग इव वारिधेः ।

तेनेयमिन्द्रजलाश्रीः जागति प्रवितन्धते ॥

With this gross concept we decided to reach out to selected Indians, who have not only gained highest positions in respective fields but have also understood and utilized Indian wisdom in its true sort. They have been vocal in initiating discourses and establishing the fact that Indian wisdom is not merely an ancient phenomenon but is a relevant factor in its veracity. It hasn't lost its meaning and luster. Their commitment to knowledge is tireless and their incessant journey to adore spiritual, practical and mental strength of Indian wisdom propounds once again that:

अमन्त्रामक्षरं नास्ति नास्ति मूलमनौषधम्

अयोग्यः पुरुषो नास्ति योजकस्तत्र दुर्लभः

**I'm thankful in most earnest sense to the contributors of this issue who found this journal adequate to share their wisdom and making this issue truly a "Special Issue".**

सुजन समाज सकल गुन खानी ।  
करउँ प्रनाम सप्रेम सुबानी ॥



**Sanjeev Kumar Sharma**

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## **Yoga and Indian Culture**

**Chidanand Saraswati**

In 2014 our Honorable Indian Prime Minister Shree Narendra Modiji proposed a beautiful vision to the United Nations. He argued for the establishment of an International Yoga Day and today, we see this ambition has become a truly miraculous reality. His proposal for an International Yoga Day has not only been adopted by the UN, but it has been embraced by the world. It is wonderful to see that in just two short years, this day is already established as the largest international celebration of yoga.

Held on the 21<sup>st</sup> of July and only its second year, International Yoga Day has grown and blossomed so much that this year we witnessed on the news and internet images of millions of people coming together and planting down yoga mats to practice yoga in the squares and parks of major cities throughout the world.

But how has this message of yoga been so beautifully accepted and adopted by so many countries, religions and cultures around the world? The answer is that yoga is truth - and truth is universal. The truth of yoga is not just for Indians, it is for the benefit of humanity and no matter who you are in this world, if you have a desire for peace and balance in your life, yoga is the answer.

Yes, yoga is universal and belongs to all, but the wisdom and knowledge of yoga has its origins and roots in our Indian

spiritual system. This beautiful universal wisdom was made available for all humanity through the purity and power of our ancient Rishis'. Through their dedication and devotion, they were given the divine grace to channelize this divine knowledge to the world. They took this knowledge and with their own understanding of the human mind-works, taught how we can have a life that is in balance and harmony, both within one's self and with the outside world.

The Rishis and sages scientifically and beautifully crafted and weaved this divine wisdom into the very fabric of culture of society and for millennia the knowledge of yoga has formed the basis of our beautiful Indian society. Today, as thousands of people in the world are integrating yoga into their own lives, India already has the benefit of a history and culture of yoga that is already structured to bring peace, joy and harmony in our daily lives. In this way, many people in India, even though they are not fully aware of it, are still acting in a way which supports spiritual development.

We have all experienced yoga at some points in our lives. If we pause and think back, we can all remember those special moments or times when we experienced joy, harmony and a true connection with ourselves and with the world. Those moments when we felt happy, connected and fulfilled were moments of yoga. But the experience of yoga is not meant to be limited to mere moments, it is there as a way of life.

India's Sanskriti is so rich and diverse and provides an ocean of knowledge that can provide the answer to any single question. But if you don't have time to become a scholar, know that yoga is the answer to life's challenges and following a life of yoga is leading a life of purpose and meaning. Yoga is to live in balance, harmony and with a deep connection to the divine.

So many times I see, and in the west particularly, that there is a great emphasis on Asanas, the postures of yoga and yet, Asanas on their own are not enough. Yes, we should use Asanas on the mat to help bring flexibility and strength to our bodies and to help improve our physical and mental health but yoga is much more than this. Patanjali's *yoga sutra*, teach us about the eight limbs of yoga but Asanas are but the

third limb and only come after the foundation has been laid with the Yamas and Niyamas, which we can think of as being the code, or rules for life.

Yamas teach us how to balance our lives and teach us how to live harmoniously in the world. The five Yamas are Satya (truthfulness), Ahimsa (non-violence), Aparigraha (non-hoarding) and Bramacharya (control of senses). Similarly, the five Niyamas become our personal code of conduct and include Saucha (cleanliness), Santosa (contentment), Tapas (self-discipline), Swadhaya (self-study) and IswaraPranidhana (acceptance of divine will and living with equanimity). If you take time to observing for yourself you will see that these Yamas and Niyamas are already codified in our Indian culture. It means that even without the direct knowledge our culture is helping us to live a life of yoga.

As there are millions of stars woven into the tapestry of our galaxy, equally there are also millions of beautiful stars of knowledge woven into the fabric of our culture. I cannot fully explain each of these stars now, but let us just look quickly at one diamond code: Ahimsa. Ahimsa is a precept of spiritual development; it is the energy non-violence, both in thought and deed, towards anything in the divine creation. To practice Ahimsa is to develop a sense of reverence and compassion for all beings, even and especially for those that we may have enmity towards. So long as we are not physically beating people, we may feel that we are following the principle of Ahimsa but it is very important that we each examine our life, and our thoughts, to root out the violence that may be there. Our own violence may be difficult to see but if we have followed our cultural norms, we will have automatically lessened our acts of violence.

For centuries Indians have been vegetarians, it is only in recent years that meat has become introduced into the Indian diet. And yet, being vegetarian is a beautiful expression of Ahimsa; no living being has had to be killed in order to satisfy our taste buds. I will not go too deeply into this topic now, but I fully encourage all of my brothers and sisters to be vegetarian. Just by being vegetarian, you can ensure your body will not become a graveyard of dead animals. When our bodies

are graveyards to dead, rotting flesh, they become prone to disease of the body and dis-ease of the mind. When an animal goes to slaughter it releases adrenaline and many other hormones as fear floods its entire body. When you eat that meat, you eat the animals dying moments, you eat the fear and all the chemicals released just prior to its death. These hormones then flood your body and agitate the mind. If you have a problem with anger, frustration, if you feel agitated and not at ease, the dis-ease you experience is because of the meat you have eaten.

Science is now also telling what the Rishis told us thousands of years ago. Scientific research fully endorses and recommends a diet full of vegetables and whole grain with limited dairy, as now they are proving that a plant based diet is best for mental and physical health as it reduces the risk of so many disease and prolongs life expectancy. And yet, people tell me "Swamiji, meat tastes so good!" I say to them and you, my dears, that this is not correct. The world's meat industry is the single biggest cause of starvation and pollution on this planet because it diverts such a large proportion of the worlds grain production towards feeding the cattle, chickens and pigs that people eat and the resulting pollution is a significant contribution to global warming. The divine has given us enough food in wheat, rice and other grains to feed each and every person on this earth with at least two meals a day and yet we see starvation everywhere. I urge you not take the food out of your brothers and sisters mouths because it tastes good to eat meat. My dears, just by following one example of Ahimsa, you can be the change this world it so desperately needs, you too can be a yogi.

Similarly, let us look briefly at Sauch, the ideal of cleanliness. We all make an effort every day to keep ourselves and our houses clean and fresh. If a day goes by when we have not washed or if we see our homes are covered in a layer of dust, we feel dirty and we are unwilling to present ourselves or our homes to others. So each day, we have the practice of cleaning our bodies and our immediate environment before the dirt sets in, but what about cleaning our minds? It is the dust and dirt of our prejudices, anger, attachments and ego

that accumulate in our minds and without the daily practice of clearing our minds from this dust, we will present to the world our smudged minds without any sense of shame. In the same way that we would not like to present ourselves in society without bathing, we should not wish to present ourselves to the world without checking first if our minds are clear and clean.

This daily wiping down of the dust in our minds through prayer, meditation and yoga can help ensure that we do not accumulate more dust on our minds, but also that we can wipe away the existing layers of past grudges, anger, sorrow and self-doubt from our minds.

These spiritual practices are the key to a happy and divine life, but you do not have to give up your life or work and sit for hours of meditation in order to achieve the peace that spiritual practice brings. The key is to make it a natural priority in our lives, just as we will not leave the house without checking that we have washed and ready for the day, let us also make the commitment to check that we too have cleansed our minds with quite prayer or meditation, so that we only show our true pristine and divine selves to the world.

The beauty of Yoga and our culture is that, even in just the first two stages of yoga, we already have a road map for leading a beautiful and balanced life. But we must remember that it is only yoga until and unless we are living lives true to the Yamas and Niyams and living in accordance to non-violence, with truthfulness, non-accumulation, cleanliness and with a deep sense of connection to the divine presence within.

Only after the Yama and Niyamas comes the third limb of yoga and the practice of Asana. The purpose of the postures of Asanas is to warm and stretch the body so it is relaxed and ready for pranayama. Pranayama and the control of our breath through exercises that help cleanse our bodies and minds and bring a feeling of calmness and serenity to our being. When our bodies and minds are calm and our senses are stilled with the controlled breathing of pranayamas; then we are ready to sit in meditation.

Meditation is quiet but full of self-awareness. When we practice these steps of Asanas, pranayama and meditation we will automatically feel energized and balanced.

So yoga is there for the benefit of all and our beautiful Indian culture helps us to live a life of yoga and bliss. We have a saying that “if it’s comfortable and stable, it is yoga”. When we are living with an awareness of our divine connection within ourselves and in the world, we become balanced and it is when we are balanced that we are living a life of yoga.

I am seeing that, while so many in the west are coming to yoga, many Indians are sadly, moving away from a life of yoga. As modernity comes to India, there are now so many more examples of an increasing unbalance and a growing disconnect in the lives of people which is causing both physical and mental dis-ease. For so many of us, we are not spending our lives in harmony and balance, but instead in unbalance and discord. This disconnect can show up in so many ways; we eat more food than we need; take more resources from the world than we need in the form of shopping and consumption and we are at the mercy of feeling extremes of emotions like anger, frustration and jealousy. I also see that people do not balance their work and rest and so, as people work their minds and bodies for longer and harder, their lives become trapped and they are increasingly emotionally and physically drained. This is not the way, we must challenge ourselves to maintain this balance in our lives, to live a life that keeps us connected to our true self and aligned with the divine will. We should take only what we need, give back and share with others what we have; realize our purpose is not to just work 12 hours a day to earn money at the expense of our health and peace.

When people have doubts about how to achieve balance, I always say to them to go to nature and change your nature. Nature is such a beautiful teacher for how to live a balanced life. When we look at nature, we see that the birds, animals, insects and plants and trees all live in a state of balance. You never see a bird gorge itself with excess food or a plant that refuses to flower because it’s not in the mood to do so. Each animal and plant in the natural world lives according the

natural rhythm of the world and in balance with the world. It is only us humans who do not live in this balance and it is this imbalance that is causing our internal pain and misery as well as environmental damage in the world. Yoga helps us get back into living with a balanced mind and body, so we too can play our part in the world, to be part of the rhythm of life and not part of our own self destruction or destruction of the world.

I am so proud of our Indian culture, our culture is rooted in divine wisdom. Though yoga, through the wisdom of our scriptures and saints and the blessings of the divine, our Indian culture is giving humanity an ocean of knowledge, compassion, love and a deep connection to the divine.

Let us take a pledge to deepen our connection to our culture, let us take a pledge to connect ourselves to living a life of yoga and being connected and balanced in our lives. I always say that if I can do it, so can you. It does not mean that people have to be saints, it means that each and every one of us can realize the divinity that already resides within.

May God bless you all.

**About the author** H.H. Swami Chidanand Saraswatiji is the President of **Parmarth Niketan Ashram** in Rishikesh, India, a true, spiritual haven, lying on the holy banks of Mother Ganga, in the lap of the lush Himalayas. Parmarth Niketan is the largest ashram in Rishikesh. He is instrumental in bringing out first Encyclopedia of Hinduism .Parmarth Niketan's charitable activities and services make no distinctions on the basis of caste, color, gender, creed or nationality. Email: swamichidanandji@gmail.com>

## **Constitutional Ideals and Justice in Plural Societies**

**M.N.Venkatachaliah**

**“It is a curse to live in interesting times”. Confession  
“Thou does not know my son, with how little wisdom the world is  
governed.”**

**- Count Axel Oxenstierna**

### **Making of the Indian Constitution**

The Constitution of a country is its supreme law and is regarded as the vehicle of a nation's progress. The purpose of good government is to bring about the security, welfare and happiness of the people. Plato asks: “What do men organise themselves into society for?” and he answers: “To give the members of the society, all the members and the best chance of realising their best selves”. It is the very purpose of social organisation. All “human beings incomplete in themselves seek their ordainment of fulfilment and destiny in enriching human company and that institutions of democracy provide the richest and the most profound opportunities of that mutual enrichment”.

When the Constitution makers, under the leadership of Nehru, made Republicanism as one of the basic principles, it was described as the “biggest gamble in history”. In the fifties of the last century western press was greatly sceptical of

India's experiment with universal adult franchise and of the very survival of Indian democracy. But the American TIME (13.8.2007) on the occasion of 60 years of Indian Independence, saluted Indian democracy though it was described as robust but the rowdiest! Democracy may not be an ideal form; it tosses-up mediocrity; quite often tends to degenerate into elective despotism and become a mere statistical version of Democracy. That is why Sir Winston Churchill called Democracy the worst form of government except for all other systems tried so far. We have seen how, as Alan Bullock said of Hitler's Germany: "Street gangs came into the possession of a great modern state, Gutter came to power. But Hitler never ceased to boast that it was by the popular democratic vote". We had the case of an African potentate erecting his own statue in front of the High Court and etching underneath in granite, in distortion of a noble biblical exhortation. "Seek the kingdom of politics; all else shall be annexed into you!". Many of our contemporary politicians seem to have taken this advice quite seriously!

The product of the vision of the makers of the Constitution represents a high watermark of consensus in our history. Consensus and accommodation form significant and integral parts of Indian culture and cornerstone of our survival as one nation. At the time the Constitution was made, India was, and still is, the most diverse collection of humanity, with the greatest diversity witnessed in any part of the world with varied life-styles, religious faiths and within each many 'Sampradayas', wide array of languages, dialects, varieties of food and attire, and mindboggling levels of development. The debates in the constituent Assembly rose to spiritual heights. Their deliberations were noble and lofty. Their one concern was to save the posterity from the scourge of communalism. One can imagine the complexity of their remit that even the right of a person professing the sikh faith to carry a 'kripan' has had to be expressly accommodated in the constitutional document.

"Values", said Learned Hand, "are ultimate; they admit of no reduction below themselves ". So too are certain

irreducible constitutional values which underpin the survival and success of constitutional order and a concordial society. What are these values? What are the tools for effectuating them? The basic values of the constitution are reflected in the Preamble, the Fundamental Rights and the Directive Principles which along with the charter of fundamental duties may be said to constitute the conscience of the constitution.

“The preamble to the constitution is a “declaration of our faith and belief in certain fundamentals of national life, a standard from which we must not depart and a resolve which must not be shaken”. The emotive words “Justice, Liberty, Equality, Fraternity” open up a vast music of hope. They are words of passion and power and may be said to be the spiritual pillars of the constitution. These concepts along with the spirit of constitutionalism and rule of law form the bedrock on which a conflict-free society rests. “Peace is the fruit of justice; Justice is the greatest interest of man on earth. It is what cements the fabric of a secure society.”

As the Supreme Court of India said quoting Dr Ambedkar in the Constituent Assembly :

.....’Fraternity means a sense of common brotherhood of all Indians’. In a country like ours with so many disruptive forces of regionalism, communalism and linguism, it is necessary to emphasize and re-emphasize that the unity and integrity of India can be preserved only by a spirit of brotherhood. India has one common citizenship and every citizen should feel that he is Indian first irrespective of other basis.

It is this spirit of brotherhood that the preamble refers to and its awareness and practice are so very essential today. Article 1 of the Universal Declaration of Human Rights, 1948 exhorts : “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood”. Fraternity is a political and social objective; perhaps even greater is its moral objective.

Dr. Ambedkar cautioned us that with the advent of the constitution India was entering into an era of contradictions. We have constitutional equality; but inequality in reality and

on account of these contradictions there is a threat of India losing its independence.

## II Justice in Plural Societies

The question “what is Justice” in the maze of the irreconcilabilities of interest in pluralist societies “is an invitation to the most abstract sort of philosophical speculation” of its metaphysical elements. What ready answers can be given to questions of our times such as “what makes a government legitimate?” What is justice to the poor people living virtually next to people who have more money than they could ever possibly spend? Is it fair that hard-working people of considerable talent go unrewarded, while others, smiled-upon by fortune and raised with wealth and power, are constantly “rewarded” in return for no work and no contribution to society whatever? Do people whose ancestors were treated unfairly deserve compensation for what their grandfathers suffered? Can a legal system impose upon an individual the burden of personal sacrifice so as to ensure opportunity to others? What then should be done to equalise a condition of those with inherited disadvantages?

Lord Scarman asks much the same questions and says:

“ ..It is a platitude that society must be just. But what in the context of plural society do we mean by justice? Are we seeking justice as between groups? Or do we remain true to our western philosophy that what ultimately matters is the right and duty of the individual human being and that justice implies for each one of us ‘equal justice under the law’ ... to quote the inscription over the portico of the U.S. Supreme Court building. Clearly we desire both justice as between groups and equal justice under the law for every one of us. The dilemma of the plural society is that it is not always possible to achieve both. How, then, does one regulate justly, the clash of interest between the group and the individual”.

This is the in-built dilemma of all human organisation. As Lord Scarman observed. “.. plural societies are the product of irreversible movements of mankind. Sort of genocide or mass transportation, most of them are here to stay... Pluralism is

not a mere transient vestige of a historical condition but a permanent feature of the culture of modern democracies". The American answer was the civil war. It proved the Nation's determination. The 'separate but equal' doctrine which ruled America for over a century was dismantled. The Dred-Scot, the plessy versus Ferguson legacy was dismantled by the great judicial victory over segregation in America achieved by a splendid judicial exploit in the Board of Education case.

In this land, Hindus, Muslims, Christians and followers of many other faiths have lived for ages in harmony and peace. Islamic culture has made its own splendid contribution to the enrichment of this composite culture. Justice and Equity are the values on which this liberal culture is sustained. The average percentage of Muslim's representation in the Lok Sabha since independence has been just 5.8%. At the time of framing of the Constitution when the idea of reservation of seats for minorities was given up, Jawahar Lal Nehru exhorted that it was an "act of faith above all for the majority community. They will have to show after this that they can behave with others in generous, fair and just way. Let us live up to that faith". In one of the larger States not long ago, the legislature did not have even one Muslim member. These inequities need to be removed. That apart, the base of opportunities for modern education for Muslims needs to be greatly expanded.

It is this universal vision and the sanctity and validity of religious truths of all religions that the founding fathers of the Indian constitution envisioned by extolling religious freedom and freedom of conscience for everyone to believe what he considers true, and duty to honour and respect the composite culture of this ancient land where from time immemorial, great caravans from distant lands arrived and settled down together in a spirit of brotherhood and harmony. It is a mistake to think that democracy survives only if the composition of society is homogeneous. A strong democracy in the words of Benjamin Barber.

"... rests on the idea of a self-governing community of citizens who are united less by homogenous interests than by civic education and who are made capable of common purpose and

mutual action by virtue of their civic attitudes and participatory institutions rather than their altruism or their good nature. Strong democracy is consonant with – indeed it depends upon – the politics of conflicts, the sociology of pluralism and the separation of private and public realms of action”.

### III Constitution and the Courts

The creative, activist role of the courts are an answer to the compelling changes of the times and the task of applying enduring constitutional values to ever changing social realities and economic changes and down-terms. When a feudal social order grimly struggle to transform itself into a modern egalitarian industrial society, much of the norms of the society change, values of conventional morality tend to collapse. Such transformations are painful and often violent. At such crucial bends of history, disillusionment with the democratic institutions generate cynicism which is a tool of destruction. A negative social critical mass is generated which will in turn unleash a chain- reaction of destructive forces.

The plausible anti-majoritarian nature of judicial review is counter-balanced by judicial restraint whose chief proponent was Professor James Bradley Thayer.

This philosophy of judicial restraint which was the hallmark of judges like Holmes, Cordozo, Frankfurter, Brandeis and Hugo Black was echoed in the early decisions and famous dissents of the Supreme Court. To Chief Justice Harlanstone the only check on the judges exercise of power was their own sense of self restraint. Who, then, prescribes the standards of self-restraint?

Chief Justice Kania said in Gopalan’s case (SC27(42) (AIR 1950)

“But it is only in express constitutional provisions limiting legislative power and controlling the temporary will of a majority by a permanent and paramount law settled by the deliberate wisdom of the nation that one can find a safe and solid ground for the authority of Courts of Justice to declare void any legislative enactment.

Any assumption of authority beyond this would be to place in the hands of the judiciary powers too great and too indefinite either for its own security or the protection of private right”.

But the outcome of Gopalan case has embarrassed the court no end. While Article 21 of the Constitution exhorted that no person shall be deprived of life or liberty otherwise than in accordance with the procedure established by law, the court’s interpretation which read the provision in positivist terms, virtually read “procedure established by law”, to mean “procedure prescribed by legislature” and made law a mere enacted apparition. This case had a familiar ring of an earlier decision of the House of Lords during the world war in *Liver Sidge Vs Anderson*. But later that case was relegated to where it belonged, the war museum’. The case was considered, at best, as the judges’ contribution to war effort.

But a more expansive statement of the judicial review was expressed by chief justice Bhagawati:

“ Judicial review is a basic and essential feature of the Constitution and no law passed by Parliament in exercise of its consistent power of judicial review is abrogated or taken away, the Constitution will cease to be what it is”.

In the face of our abandonment of the “vague contours” of the Due Process Clause to nullify a measure which majority of the Court believed to be economically unwise, in distinct period of American judicial history, the expression ‘due process’ acquired distinct connotations. The judges of Lochner era were all born before the industrial revolution. They had their own mind-set. It almost tended to make the Supreme court of United States the third house of legislature. This interpretation of ‘Due Process’ enabled the Court to strike down a law on the ground of unconscionability. But America saw the demise of this extreme view of Courts’ powers. Later the Court said “We refuse to sit as a super legislature to weigh the wisdom of legislation and we emphatically refuse to go back to business and industrial conditions, because they may be unwise, improvement or out of harmony with a particular school of thought”.

The court recalled Justice Holmes’ earlier objection to the intrusion by the judiciary into the realm of legislative value

judgments. Dissenting from the Court's invalidating a state statute which regulated the resale price of theatre and other tickets', Justice Holmes had declared:

"I think the proper course is to recognise that a state legislature can do whatever it sees fit to do unless it is restrained by some express prohibition in the constitution of the United States or of the State, and that Courts should be careful not to extend such prohibitions beyond their obvious meaning by reading into them conceptions of public policy that the particular Court may happen to entertain".

Justice Holmes said:

"I do not think the United States would come to an end if we lost our power to declare an act of the Congress void".

In his "Making Democracy Work" Justice Stephen Brayer describes a meeting with a Chief Justice of an African country who asked him "Why do Americans do what the court says?" Justice Brayer's answer was "there was no magic words on paper. Following the law is a matter of custom of habit of widely shared understanding as to how those in government and members of the public should, and will act when faced with a court decision they strongly dislike. The answer lies not in doctrine but in History".

#### IV

### **Human Rights and National Sovereignty**

Great global thrust towards democracy, increasing patterns of internationalisation of domestic issues, global economic Interdependence, have a close connection with the philosophy of Human Rights that changed the scenario. Traditional high walls of domestic sovereignty are crumbling. The close interdependence of pluralism and Democracy is emphasised.

Historically the political theory of sovereignty and of domestic jurisdictions came under an unconscious influence of similar post-war introspection's of the 17<sup>th</sup> century. The writing of some major theorists on International Law had undoubtedly, influenced the changing conception of the

relations between the State and its subjects. The influence of the International Human Rights order on State's sovereignty, Parliamentary supremacy and generally as limitations on Government, are fascinating developments of the second half of last century.

Michael and Reisman say:

“Although the venerable term ‘sovereignty’ continues to be used in international legal practice, its reference in modern international law is quite different. International law still protects sovereignty rather than the sovereign's sovereignty”.

## V

### **Democracy and Development**

Man's capacity for justice, says Reinhold Neibuhr makes democracy possible; but man's inclination to injustice makes democracy necessary. But the same democratic system produced a Hitler in the heart of cultured Europe. The choice of democracy as a system of government is beset with its own repercussions. Democracy may not be the best form of government. But it is the least harmful. And therefore, wisdom lies in making it work effectively for the larger common good.

The Grand Inquisitor in Dostoievsky's *Brothers Karamazov* confronted the apparition of Christ on precisely this question: whether to leave the determination of what is right to the freely questioning masses and risk unrest, turbulence, riot, murder, and war or to take choice out of the hands of the masses, stilling their unrest by bread, the circus, a myth, a hierarchy, and the infallibility of a doctrine enforced by imprisoning and torturing the disobedient.

Authoritarian regimes often argue that they have advantages in building strong states that can make tough decisions in the interests of people. They also argue that democratic processes create disorder and impede efficient management – “that country must choose between democracy and developments, between extending political freedom and expanding incomes”. This trade-off between

democracy and development was the favourite theme of Lee Kuan Yew of Singapore. Human Development Report 2002, however rejects, this thesis.

Democracies, the Report argues, are better than authoritarian regimes in managing conflicts and catastrophes. Democracy provides for political space and institutional mechanisms for debate and change, particularly in managing sudden down-turns that threaten human survival. Human Development Report says:

“Consider China, India and Democratic People’s Republic of Korea. In India famines were common under colonial rule – for example 2 to 3 million people died in 1943 Bengal famine. But since independence and democratic rule, there has been no recurrence of famine – despite severe crop failures and massive losses of purchasing power for large segments of population as in 1968, 1973, 1979, and 1987. Each time the government acted to avoid famine. Food production fell largely in 1973 during drought in Maharashtra, but famine was averted partly because 5 million people were put to work in public works projects. In contrast in 1958- 61 famines in China killed nearly 30 million people. And one of the worst famines in history continues in the Democratic Republic of Korea, having already killed 1 in 10 citizens”.

## VI Constitutional Morality

Dr Ambedkar referred to what Grote, the Greek historian said: The diffusion of constitutional morality, not merely among the majority of the community but throughout the whole, is the indispensable condition of the Government at once free and peaceable. By constitutional morality Grote meant a paramount reverence for the forms of the Constitution, enforcing obedience to the authority, acting under and within these forms yet combined with the habit of open speech, of action, subject only to definite legal control. He went on to say that the form of administration has a close connection with the form of Constitution and it is perfectly possible to pervert the constitution without changing its form by merely changing the form of the administration and to make it inconsistent and opposed to the spirit of the Constitution.

People have to be saturated with constitutional morality which is not a natural sentiment. It has to be cultivated. Democracy in India is only a top dressing on an Indian soil which is essentially undemocratic.

When asked why he had drafted an elephantine document which was a lawyers' paradise, Dr. Ambedkar said, he was not apologetic about it. India's soil was yet to acquire an adequate sense of Constitutional morality and that all institutions had to be bound by Constitutional bonds. A bad administration could destroy Constitutional ideals.

Implicit idea of a representative democracy is the notions of a filter and a microcosm. In a mass society, it is regarded as not only necessary but also a positive benefit that the volatile nature of raw public opinion should be refined through an electoral process that gives representatives the opportunity to deliberate and exercise their judgements free from factional interests or majority intolerance. By the same token, a representative democracy has to approximate as closely to the society it seeks to represent, in order to maintain its legitimacy as a system of government.

## VII Science and the 21<sup>st</sup> Century

If the 20<sup>th</sup> century was a 100 years of science, with such splendid discoveries in nuclear energy, Human genome project etc., the 21<sup>st</sup> century will be 20000 years of science of hitherto unimagined dimensions. The world, as Jeffry Sachs says, was no more be divided by ideology, but divided by technology.

One phenomenon which will further confuse the situation will be those changes in the demographic profile. The reduction of the younger population can 'cause great upheavals if only because nothing like this has happened since the dying countries of the Roman Empire'. 'For the first time in America history' says 'Time' Magazine (March 2, 2015), 'the number of people over sixty exceeds those under age 15'. There will be marked shifts in the manufacturing patterns. Prof. Peter Drucker says that consumption pattern will split

into two: a middle-age determined mass market and a much smallest youth determined one.

But that is not all. The stunning exploits of science will change the ways of our thinking. This is what Raymond Kruzweil has to say:

“Most of our conceptions of human life in the 21<sup>st</sup> century will be turned on their head. Not the least of these is the expectation expressed in the adage about the inevitability of death and taxes. We’ll leave the issue of the future of taxes to another book, but belief in the inevitability of death and how this perspective will soon change is very much the primary theme of this book. As we succeed in understanding the genome and the proteome, many dramatic advances in treating disease and even reversing aging will emerge. The first two decades of the 21<sup>st</sup> century will be a golden era of biotechnology”.

“Many experts believe that within a decade we will be adding more than a year to human life expectancy every year. At that point, with each passing year, your remaining life expectancy will move further into the future (Aubrey de Grey believes that we will successfully stop aging in mice – who share 99 percent of our genetic code – within 10 years, and that human therapies to halt and reverse aging will follow 5 to 10 years after that)

This was written some ten years ago. ‘Time’ Magazine of March 2, 2015 attests to the success of this prediction. It says:

“If there were Guinness World Record dedicated to high-achieving rodents, Mouse UT 2598 would deserve a mention. The average life span for a mouse is 2.3 years- so at age 3 and still going strong. Mouse UT2598 has a shot at beating the record for longest lived, which stands at about 4. Translating that to a human life span, he’s hovering around the centennial mark”.

“What gives Mouse UT 2598 his edge is a compound called rapamycin, which seems to slow aging and the damage it can do”.

This is just the beginning. More astounding exploits of science are yet to unfold. The real problem is humanity’s ability to absorb these civilisational changes and grapple with these mind boggling issues that arise in the interface between the New Science on the one hand and of social security on the other.

## **Epilogue**

What is the future of mankind like? Would it be able to handle the great changes that these forces change. In just about four decades ahead, demographers predict population of the world would be around eleven billion – something that the earth and its ecology will not be able to sustain. Serious thought has been bestowed by scholars and futurologists on some of these irresolvable issues of man's future.

Great confusion persists over whether life gets better or worse, and we are not even clear about the nature of progress itself. What exactly is it that progresses, increases or decreases or improves? Physical growth, such as the number of people and their wealth? Or is it subjective factors, such as quality of life and happiness? Controversy over the causes of evolution reflect a similar dichotomy. Most educated people support scientific theories of Darwinian evolution; but many others believe that life is guided by transcendent forces.

St. Augustine described our contemporary attitudes aptly: "Oh Lord, make me holy, but not today". That is the expedience of men and institutions. If men were angels, said Madison, no Government would be necessary. We undoubtedly live in interesting times.

The 21<sup>st</sup> century will be the most stunning century. Science and Technology will change the world. The next society will have no resemblance to the one we live in today. Economic development without social equity can produce intolerable levels of inequality. Such growth was described as Ruthless, Rootless, Voiceless, Jobless and Futureless. Society is increasingly becoming a cruel place for the weak. All our political institutions are in moral shambles because they have failed to bring human rights centre-stage. Despite great changes for many people security means protection from disease, hunger, political repression and environmental hazards. For them not the dark shadows of the global war to fear; but their concerns are within their own nations: about worries of daily life. Will they and their families have enough to eat? Will they lose their jobs? Will their neighbourhood be safe from crime? Will they be victims of violence because of

their gender? Will their ethnic origin target them for persecution?

In dysfunctional societies, money replaces real values. Money is not the measure of man; it is a measure of how small a man could be.

At such times it is our duty to surrender to agnosticisms or worship doubt. I may invoke this exhortations for the Shewthashewothora

Eko avarno bahuda shaktiyogad  
Varnan anekan nihithartha dadhathi  
Vichaithi chanthe vishwamadev Sadevah  
Sanobudhaya shubhaya samyunkthu

“He who is one; who is above all colour distinctions; who dispenses the inherent needs of men of all colours; who comprehends all things from their beginning to the end, let Him unite us to one another with the wisdom which is the wisdom of goodness”.

**About the author:** Justice Venkatachaliah (D.O.B. 25th October 1929) entered the general practice of the law in the year 1951 at Bangalore after obtaining University degrees in Science and law. Justice Venkatachaliah was appointed Judge of the high court of Karnataka in the year 1975 and later as Judge of the Supreme Court of India in the year 1987. He was appointed Chief Justice of India in February 1993 and held that office till his retirement in October 1994.

Justice Venkatachaliah was appointed Chairman, National Human Rights Commission in 1996 and held that office till October 1999. He was nominated Chairman of the National commission to Review the Working of the Constitution in March 2000 and the National Commission gave its Report to the Government of India in March 2002. He was conferred “Padma Vibhushan” on 26th January 2004 by the Government of India.

Justice Venkatachaliah has been associated with a number of social, cultural and service organizations. He is the Founder President of the Sarvodya International Trust. He is the Founder Patron of the “Society for Religious Harmony and Universal Peace” New Delhi. He was Tagore Law Professor of the Calcutta University. He was the chairman of the committee of the Indian Council for Medical Research to draw-up “Ethical Guidelines for Bio-Genetic research Involving Human Subjects”. Justice Venkatachaliah is the President of the Public Affairs Centre and President of the Indian Institute of World Culture. He

was formerly Chancellor of the Central University of Hyderabad. He is currently Chancellor of the Sri. Sathya Sai University.

He is the recipient of several Doctorates including from Banaras, Andhra, Bareilly, Pondicherry, Manipal, Rani Chennamma, Karnataka Law Universities etc. He has many other academic distinctions and honors from several Universities and Organizations. He has been conferred NIAS Honorary Distinguished Fellow in recognition of his sustained valuable contribution to human values, justice, society and culture.

## **Vedic Philosophy and Holistic Human Development**

**Satyapal Singh**

According to millions of years old and most ancient Vedic lore, the structure of the universe is perfect, from the human body to the revolving planets. Modern science has also come to the same conclusion that the universe is orderly, beautiful, purposeful and purely scientific. No scientist can ever improve the constitution of human body. This is why scientists are engaged in unfolding the mysteries (intrinsic laws) of nature.

What is the purpose of creation? For what is the human created? The Vedic philosophy states that the world was created for the manifestation of not only God's powers but also of nature, in an artistic, myriad way as well as for rendering the justice of one's actions and the realization of the ultimate goal i.e. (salvation) of souls. There cannot be any other purpose of the world being created.

To undergo the consequences of our own acts honorably without any tension and moving forward to our well-cherished aim of getting liberated, we - the human beings - require guidance and the lessons in true knowledge. This true knowledge, a divine revelation is called 'Veda'.

It has been the unanimous opinion of all the seers and sages of India that the Vedas were revealed by the Omniscient,

Almighty and Almerciful God in the beginning of the universe, for guiding mankind. It is like a manual of knowledge, variantly called the Noor of Allah (Quran), the first word of God (Bible) and the beacon of light. Not accepting it is akin to a foolish father/mother with a large business empire sending their young child into the jungle to live with the beasts till he attains adulthood and comes back to take care of business. Our Vedic seers have traditionally maintained that the Vedas are the source of all knowledge, all religions and the past, present and future all are illuminated through the Vedas. Vedas form the bed rock of culture. Their authority is supreme, self-evident and final.

In recent times Maharshi Dayanand Saraswati had emphatically echoed, among the Ten Commandments of Arya Samaj, that God is the source of all true knowledge and all the material known through different sciences. And Vedas are the revealed books of all true sciences. There have been many scholars who have been unbiased in their approach like Prof. Heeren who said “the Vedas stand alone in their solitary splendor standing as beacons of divine light for onward march of humanity”.

Therefore, every minute and meaningful knowledge of the Universe, guidance or instructions for individuals, domestic, social, national or international harmonious, sustainable and holistic development is provided in the Vedas in seed forms. No aspect of human activity and no sphere of world knowledge (Apara and Para vidyas – material and spiritual knowledge) are beyond the confines of the Vedas. The holy books of four Vedas (Rigved, Yajurved, Samved, Atharvaved), four Up-Vedas (Ayurved, Dhanurved, Gandharvaved and Arthaved), six Vedangs (Shiksha, Kalpa, Vyakarana, Nirukta, Chhanda, Jyotisha), six Shastras (Sankhya, Yoga, Nyaya, Vaisheshik, Mimansa and Vedanta) and many other Brahamans, Aryanyakas, Upnishadas have detailed knowledge about education; arts and crafts (Dance, Drama, Music, Paintings) health and humanities, agriculture, science, technology, aeroplanes and satellites etc. Vedas are encoded with scientific and technological insights, experiments and riddles.

As Veda is eternal and true, its religion, its philosophy is also true. The foundation of man's true happiness is Dharma. Vedic Philosophy defines Dharma (religion) as the means and measures which provide man an all-round development in this world and ensures his salvation thereafter. Vedic Philosophy underscores the importance of simultaneous worldly and spiritual development of man.

The holistic development of man starts from even before its birth. What precautions and rules the parents must observe to have the best progeny is detailed in Vedic scriptures. The vitality and wisdom of scrupulously following the sixteen sacraments (Samskaars) from conception to cremation, for macro and micro development of man and his environs cannot be over emphasized. The four Ashrams (Phases of life) –Bramhacharya (studenthood), grihastha (married life), Vaanprastha (retired life) and Sanyas (life of renunciation) – is not only for individual betterment and contentment but for the larger social benefits.

Student phase is the formative stage to acquire the capacity and build capabilities for physical and intellectual well-being to successfully face the world. The Vedic education has four pillars in Gyan (knowledge), Sabhyata (civilization), Dharmikata (righteousness) and Jitendriyata (self-restraint and control of mind).

The householder phase is to repay the three debts (social obligations), every human being is born with. Marriage is not only for recreation and procreation but for the ultimate satiation of all desires for material pleasures and progress so that one advances spiritually in later life and secures the break from the endless cycle of birth and death. Earning wealth and its enjoyment and charity for good cause is also a part of married life.

Vaanprastha is retired life for guiding the family and society with one's knowledge and experience and slowly moving away from the bonding of familial ties and attachment to the material world. The last and the optional phase of life – Sanyas – is to work for the society without any prejudice of any caste, class, creed, community or country and also to focus on one's inner illumination.

All the problems in the world can only be because of four reasons either in their individual capacity or the combination of them. They are Agyaan (ignorance), Anyay(injustice), Abhava (deprivation) and Aalasya (lethargy). To challenge and redress these problems, the Vedic philosophy classified the society into 4 Varnas (classes) – Brahman, Kshatriya, Vaishya and Shudra – for it could be the best division of labour. The varnas are classified on the basis of one's ability, nature, profession and deeds and not based on the house of their birth. Varnas are changeable and they provide scope for social mobility. Shudras are not untouchable or a despicable class as depicted in medieval and modern India. They were an integral part of society in ancient time just like the legs in human body.

Simultaneously, the Vedic philosophy states that there are 4 ingredients of Dharma viz. (truth, compassion, charity and dignity of labour). And to protect these pillars, the concept of 4 Varnas was divinely ordained. The Brahman (intellectual) will protect the 'truth' through his study; Kshatriya (warrior) will ensure 'compassion' through fairness and justice; Vaishya (businessman) will keep the tradition of 'charity' alive through earning wealth and Shudra will provide sustenance to the dignity of labour.

The acceptance of Vedic version of Classes would have ended the fragmentation and fracture of society and the world at large in the name of thousands of castes, sub-castes and scores of religious beliefs. Vedic wisdom believes in only one religion and one caste of humanity.

The five Yamas (non-violence, truthfulness, non-stealing, celibacy and non-covetousness) and five Niyamas (cleanliness, contentment, austerity, self-study and surrender to God) of 8 fold path of Yogic system are the moral codes of conduct for social harmony, well-being and individual spiritual upliftment (macrocosm and microcosm development).

Fourfold goals of life (Purusharth) – Dharma (Righteousness), Artha (Wealth, acquiring material goods), Kaam (Desires, Pleasures, Enjoyment etc.) and Moksha (Liberation) are also aimed to inspire and drive the man to

make the fullest use of this life, enjoy without attachment, achieve an internal state of balance and harmony and earn an almost permanent bliss here and after. Sometimes it is also called a *Pancha koshi Yatra* (5 miles spiritual journey) from *Annamaya kosha* to *Anandmaya kosha*.

Vedic philosophy propounds the principle of Karma (action) and its inevitable consequences based on Cause and Effect law and conservation of energy. Man is free to act the way one likes but is bound to face the result of its actions without any option. Therefore it puts a deterrence on wrong doings. A dip in holy river or pond, the worship of any god or goddess or a faith in any lord or prophet can't absolve a person from the fruits of its deeds.

Vedic philosophy, though universal in teaching, has also emphasized on nationalistic spirit and patriotism. *Vayam Rashtre ...* let us be vigilant about our nation. We should conduct ourselves in nation's interests. *Satyam Brihat Ritam Ugram*— to build a strong nation through quality education, military prowess, righteous judicial system, commitment and sacrifices, science, technology and experiments and common well-being.

For keeping the environment (air, water and soil) clean and pure vedic philosophy preached the preservation of ecosystem through vegetarianism, tree plantations (raising the status of trees to sacred levels) and daily mandatory individual and periodic community *Yagnyas*. The problems of pollution and global warming would never occur in such a culture. The Vedic philosophy does not subscribe to the dictum of Darwin that the fittest and strongest only has the right to survive. It believes in the spirit of cooperation, co-existence and ensures the protection to the weakest. It is firmly for the sustainable development without harming the environment.

Vedic being a divine philosophy – (it cannot be improved but expanded with human efforts) – has to be universal in its applications. It cannot be confined to any caste, colour, creed or country. It always emphasized on one earth and one humanity. In this age of one chemistry, one physics one maths, one architecture, one medicine – how can we have more than one Dharma or philosophy of life? Vedic philosophy believes

in one omniscient supreme power (God) as the parent of all beings and therefore inspires universal brotherhood. Vedas preach “*matrah bhoomi putroaham prathivya*”– “earth is my mother and I am her son; the whole world is like a nest (which is better than the modern global village concept); the whole earth is my family and let us see every being (not just human) with the eyes of a friend.”

At last, I would like to quote and appreciate what even a highly distinguished but biased scholar, one of the best European indologists, Professor Max Mueller had to write in his famous book *India, What can it teach us* that in order to make our (inner) life more perfect, more comprehensive, more universal, in fact more truly human, a life not for this life only, but a transfigured and eternal life—again I should point to India...”

The Vedic seers thus proclaim “Pashya Devashya ....—” see and follow the sweet poetry (Veda) of God which neither dies or decays”. There is no philosophy even worth the comparison. All streams of thoughts in the world started from this but with the passage of time got polluted on their journeys. Let us give a clarion call to all the people to learn from the time tested, divine and universal wisdom if we want to have an all-round development from individual to society level; from family to global community and get rid of all the simmering discontent, discords, tension, criminal acts, communal riots and the depredations of terrorism in the world.

#### About the author

Dr. Satyapal Singh is the former Police Commissioner of Mumbai and Member of Parliament of the Bharatiya Janata Party from Baghpat in Uttar Pradesh for the 16th Lok Sabha. Mr. Singh had aimed to become a scientist before he joined the IPS. He is a post-graduate in chemistry and has also done his M Phil (Chemistry). He has secured an MBA from Australia and is also has an MA and Ph.D in Public Administration. He has keen interest in the studies of *Bhagwad Gita* and Indian ancient wisdom.

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## **Glimpses of Ancient Indian Law in Constitution of India**

**Kamleshwar Nath**

### **Introduction**

March of civilisation through centuries has convinced the World that the best form of governance is Democratic. Bharat (India), true to the philosophy of ancient Rigveda ('Let noble thoughts come from all sides'), drawing heavily on Constitutions of great democracies of the West, has framed the Constitution of India (for short, the Constitution) which also reflects the ancient Indian thought in significant areas. This paper attempts to show that fundamentals of our Constitution had seeds in our ancient Hindu culture.

The moving spirit of the Constitution is contained in its Preamble. Amongst other things, it secures to citizens of Bharat, Justice, Liberty of thought, Equality of Status & Opportunity and aspires to promote Fraternity, dignity of Individuals, Unity and Integrity of the Nation. Each one of these concepts is elaborated in various Articles of Part III containing Fundamental Rights. Through ages, Bharat has been a land of spirituality and its consciousness is Divine-oriented. The Supreme Court of India observed in the case of *Menaka Gandhi Vs. Union of India*, (1978)1 SCC 248 (para 22): "The Constitution makers recognised the spiritual dimensions of man, and they were conscious that he is an

embodiment of Divinity what the great Upanishadic verse describes as 'children of immortality' and his mission in life is to realise the ultimate Truth".

### **Equality and Bias**

Article 14 of the Constitution ensures equality before Law and equal protection of Laws. The Rigveda (Mandal 5 Sukta 60 Mantra 5) lays down: "No one is superior or inferior; all are brothers and all should strive for the interests of all and should progress collectively". Mandal 10, Sukta 191, Mantra 4 says: "Let there be oneness in your resolutions, hearts and minds. Let the strength to live with mutual cooperation be firm in you all". Those are the seeds of concept of Fraternity set out in Preamble of our Constitution. Atharvaveda Samajnana Sukta says: "All have equal rights in articles of food and water. The yoke of chariot of life is placed equally on the shoulders of all; all should live together with harmony supporting one another like the spokes of a wheel of the chariot connecting its rim and hub". Manusmriti (Ch VII Verse 2) ordains that protection of all should be just and lawfully made by King; Verse 32 calls upon the King to be 'just and equitable in his own dominion'. Likewise, Ch. IX Verse 311 lays down that the King should protect all his subjects without discrimination in the same manner as the Earth supports all living beings.

In Chapter II, Verse 1, Yajnavalkya Smriti lays down the rule against Bias. It says that along with the learned Brahmanas, the King, shorn of anger and avarice, should look after law-suits according to the Codes of Law. Verse 2 prescribes that the King should appoint, as his Courtiers, persons possessed of Vedic knowledge, conversant with laws of morality, truthful and be impartial towards friends and foes. This is quite similar to requirements of Natural Justice in Article 14 of the Constitution.

### **Welfare State**

Our Constitution sets up a 'Welfare State' through ensuring Fundamental Rights in Part III, laying down Directive Principles of State Policy in Part IV and emphasising

**Fundamental Duties in Part IVA.** Article 38 directs the State to promote Welfare of the people to ensure justice, social, economic and political in all institutions of national life. The object is to generate a social order in which the State guarantees basic Human Rights to Citizens and ensures greatest good of all, while the individual carries out his obligations towards the State and fellow citizens. Manusmriti Chapter IX Verse 311 lays down that just as Mother Earth gives equal support to all living beings, so also a King should support all without any discrimination. Kautilya's Arthshastra of Mauryan Empire period (around 300 BC) prescribed: In the happiness of his subject, lies the King's happiness; in their welfare, his welfare; whatever pleases himself, the King shall not consider as good, but whatever pleases his subjects, the King shall consider as good.

#### **Duty Paramount**

By 42nd Amendment of the Constitution, Chapter IVA was inserted in 1977 to set out Fundamental Duties of Citizens in Article 51A. It gives a call to promote harmony and spirit of common brotherhood amongst all people of India, transcending religious, linguistic, regional or sectional diversities and to strive for excellence in every sphere of individual and collective activity. The use of expression 'Citizens' in the Article is not confined strictly to Citizens but also embraces the 'State' itself because the State is bound by every provision of the Constitution enacted by and given unto themselves by the People of India (See Preamble). All these aspirations are found in the ancient Indian Law. Vishnu Purana mentions: Among various Countries, Bharat (India) is regarded as great because this is the land of Duty in contradistinction to others which are lands of enjoyment, i.e., based on Rights. Lord Shrikrishna taught in Shrimad Bhagwad Gita (Chapter II Verse 5) that a 'person's Right is to perform Duty', not to yearn for fruits of performance of duty. Ishopanishad advises: God pervades into everything that exists, and there is nothing without Him, hence one may make use of things after giving unto others, and never covet another's possessions.

Setting out obligations of Citizens, some of the Duties described in Mahabharata Adiparva (Chapter 120, Verse 17-20) include discharge of Manav-rina (Obligation to Man) by performing every type of Social Service, and another is discharge of Rishi-rina (Obligation to Teacher) to acquire and disseminate Knowledge. Our Supreme Court observed in the case of Mohini Jain Vs. State of Karnataka, (1992) 3 SCC 682 (para 18) that Indian Civilisation recognises Education as one of the pious obligation of human society.

### **Special Status for Women**

Article 15 of the Constitution says that the State shall not discriminate among citizens on grounds of religion, sex etc. and Clause (3) permits special provisions to be made for the benefit of Women and Children. Indian Parliament has made several laws to confer various kinds of rights on and for protection of Women's interests. Manusmriti (Ch. IX verse 26) describes wives, for conceiving progeny, to be 'lights of household', 'repositories of bliss and auspiciousness' and declares: "No distinction exists between the wife and goddess of fortune in the house". That is why Hindu Society calls her Griha-laxmi. Verse 6, lays down that protection of wives forms the highest duty of the members of all four social orders and even the physically deformed husbands should endeavour to protect their wives.

However, Verses 2 and 3 have been interpreted erroneously, sometimes, to mean as if women have to be kept under 'subjugation'. According to Verse 2, Men should never give license to their wives day or night and by keeping them engaged in commendable pursuits, should keep them under their control. Verse 3 elaborates that during infancy, father protects her, in youth husband protects her and in old age son protects her and that a woman should not be left free. Read in isolation, an impression is formed as if wife needs to be kept in 'subjugation'; but read in context, that impression stands reversed. The expression used in the verse is "a sthree Swathanthram arhati". The word swatanthramarhati is interpreted to mean 'having freedom of action'. That is not correct. It is a settled principle of law of interpretation that

every provision needs to be interpreted in the context where it appears. It is wrong to interpret Verses 2 and 3 in isolation from Verses 5, 6, 26 and 28. Verse 5 lays down that women should be specially protected from the slightest of corrupting influences (such as bad company etc.) because an unprotected woman could bring repute/ill-repute to two families, i.e., husband's and parents'. Verse 6 says that protection of wives forms the highest duty of members of all the four social orders (Brahmin, Kshatriya, Vaish & Sudra). Verse 26 mentions that Wives are 'lights of household, repositories of bliss and auspiciousness' and for conceiving progeny, they should be honoured with presents of apparel and ornaments, and that no distinction exists between the Wife and Goddess of Fortune in the house. Verse 28 says that giving birth to children, performance of religious 'sacrifices' (Yagna), nursing, profound love and attainment of Heaven by a person and his manes, depend upon his wife. These attributes obviously place a Hindu Woman at a very high pedestal in family and social life; she is called Ardhangini ('better half' of Man, in Western culture) and Griha-laxmi (the family's Goddess of Fortune).

Chapter III V. 56 of Manusmriti lays down that Deities delight in places where women are revered, but where women are not revered, all rites are fruitless. Verse 57 says that where women of the family are miserable, the family is soon destroyed, but it always thrives where women are not miserable. Verse 62 says, if the woman is radiant, the whole family is radiant; but if she is not radiant, the whole family is not radiant.

The evaluation of a Hindu Woman by a British lady author, Kerry Brown, in her Book ('The Essential Teachings of Hinduism' Arrow Books London – 1990 Edition) is worth quoting as follows:

"In Hinduism, a Woman is looked after not because she is inferior or incapable but, on the contrary, because she is treasured. Just as the Crown Jewels should not be left unguarded, neither should a woman be left unprotected. No extra burden of earning a living should be placed on women who already bear huge responsibilities in society, the transmitter of culture to her children".

Ancient Hindu Law exempted Women from the rigor of Law of Limitation which provided that if a person has lost actual possession of his property for a certain number of years, his rights to that property would be extinguished and vest into the possessor. Section 27 of present Indian Law of Limitation of 1963 makes a provision for extinction of rights by loss of possession. On the contrary, Katyayana, one of the celebrated exponents of Hindu Law has mentioned in Verse 330 that no plea of adverse possession is tenable in respect of property belonging to Women, State and Temple.

Women were granted special concession in matter of punishment for criminal offences. Katyayana lays down in Verse 487 that in cases of all offences, only half of the punishment prescribed for man should be imposed on a Woman; incidentally, this exempts woman from death penalty.

### **Law-making Bodies**

Part V of the Constitution provides for an elected Parliament; Part VI provides for elected Legislature for States. The concept of an Assembly framing Laws is discernible in Manusmriti (Ch. 12 V. 110-114). Verse 110 mentions that whatever law is agreed upon by an assembly of ten persons or more, or even 3 persons or more, who persist in their proper occupations, that law should not be disputed. Verse 111 mentions that an assembly of ten or more should consist of 3 persons each of whom should know one of the Vedas, a logician, a ritual theologian, an etymologist, a man who can recite the law, and 3 persons from each of the first three stages of life. Verse 112 says that an assembly of 3 persons or more, to make decisions on doubtful questions of law, should consist of a man who knows the Rigveda, a man who knows the Yajurveda and a man who knows the Samveda. Verse 113 says that the law that is determined by even a single priest who knows the Veda, should be recognised as the supreme law, but not one that is proclaimed by millions of ignorant men. Interestingly, Verse 114 states that if thousands of men join together who have not kept their vow, who do not know the Vedic verses, and who merely live off their high caste, they

do not constitute an Assembly. It is plain enough that the ancient Hindu Law insisted upon a very high standard of educational, moral and spiritual attainment for eligibility to a law making body. Quite conversely, the modern Indian Parliament and State Legislatures have not laid down any rule of eligibility except that of age. The result is that present day Legislatures contain a number of persons who have criminal background; thus Legislative Assembly constituted after 2012 general elections in Uttar Pradesh (India) has 182 such Members, out of 403, who have admitted in their statutory affidavits that criminal cases were registered against them.

### **Administration**

The Constitution provides for a Union Executive and State Executive for proper governance. In ancient India, proper management of State is emphasised in Chapter VII Verse 113 of Manusmriti with the advice that a King whose Kingdom is well-managed attains happiness. A scheme of appointment of officers of the State is set out in Verses 61, 114 and 115. Corruption, a serious evil in today's India, existed even those days as evident from Verse 123. It is stated that King's servants, connected with the government of the realm, were often found to be exacting and deceitful. In Verse 124 it was ordained, therefore, that the King shall protect his subjects from the exactions of officials, and shall excommunicate from the Country those corrupt officials who would receive undue gratification from suitors at their courts and confiscate their goods as well.

After Manusmriti, the second highest authority on ancient Hindu Law was Yajnavalkya, a great philosopher and spiritual master. Yajnavalkya-Smriti is regarded by Hindus to be of great importance. He too had set out the standards of Administration. In Chapter I, Verses 309 to 311, attributes of King are narrated. Among others, the King is required to be truthful, pure, well read in Dharmashatra, logic, polity, economics and 3 Vedas.

Verse 312 requires him to appoint Ministers of persons who are wise, born in good families, grave and pure and to

deliberate on the affairs of State with them. Articles 74 and 163 of our Constitution require the President of India and Governors of States, respectively, to appoint a Council of Ministers to aid and advise him in the affairs of the State, but there is no specification of Ministers' qualifications – the only safeguard is their Oath of Office to abide by the Constitution and the Laws.

Verse 322 requires the King to appoint Civil Servants of persons who are devoted, clever and honest to posts suited to them and Verse 334 calls upon the King to conduct himself like 'father' towards them and the Subjects. Part XIV of the Constitution provides for Services under the Union and States.

Both Manusmriti and Yajnavalkya-Smriti contain significant provisions for Taxation. Manusmriti's Chapter VII Verse 80 indicates that the King appoints persons to collect revenue from his subjects, but the Tax-Collector was required to act 'like a father unto the persons' from whom taxes are collected, has to be true to the Shastras and must reside within the dominions. A distinction is drawn regarding quantum of taxes between the rich and the poor. For taxes on 'merchants', specific elements of tax calculation are mentioned in Verse 127; for taxes on profits of 'traders' and 'cultivators', due deliberation is directed to be done under Verse 128 for collecting taxes on profits. Verse 137 mentions a levy of 'nominal tax' on poor men plying small trades. In Yajnavalkya-Smriti, Verse 340 of Chapter 1 warns that a King who multiplies his Treasury by Unfair Taxation from his kingdom 'is in no time shorn of prosperity and meets with destruction along with his own people'. Plainly, the State's function of collecting Taxes was to be modulated with justice, humane and sympathetic spirit, honestly by persons appropriately learned.

The law of Escheat is incorporated in Chapter VIII Verse 30 of Manusmriti where for 3 years, the King shall hold in trust a property whose rightful owner cannot be ascertained; after 3 years, he shall confiscate it. Article 296 of the Constitution provides for Escheat and vesting of property, which has no rightful owner, in the State where it is situated otherwise in Union of India.

**Crime & Punishment and Judicial set up**

The Constitution provides for setting up Union Judiciary in Part V and State Judiciary in Part VI to administer justice. Justice delivery system in ancient India is succinctly described in “Legal and Constitutional History of India” by Justice M. Rama Jois (published by N.M.Tripathi Ltd Bombay in 1990). The Smritis describe the set up as well as procedure. Katyayana-Smriti is the most celebrated source. Verse 82 describes 5 classes of Courts beginning from the *Nripa* (King at the apex) and *Kula* (consisting of impartial members of the Family and Gatherings – in the nature of Panchayat) at the lowest *rung*.

Yajnavalkya Smriti deals with imposition of Punishment on commission of Criminal Offences. Verse 358 of Chapter I, states that none can escape from punishment if he deviates from performance of his own Duties, and Verse 359 says that the King who punishes those who deserve punishment, and kills those who deserve death, ‘reaps the fruits of Sacrifices well-performed with a thousand of sacrificial presents’. At the same time, a failure to deliver justice through punishment is described in Verse 357 to lead to ‘destruction of attainment of Celestial and other regions and of fame, whereas proper administration of punishment secures the acquisition of celestial region, fame and victory’. So, it was important for the King to ensure not only that wrong doers are punished but also ensure that no wrong doer escapes punishment. In Manusmriti, Chapter VII, Verse 20 lays down that if the King did not tirelessly inflict punishment on those who should be punished, the ‘stronger will roast the weaker like fish on a spit’. Verse 22 tells that whole World is mastered by punishment and through fear of punishment everything that moves allows itself to be used. Verse 24 warns that all the classes (Brahmans, Khsattriyas, Vaishya and Sudras) would be corrupted, and all barriers broken, all people would erupt in fury as a result of a serious error in punishment. Verse 27 says that a King who inflicts punishment correctly, thrives on the triple path, but if he is lustful, partial and mean, he is destroyed by that very punishment. Perhaps these propositions are too harsh today in the light of humanitarian

approach to the philosophy of crime and punishment where the principle of benefit for 'reasonable doubt' plays a prominent role in criminal adjudication. Nevertheless, one cannot fail to notice current failure of law and order in society as a concomitant of the ruling establishment's failure to bring the culprit to book speedily. Katyayana expressed the need for speedy trial (Verses 339 and 340) by 'examining the witnesses without delay' and warned that 'a serious defect, namely miscarriage of justice, would result owing to delay in examination of witnesses.

### **Conquest by War**

Principles of governance after conquest of foreign territory are described in Verses 201 to 203 of Manusmriti. It is advised that, after conquest, the King should ascertain the intentions of the conquered people, he should set on Throne someone in the Dynasty of the vanquished King and establish a treaty. The most important and humanitarian act ordained to be done by the King is 'to make authoritative their own laws, as they have been declared, and with jewels he should honour the new King together with important men.' Yajnavalkya Smriti substantially reiterates the same commands in Verse 343 of Chapter I. It is stated that when a foreign kingdom is brought under subjugation, the victorious King should observe the conduct, Laws and Family Practices obtaining in the vanquished kingdom. Perhaps that would be one of the finest scenarios of post-war conduct to ensure Peace in the International arena.

### **Equality of Religions – Secularism**

Article 25 of the Constitution assures freedom of conscience to every person coupled with right to profess, practice and propagate religion (subject to public order, morality etc). This concept was highlighted by insertion of word 'Secularism' in the Preamble to Constitution by 42nd Amendment in 1976. In the case of S.R. Bommai Vs. Union of India (1994) 3 SCC 1, our Supreme Court held that Secularism is a basic feature of the Constitution. Even so, the Supreme Court went on to hold that, even without that word, its sweep,

operation and visibility are apparent from Fundamental Rights and Directive Principles of State Policy. The philosophy is that the State does not extend privilege to any particular religion nor be anti-religion; it stands aloof and maintains neutrality in matters of religion by providing equal protection to all religions, subject to regulation, and actively acts on secular part.

This philosophy pervaded the ancient Indian thought. Of the major religions, Christianity emerged in first Century AD from the teachings of Jesus Christ and Islam emerged in seventh Century AD founded by Prophet Mohammad. Obviously, India was inhabited since centuries before those religions were born. The religion practiced by them came to be designated as Hinduism. Britannica Ready Reference Encyclopedia (Vol V page 39), mentions Hinduism to be 'oldest of the World's major religions', 'evolved from Vedic Religion of ancient India' dated as far back as around 1200 BC. In the case of Dr. Ramesh Yashwant Prabhoo Vs. Prabhakar K Kunte (1996) 1 SCC 130, our Supreme Court has made a very deep and thorough exposition of ancient Indian thought in this respect. At page 154, the Court quoted Dr. S. Radhakrishnan: "The Hindu civilisation is so called since its original founders or earliest followers occupied the territory drained by Sindhu (the Indus) river system corresponding to the North-West Frontier Province (NWFP) and the Punjab. This is recorded in the Rigveda, the oldest of the Vedas, the Hindu scriptures which give their name to this period in Indian history."

The Supreme Court (page 155) ruled: "When we think of Hindu religion, we find it difficult, if not impossible, to define Hindu religion or even adequately describe it. Unlike other religions in the World, the Hindu religion does not claim any one prophet; it does not worship any one God; it does not subscribe to any one dogma; it does not believe in any one philosophical concept; it does not follow any one set of religious rites or performances; in fact, it does not appear to satisfy the narrow traditional features of any religion or creed. It may broadly be described as a way of life and nothing more". The Court took note of Monier Williams observation: "The Hindu religion is a reflection of the composite character of

Hindus, who are not one people but many. It is based on the idea of Universal receptivity. It has ever aimed at accommodating itself to circumstances, and has carried on the process of adaptation through more than 3000 years. It has first borne and then, so the speak, swallowed, digested, and assimilated something from all creeds”.

Reverting to Dr. Radhakrishnan, the Court observed (page156): “.....it was realised from the very beginning of its career that truth was many sided and different views contained different aspects of truth which no one could fully express. This knowledge inevitably bred a spirit of tolerance and willingness to understand and appreciate the opponent’s point of view.....When we consider this broad sweep of the Hindu Philosophic concepts, it would be realised that under the Hindu philosophy, there is no scope for excommunicating any notion or principle as heretical and rejecting it as such.” Thus, even the atheist is within the embrace of Hindu Dharma since time immemorial.

What the Supreme Court said at page 155, finds a reflection in Swami Vivekanand’s lecture delivered on 8th April, 1900 in San Francisco (USA – “The Complete Works of Swami Vivekanand” Volume 6 published by Advait Ashram, Almora U.P.) He mentioned three things to be necessary to make ‘religion’: (1) Its Book, (2) Veneration for some person worshipped either as Lord of the World or as a great Teacher and (3) Belief that ‘it alone is the truth’, otherwise it cannot influence People. He said: ‘Vedanta does not believe in these teachings. First, it does not believe in a Book – that is the difficulty to start with. It denies the authority of any one book over any other book..... Second, it finds veneration for some particular person still more difficult to hold. Those of you who are students of Vedanta – by Vedanta is always meant, the Upanishads – know that this is the only religion that does not cling to any person. Not one man or woman has ever become the object of worship among Vedantins. We are all brothers. The difference is only in degree. I am exactly the same as the lowest worm. A still greater difficulty is about God. You want to be democratic in this Country. It is the democratic God that Vedanta teaches. .... You are all

Gods, says Vedanta. What is the idea of God in Heaven? Materialism. The Vedantic idea is the infinite principle of God embodied in every one of us'.

Annie Besant, in her Lecture on Hinduism ("Seven Great Religions" published by The Theosophical Society in 2000) said, 'Freedom of opinion, but orthodoxy in life, have been characteristic of Hinduism throughout its long evolution, hence the vast range of diversity of philosophies, and the stability of its social fabric and its family life'.

The social ethos of Bharat has been essentially spiritual since time immemorial, and universality of existence has been the corner-stone of its philosophy. The governing principle of human conduct in ancient India was Dharma. The institution of Kingship too was in service of humanity through equality for all. As mentioned by Justice Rama Jois in his work, 'Seeds of Modern Public Law in Ancient Indian Jurisprudence' (published by Eastern Book Co. Lucknow – Edn 2000) at page 19-20, the Shantiparva of Mahabharat (Ch 59 Ver 14) describes a Stateless Society in the beginning, sustained by individuals acting in accordance with Dharma: "There was neither Kingdom, nor the King, neither punishment nor guilty to be punished. People were acting according to Dharma and thereby protecting one another". When people started flouting Dharma, the need for a King who could enforce the Dharma arose, and then cropped up the Instrumentalities of State to administer the affairs of the society for rendering service and also exercise powers of Social control.

The expression Dharma is mostly misunderstood as 'religion'. Rama Jois mentioned that the word is of 'widest import, and there is no corresponding word in any other language'. He cited Bhishma's teaching to Yudhishtira in Mahabharat's Shanti-parva (109-9-11) : "It is most difficult to define Dharma. Dharma has been explained to be that which helps the upliftment of living beings. Therefore, that which ensures welfare of living beings is surely Dharma". The Supreme Court, after extracting a number of texts from ancient Indian philosophical and legal literature, held in the case of A.S.Narayana Deekshitulu Vs. State of Andhra

Pradesh, (1996) 9 SCC 548 in paras 78-79: “The word Dharma or Hindu Dharma denotes upholding, supporting, nourishing that which upholds, nourishes or supports the stability of the society, maintaining social order and general wellbeing and progress of Mankind; whatever conduces to the fulfilment of these objects is dharma. In contradistinction, Dharma is that which approves oneself or good consciousness or springs from deliberation for one’s own happiness and also for welfare of all beings free from fear, desire, disease, cherishing good feelings and sense of brotherhood, unity and friendship for integration of Bharat. This is the core religion to which the Constitution accords protection.”

### **Conclusion**

It will be seen that the Constitution enshrines most of those values of life which go by the expression ‘Human Rights’, and since the ancient philosophy of Bharat encompassed all those values, it is the religion of Man. It is eternal, hence it is aptly called Sanatan Dharma (the everlasting faith). That is why Hinduism has no concept of proselytisation – Conversion of Faith - like Christianity or Islam. It has Democratic ethos, and the King is a substitute for democratic State where the Ruler is bound to serve the People and act in the best interests of the People without any personal gain. He is bound to render justice evenly and observe the rule of law. As the Poet said:

‘Hai baat kuch ki hasti mit-ti nahin hamari;  
Sadiyon raha hai dushman, daur-e-zaman hamara’.

### **About the author**

Justice Kamleshwar Nath has been former Up-Lokayakta of Karnataka State, Former Vice Chairman of C.A.T. (Allahabad) and former judge of High Court, (Lucknow and Allahabad). He is known for his love for urdu ghazals and his knowledge of Ramayana. He has been instrumental in bringing out vital facts about Ramjanm Bhoomi. An active TII official he is a renowned citizen and an ardent author of many justice oriented articles.

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## **Overseas Indians and India**

**K.H. Patel**

Indian Diaspora, numbering about two and half crores (25 million), is settled in almost all the countries of the world, with high concentration in U.S., U.K., Canada, Malaysia, Australia, South Africa, East Africa, Caribbean Islands and the Middle East. Being very hard-working, they have not only made excellent progress for themselves, but have been also contributing substantially to the development of the countries where they are residing.

### **Modi Government's Active Engagement With Diaspora**

Prime Minister Narendra Modi has always considered Indian Diaspora as an asset for the country. Even when he was Chief Minister of Gujarat for more than a decade, he had remained in close touch with Gujarati community abroad. They, on their part, had responded positively in the sense that whenever he or his party were involved in the elections in the State, many of them came down to Gujarat and campaigned for him and his party. A large number of Persons of Indian Origin (PIOs) had campaigned in the 2014 General Elections for Bharatiya Janta Party (BJP) which had designated Modi as its Prime Ministerial candidate.

During last over two years of his prime ministership, Modi has consistently interacted with PIOs during his several trips

abroad . His speeches to Indian diaspora in varied places such as New York, Sydney ,Dubai, Toronto , San Jose in West Coast of USA, Wembley in UK , Kuala Lumpur and Singapore etc. were greatly appreciated by the audiences. These meetings helped in enhancing his own as well as India's image in those countries . Modi's interactions with them have also boosted their image in the host countries.

### **Pravasai Bhartiya Divas (PBD)**

Indian government has been trying to remain in close touch with the diaspora since several years. It has been organizing every year Pravasai Bhartiya Divas (PBD) since 2003 in different Indian cities when thousands of Indians from different countries attend these gatherings and interact with Indian authorities on matters of common interest. Special measures such as Overseas Citizenship of India (OCI) Cards were announced by government of India on such occasions. The OCI Card entails life long visa for visiting India and exemption from registration with the government agency for any length of stay in India. During PBDs, the diaspora representatives express about the facilities they expect from the government. Problems faced by them, including specifically by Indians in the Gulf countries , are ventilated so that Indian government can appropriately intercede with the governments of those countries for sorting out their problems.

The government has also been organizing regional PBDs in different parts of the world. Such conferences have taken place in several countries , including in UK, USA and Australia etc. This enables the PIOs in those countries to attend these conferences as they might find it difficult to come all the way to India for PBDs. The Minister in charge of Overseas Indians Department and other high government officials attend such meetings and interact with the PIOs and the host government authorities. The participation of the local government officials in these regional PBDs contributes to the enhancement of cooperation between those countries and India.

**Notable Measures By Government For PIOs**

The Department of Overseas of Indian Affairs is implementing Know India Programme (KIP) which is a three-week orientation programme for Diaspora youth of Indian origin conducted in partnership with the State Governments with a view to promoting awareness about different facets of Indian life and the progress made by the country in various fields, e.g. economic, industrial, education, science and technology, communication & information technology and culture etc. So far about 1000 overseas Indian youth have participated in these programmes.

The government has also launched a Scholarship Programme for Diaspora Children to make higher education in India accessible to the children of overseas Indians. Under this scheme, 100 scholarships per annum are offered to People of Indian Origin and Non-Resident Indian students (50 each) for undergraduate courses in Engineering, Science, Law and Management etc. The scheme is open to NRIs/PIOs from 40 countries with substantial Indian diaspora population.

The government is also implementing a scheme for providing legal/financial assistance to the Indian women who have been deserted by their overseas Indian/foreigner husbands or are facing divorce proceedings in a foreign country. This assistance is provided through Indian Missions abroad. So far a sum of approximately Rs 1 crore has been disbursed under this scheme.

**State Governments Also Engage With Their Diaspora**

Apart from the central government, several State governments have been active in remaining in touch with their diaspora. Governments of States such as Gujarat, Rajasthan, U.P., Kerala and Punjab have specific Departments which are entrusted to deal with their diaspora. These governments have been also organizing special Investment Summits when important members of their diaspora attend such conferences. Thus, the States benefit by receiving substantial investments from their diaspora.

**Diaspora's Influence in the Host Countries Beneficial to India**

In the countries such as USA and UK, Indian diaspora has become so effective that their influence with those governments has become quite useful for India. As for example, the lobbying by influential Indians with the Congressmen and Senators in the U.S. had contributed a great deal in the USA's signing of Civil Nuclear Agreement with India in 2008. The Indian community in the U.S. aims at becoming as powerful as Jewish- American lobby in order to influence American policies in favour of India. The role of Indian-origin members of the British House of Commons and the House of Lords has been significant in the development of close and friendly relations between UK and India. Apart from contributing a great deal in the development field, Indian diaspora in Africa, numbering about 3 million, has been playing useful role in promoting relations between India and Africa. Wherever Indians are in large numbers, they contribute to the promotion of a good relations between those countries and India. In short, Indian diaspora has been helping in achieving foreign policy objectives of India.

**India's Assistance to Diaspora in their Crisis Situations**

Government of India has been proactive in providing concrete assistance to Indian diaspora in times of their crisis situations. It has helped in the past in large scale evacuation of Indians during the war-like situations prevalent in the countries such as Kuwait, Iraq, Syria and Yemen. The Indian diaspora feels confident that if and when they as a community are in dire troubles, government of India will help them out.

**Utilization of Diaspora's Talents in India.**

As a large number of Indians abroad possess extraordinary talents and experience, Indian government considers it wise to utilise their services. Accordingly, the present government appointed the following persons to very important positions: Mr. Raghuram Rajan as Governor of Reserve Bank of India; Mr. Arvind Subramanian as Chief Economic Advisor, Ministry of Finance ; and Prof Arvind Panagariya as the CEO of NITI

Aayog( successor body of the Planning Commission of India). The services of some top Information Technology experts in USA's Silicon Valley can also be similarly utilised by Indian government.

### **Remittances**

Apart from contributing substantially in terms of donations etc. for educational institutions and infrastructural projects etc. in their original home towns, PIOs have been sending remittances to India in Foreign exchange to the tune of over US\$ 70 billion every year. In the year 2015 Indian diaspora's remittances amounted to US \$ 72 billion. This amount is higher than Chinese diaspora's remittances for the same year (US \$ 64 billion), even though the Chinese diaspora is larger than Indian diaspora. Such huge remittances are quite useful to India for maintaining a sound balance of payment position.

### **Concluding Remark**

A successful and vibrant Indian diaspora is obviously an asset for India as it has been useful to the country politically as well as financially. In recognition of this, Indian government has been actively trying to be helpful to them , particularly during their major security situations. Indian diaspora's attachment for their motherland and Indian government's distinct desire to promote their welfare have created a win-win situation for both of them.

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## **Multi Dimensional Revolt in Short Stories by Indian Women Writers in Hindi**

**Reshmi Ramdhony**

This research work starts with a general assessment of **women's** writings in all genres, and then focuses on the short story (*kahani*) within the larger prose genre, known as *Katha Sahitya*.

Homage is paid to some selected male writers in Hindi who have awakened the genre awareness through their rich literature and who have always had at heart **women's** welfare. We have Premchand, Agyey, Nirala, Bhishma Sahni, Jainendra Kumar, to name but a few. The main part of the research is centered around the dozen of Hindi **women** writers whose short stories have served as the basis for this extensive research. Those most frequently quoted are:

Krishna Sobti, Mamta Kalia, Mannu Bhandari, Usha Priyamvada, Nirupma Sewti, Chitra Mudgal, Shivani, Mrinal Pandey, Mehrunissa Parvez, Manjul Bhagat, Maitreyi Pushpa, Mridula Garg, Raji Seth, Suryabala.....and also Madhu Kishwar, the editor of the feminist journal *Manushi*.

I corresponded with a few of those ladies and conducted interviews with those who are still around.

I had to read a good number of books before concluding this research.

These writings in Hindi represent a new, ground breaking phenomenon. They reveal a different and fresh narrative mode. They all address issues such as marriage, divorce, sexuality, **women's** education, equal rights (e.g. to property, inheritance, interrogation of cultural **traditions** of old, misuse of patriarchal power, etc . They discuss their frustration and challenge the structure that subordinate positions assign to them. They expose the social **system** for the first time. They express themselves freely and describe the humiliations stemming from social problems that affect their daily lives. They show that there is no space for **women's** individuality. They question the definitions of “virtuous **women**” *acchi nari*, *aadarsh nari*, as in the Indian context, *acchi nari* would mean *acchi maa*, *acchi patni*!

These **women** have proved extremely progressive in their treatment of the repressive **society**. Thus these writers of the short stories introduce old issues but with new emphasis and new orientations. They dare to reveal in a most articulate manner “the right to feel” the change from subordinate role in conjugal life to equality.

Before concluding the research, some 300 short stories written in the last three decades of the 20<sup>th</sup> Century (1970 2000) had to be read and painstakingly analyzed in order to mount the theoretical body or corpus of the research study.

The theory or *saydhantik* part constitutes about half of the work. In this paper, it is the theoretical aspect that is being elaborated upon.

The other part, *vyavahar* is equally important but is definitely more interesting: it consists of the examples, the extracts, the references, the conversations and dialogues that illustrate and support all the points put forward. It was like mining the rich terrain of Hindi literature. It was a most interesting and exciting project. These stories do give one a broader understanding of the canvas of the whole revolt expressed by female writers.

The multi faceted revolt is categorized against:

- (1) **Traditions** *parampara*

- (2) **Values** *mulya*
- (3) The **system** *vyavastha*
- (4) **Injustice** *anyaaya*
- (5) **Relationships** *sambandh*
- (6) **Women** *naari ke prati*
- (7) **Society** *samaaj*
- (8) **Religion** *dharma*

At that point in time, Indian **women** had started not only to speak for themselves but they are also seen to be asserting their rights to write and to publish what can be described as “realistic literature”.

“There is nothing bad per se with **traditions** / *paramparas*”, they say, except that many of these **traditions** are really obsolete. *Rourh ho chali paramparaen* these customs of old are referred to as *sari gali kenchul, jisse outaar phenkna chahiye*. Just like the snake renews its skin, leaves the old sheath behind and moves ahead. Living such traditional life eventually leads the custom bound **woman** to lifelessness and extinction. We have to distinguish between culture, habits customs and **traditions**. Maybe the contemporary **woman** identifies work to empowerment and autonomy. The **tradition** of preventing **women** from taking up jobs was acceptable in ancient times but now such **traditions** do not fit; they do not correspond to modern times and their exigencies. They strongly express the view that **women** are no longer the only guardians of culture and **traditions**. They explain for instance **women** cannot always dress in traditional costumes like sarees to please others and perpetuate **traditions** because these dresses are not practical when one is travelling, rushing to work, using public transport.

In a short story entitled *Hari Bindi*, the character is portrayed expressing revolt against **traditions** by living one day in her life the way she wants. When her husband goes to Delhi for a day on a business trip, she wears a blue saree with a green *bindi* instead of the compulsory red or matching blue one, has coffee with a foreigner in a restaurant, eats *garam tikki* with *thandi* ice cream, is accompanied in a taxi and enjoys talking with the stranger without having to answer the usual indiscreet questions like what is your husband’s name, where does he work, how much does he earn?

In another short story we read about a newly married man telling his colleague that he asked his wife to stop working, arguing that with the working modern **woman**, *garam nashtey ka soukh kahan milega?*

Thus their female characters have to keep fighting against resistance and removing obstacles generated by **traditions** along their paths, one by one. The writers do create characters who prove to be stubbornly resilient, who have the drive to change and escape being entombed like a *zinda laash* in the name of the exploitation under cover of **traditions**.

This is followed by the chapter on “Ethics and **Values**, *Mulya*. “**Values** cannot be wrong!

One should not revolt against **values!**”

One automatically feels like arguing at the initial stages of the research.

**Values** per se cannot be false or harmful. And yet, these female writers have a lot to say: First and foremost, they denounce the double standards, the hypocrisy of those who preach and incarnate the **values** in the various spheres of life: political, economic, financial, social, etc.

Here also freedom and respect of individuality and privacy imply new **values** that do not match with social hierarchy, feudal set ups or simply joint family **systems**.

It is in this context of modernity and change that we see revolt against certain **values**: e.g. the traditional perception as definition of the *acchi*, the “good” **woman**. Only she is considered virtuous, who is a good wife or a good mother, not the professional one, not simply the person? The writers advocate ethical reforms are necessary when customs and **values** are not supportive of the development of **society** and the individual. For instance they are not free to confide in friends, to complain about their misery, as they are ever reminded of the family honour and are told that dirty laundry has to be washed within the family. They are even taught lessons like ... *lajja naari ka aabhushan hoti hein, naari hoti hein kul ki shobha, griha ki Lakshmi, Devi, Sati Savitri*. In many stories, such words seem to be the leitmotiv. The daughter in law is constantly reminded of these attributes and attitudes that should be hers.

The writers want to put much stress on the fact that the **woman** is not the only guardian of **religion**, of culture and of moral **values**. They also disagree that choosing one's life partner is considered immoral and that in doing so, the girl is bringing dishonour to the family. In their eyes, this is a false sense of honour, such principles are rather vicious. They denounce all the violent means used to maintain these false principles like locking up the girl or beating her in public.

The traditional definition of purity *pavitrata* or character *charitra* is also questioned. Many of us have seen the film entitled *Rajni Gandha*, shot on the basis of one such short story in Hindi. The female character accepts love from anyone who gives her love for the time it lasts, wanting to live in the moment, to seize the opportunity that comes her way, like the "carpe diem" philosophy predominating in the Western world. *Har pal ka soukh bhogna*, without thinking of *paap* or *apavitrata* (sin or impurity). The heroine is very much at ease. She is not shown grappling with age-old customs. Her philosophy of life is *-pal bhar ki khushi mein jiyein! kyonki zindagi waqta ka intzaar nahin karti!* A thinking that is very different from the usual norms and **values**.

After *Mulya*, the revolt portrayed is against *Vyavastha* **Systems**: the various **systems**, as all are manmade. The structures are all conceived by men for men, be it the judiciary, the political machinery, the administration web. They are all gender based whereas they should have been gender neutral. They thus give rise to discrimination, favoritism and above all to exploitation and corruption. They not only denounce the rotten **systems**, but they propose **women** friendly **systems** in lieu of the obsolete ones; those that would strike the gender balance and not those that would practise separate rights for men and **women**. We see them enquiring: *streeyon ke liye vaishyalaye kyon nahin hote hein? Kya stree ka mun nahin hota hein?* Why are there no prostitution houses where **women** can go? Do they not have needs and desires too?

So many plots show that they have not obtained their rights as an individual, **society** does not pay any attention to them, does not consider them deserving of rights and privileges. They know that Justice *Nyaya*, *Kaanoon* laws have

an important role to play in changing or rather erasing their fatal destiny.

They advocate that things are not moving; justice should be seen to be done! There should be a certain level of justice in the country for **women** to feel protected and that has not been achieved! Their feeling is that the life of the Indian **woman** is an unequal one.

This same **injustice** is rampant in literature, language, linguistics. For instance, in Hindi there are so many proverbs that describe the fickle mindedness, unfaithfulness of **women**: they were obviously authored by men who have been betrayed by their wives. A dead **woman** is like a worn shoe says a Hindi proverb, *ghissa houa joota*, meaning that which needs to be replaced fast. Such thoughts have to be redressed.

Hence, after pinpointing at die hard **systems** perpetuating in the man made world, **women** writers describe their feeling of revolt, *Virodh*, against all forms of **injustice** against **women** that are rampant in the Hindi milieu. We see how **women** are protesting and are tired of being prey to much **injustice** in their personal, familial life and in their work place. All the harm, all the suffering is depicted in a most eloquent manner by these **women** writers in the various short stories, in particular in *Touti Kursi*. They give solutions too regarding reforms that need to be brought to the constitution, they want to redress **injustice** and free the judiciary, review all the laws that are obsolete and need to be amended, the illegal practices of abortion of the female foetus –*jiska garbh, garbhpaat ka adhikaar oussi ka hona chahiye*, the problem of dowry when girls get married, domestic violence etc. They have to be set free from some prejudices that are there against **women** like “Never trust a **woman**” or “The **woman** is always wrong” sort of mentality that has been perpetuating from generation to generation. One of the favourite idiomatic expressions used is –*vilambit nyaya, nyaya se vanchit karna hein* (Justice delayed is justice denied). Many tragic short stories are there to describe all sorts of unfair situations.

After **injustice**, their revolt is against *Sambandha*, the whole web of **relationships** in which they ruthlessly get trapped. They claim a new sort of rapport; they refuse to be

dominated by husband, father, sons, brothers or their in laws. Thus revolt takes many forms: divorce, separation, which make them lonely and they prefer living single rather than going in for forced arranged marriages. They know that as a result of such choices the price to pay is solitude *akelapan*. One short story describes *bare shahar ke bare ghar ki akeli aurat*. But these characters declare what they prefer to be free and lonely rather than to be bonded into the in laws' or husband's grips and unhappy. Sentences like *jo nari ko sata raha hein, wah bhoul kaise gaya ki ousse kissi nari ne hi janam diya hein*, are very common.

The short stories written by them are daring as we all know the importance of family in India. Family comes first; but in the process, the identity issue is absent. There is nothing like wanting to lead an individualistic sort of lifestyle. The **woman's** personality gets dwarfed. She is ever having to dissolve and merge with others. Support is always available all around. The orphans, the elderly and the widowed are not sent to specialized homes. They have to adjust anyhow even at the expense of their dignity. So, to try and express revolt against such family set ups that are the most extended ones in the world and the strongest, is indeed most challenging. To keep these going the **woman** has to crush her desire for freedom and all her individual wishes. *Atmadaan or balidaan* are parts of the common **woman's** vocabulary.

These short stories are very widely read and some surveys carried out have shown that it is men who buy more of such books as they want to read what is in there but they do not take these books home. They do not want their wives and daughters to have ideas. They find that these short stories are tantamount to feminist conversation, that they carry the whole feminist discourse. These stories do have an impact on the **women** who read them. They feel motivated to groom their personalities and take their life in their hands if they are financially independent.

Another chapter describes *Nari ka nari ke prati vidroh* (**women's** revolt against **women**), portraying **women** as being themselves, **women's** first enemies. *Taklifon aur pareshaniyon ke saath jinewali mahilaon ko ounke haal par*

*jine ke liye chor diya jata hein. We akeli sangharsh karti hein. Ounki iss takleef ko nazarandaaz karnewali aur samajhkar bhi na samajhne wali bhi ek aurat hi hoti hein.*

They denounce the jealousy, competition, petty mindedness, mean attitude, problem of female chemistry, which prevent **women** from being caring, supportive and expressing solidarity towards each other. This is depicted in family as well as professional life: gossip, criticism, intolerance, lack of compassion or even scheming and complicity to harm another **woman**. Sometimes this mean attitude takes the form of indifference. They point out how mothers fail to increase self confidence in daughters.

The role of mothers in law in bride burning or dowry death or in the killing of the female foetus; the way they bring up their sons to dominate **women**; the way they rigidly stick to and perpetuate traditional aspects of **womanhood** with a very closed mind and authoritative attitude, *dam ghoutna*, suffocation that kills creativity, dries up the “joie de vivre”.

As solutions to this sad sort of affair and to this reality, **women** writers propose solutions of mercy, live and let live attitude instead of getting under each other’s skin and most of the time remaining hostile to each other.

They advocate very strongly the need to bring a change in mentality (*soch mein badlaav ka hona*). Many references are made to emancipated **women** like those in Canada who are well protected by human rights or those of France who show much solidarity to each other. The French **women** have so many clubs and associations, their elderly single **women** tend to group together, give each other good company and organize very many outings to the theatre, long drives in nature, foreign trips; their sisterly love and solidarity are proverbial. They protect each other and firmly believe in their national **values** of freedom, brotherhood and equality *Liberte, Fraternite, Egalite*.

All that these female writers are aiming at is to see Indian **women** fight for their rights, claim their freedom and assume responsibility of their life just as their Western counterparts. Writers who have lived abroad in UK or in the USA like Usha Priyavada and Mannu Bhandari do argue that **relationships**

have to be reviewed to strike a balance so as to safeguard the individual's identity. These authors live in both countries they consider as their patrie and matrie, arguing that "home is where the heart is" and taking the best from both worlds. Their militancy is to improve the destiny of their sisters in India.

Revolt is also strongly expressed against *Samaj* (**Society**). They know that like everywhere else, if **society** is very important to human beings, it is nevertheless widely responsible for all the evils and evils as well.

The **society** depicted in the short stories is so different from the gender equal **society** that we have here in Canada. **Women** are still very far behind in the Indian **society**. Numerically they are more than half of the population yet they are treated like the minority, they are not at all visible at decision taking higher positions; in urban set ups, the educated, working **women** are luckily able to fight back, but in rural India, the awareness is not there. The writers portray both types of **women** and each time the message is the same. There is still a need to break the gender divide.

They show how **women** have to work twice as hard as men to succeed, yet **women** are so few in the executive pipeline. They suffer from the "leaky pipe syndrome" (they go on reducing, dropping out as we go up the bottleneck to high posts) either because they have to face too much pressure coming from men or they themselves have to give up on account of family responsibilities. Often times we see them using expressions like "Bird in a cage" or "Clipped wings" (*pankh kati chiriya*) or "chicken hearted".

They denounce all the flaws of **society** life in India. It is not fair one. **Women** are considered as the second sex, the weaker sex. They often times refer to the irony and hypocrisy contained in the fact that Indian **society** worships the **woman**, places her on a pedestal, paying lip service to the fact that she is the Goddess.

But the reality is different. It is a very ugly one, she is portrayed as being worse than a slave, given a rank equivalent to shoes for the feet, her physical beauty is exploited, she is used as a sex object, is crushed under dictatorial attitudes

(for instance pushed in to a forced marriage which is here considered as a form of human trafficking) and is best liked when she looks gorgeous, bedecked with gold jewelry to show off and display her husband's wealth but keeps quiet, does not speak, does not retaliate. An expression very commonly used to describe her status is *goungi gouriya*, "The dumb doll" who is not allowed to have a mind of her own and speak it up. We have the example of a daughter in law in one of the short stories, who wants to protest and give a piece of her mind to her dominating mother in law but social conventions dictating obeisance and sense of respect do not allow that. She goes to the washroom, speaks to the vase, spills all that she wants to say in there, then flushes all her words down, feels lighter and comes out to face her mother in law very quietly. She reflects: "A **woman** is best when she is silent" *nari choup hi acchi lagti hein*. In fact they want to denounce the whole **system** which aims at the silencing of dissent! i.e. Stay rooted in the power structures of the traditional, five thousand years old patriarchal **society**, don't retaliate, don't question! They have been raised under this conservative patriarchal authority but do not want to see it perpetuating as *ouss mein dam ghoutata hein* It is so suffocating!

The last chapter was the most difficult one to mount: it portrays Indian **women's** revolt against **Religion** (*Dharma*). One keeps wondering how the Hindu *nari* (**woman**) who is so pious, so selfsacrificing, so God fearing, who spends half of her lifetime praying, fasting, going on pilgrimages, performing rituals, would ever dare express any protest in this area. Initially, I thought the findings would be so scanty and that this chapter was bound to be a very short one with some 4 5 pages only. But to my surprise they denounce **religion** very openly and in very strong terms.

They are not denying God or dismantling faith but they do criticize the role of the priest and they say no to superstitious beliefs and to certain practices. They also labour the point that *dharma, purush ki sahouliyat ke liye bana hein*. **Religion** is man made, designed to suit men's needs, carved out to his advantage. They protest against festivals like *karwa chawt* where **women** only have to fast for the long life of their

husbands, where others keep fasting for their sons, where widows cannot remarry. They denounce all the superstitious and decadent customs that have crept inside **religion** and show how it is all always in favour of men.

They are not afraid to question sacred texts like the Ramayana saying “*Ram Rajya Sita ke liye Swarga nahin tha!* (Ram’s kingdom was not heaven for Sita). Everyone refers to the Ramayana as the golden era but for Sita it was hell. She ever stood like a shadow by Ram’s side and suffered for fourteen years in exile. As if that was not enough, she was character assassinated in spite of the “*Agni Pareeksha*” she gave and she was abandoned while she was pregnant; she had to bring up her sons alone.

They want to show how there were separate rights for men and **women**, all endorsed by the king, his advisors and the priests attending court! Similarly they write against the curse of the caste **system** that classifies as pure or impure, as superior or untouchable certain categories of people by saying: We are all born in the same manner! *to phir kissi ko maleecha aur kissi ko mahaan kaise kaha sakte hein?*

Their protest is against *aadambar* (false superficial practices). They believe in *pavitra mun* (purity of intentions), not “beads along the neck, devil in the heart” or *gale mein mala dil mein kala* sort of behavior. They point out that **women’s** roles expanded from domestic private sphere to a professional public sphere. They protest against the role models of old: Sita, Parvati, Draupadi, Ansuuya, Kaushalia, who they find, do not fulfil the aspirations of modern thinking, working **women**. These have to be reconsidered. In fact the writers want to bring about the revolution of *nayi soch* (new perspective) which makes it possible to change things drastically, even if it is in the context of *Dharma*. One character tells her mother she would like to have a brother like Ravan. She labours the point that Ravan left his Royalship and kingdom, all because his sister was disrespected; and even after picking up his enemy’s wife, he did not even touch her. She says, why would I not like to have a brother like him?

The burden of awakening **women** rests on such intellectuals.

We must recognize the daring of these writers. They had to fight for their own independence first and this is not easy at all in the difficult and ancient Indian feudal socio cultural context. One finds that even if laws are amended, equality is granted to **women** on paper in the constitution but nothing really changes as the mentality remains the same; men are more aggressive and **women** are brought up to be less affirmative.

So such monologues and dialogues in these short stories (as the multilogue on social media was not there yet) are meant to try and awaken **women** who accept to be considered merely as a household object.

These litterateurs or authors become the spokespersons (porte parole) or the representatives of numerous voiceless **women** who have lost their way, who have wasted their precious life. If they were all ready to group along with lawyers, politicians and social activists, the writers can accomplish the important job of awakening the **women** folk. One thing is there: We all agree that sometimes our feelings for India fall in deep crisis when we hear of the sort of things happening there. Despite everything that India portrays, be it now or at the time these short stories were written or even before, in the *gouzra houa zamana*, we all love India. Our love is strong. We know it was a great land and the whole world learnt a lot from India. Similarly these writers want to see an Indian **society** where this bias against **women** is not there, one in which the **woman** is neither superior nor inferior but is equal in real terms and given full human dignity. These writers are a witness to changes; their writings inspire and instigate change. That is why this literature is worthy and is perceived as successful. The **women** writers are doing the job of activists as well as agents of change. They deserve to be greatly complimented. But more importantly they have to be constructively heard.

All in all these **women** writers are very militant, they want to get rid of the picture of the Bollywood stereotyped **women**, the *parde ki aurat, roti bilakhti mahila*, meaning the eternally weeping, suffering type like Nirupa Roy, Nimmi of the 50s 60s or the self sacrificing Hindu **woman** portrayed in

films and scriptures or depicting her as a slave to men.

**For full quotations in Hindi and for references, kindly refer to my criticism book on Revolt in**

**Contemporary Women's Writings in Hindi, Pages 326, Swaraj Publication. New Delhi. 2001.**

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## **Neo-violence, New-violence and Non-violence in Democracy**

**Sanjeev Kumar Sharma**

Physical violence has taken its place in much visible form in global state of affairs. Controversies related to politics, racialism, ethnicity, religious notions and new imperialism has changed the contours of thoughts and has preferred a way to prolific terror through violence. Controversies haven't left any continent or country. The apostles of peace have referred to Gandhi and have given way to a number of pseudo-Gandhi emergences. How and why these differences gave way to controversies is not the only immediate problem. The way neo-violence and new violence have taken over non-violence, is definitely an important issue. Restlessness, emergency attitude, intolerance, revolutionary manner to grab power, idealizing empowerment of marginalized class and negative coercion has challenged non-violence as methodology. Gandhian vision to curb structural violence and bring inherent peace is definitely not been envisaged by these leaders.

While Gandhi added spiritualistic phenomenon as an essential aspect, the sacrificial soulful approach has totally been negated by this "quicker" world. Two polar concepts of

good and bad have been widely discussed in politics. “Bad” is used to bring in the urgent change and violence is one of the prominent means. “Good” includes compromise as an unavoidable attribute.

The precursors of neo-violence advocate that violence is not the end but means of power. Power in any case is the end. Any amount of violence is acceptable to reach to the realization of non-violence.

Gandhi’s hypothesis of non-violence has constantly been challenged by this new violence. Damage, disruption, smoldering, and pilfering mark initial violence, and are called revolutionary resolve. Physical violence is advocated by Fanon as a means of “burning bridges”:

The group requires that each individual perform an irrevocable action. In Algeria, for example, where almost all the men who called on the people to join in the national struggle were condemned to death or searched for by the French police, confidence was proportional to the hopelessness of each case. You could be sure of a new recruit when he could no longer go back into the colonial system. This mechanism, it seems, had existed in Kenya among the Mau-Mau, who required that each member of the group should strike a blow at the victim. (Fanon 1966: 67)

Gandhi propagated that one must land right at the middle in the event of a conflict. This shall help in bringing right solutions in most non-violent manner. However new violence totally negates this stage and declares solutions beforehand through neo-violent measures. Revolt by students, laborers, marginalized class and tabooed sections stress upon provocation by violence.

The violence does include verbal violence. Prohibitions would give way to physical violence. Demonstrations marred with violence: verbal and physical are parts of force to bring in power place. Thus new definitions of violence have emerged and have led to neo-violence and new violence to bring in non-violence into the society.

For Gandhi confrontations are part of efficient communication while for new-nonviolent theorists provocations are parts of communication.

Gandhi uses non-violence to prove dishonesty in delivering the good while new violence theory produced violence as a means to declare power position.

The theory of new Violence has defined verbal violence as new-violence under non-violence. The epithets, slogans, abuses are categorized under peaceful talks. Outlet of emotions via words is not violence. The neo-violence regards sarcastic articles, aggressive reporting, photo features etc as the peaceful means. This theory negates Gandhi's concept of mental discipline and his insistence of eleven principles to become *satyagrahi*. Some of the leaders of rebellion would concede this but point out that the lack of mental discipline is due to the frustrations caused by a thoroughly repressive system. One has to mobilize all who are willing to fight the system, whatever their level of mental discipline. If leaders were to demand acceptance of Gandhian norms, too few would partake in the fight.

It would take too much space to go through the rest of the norm system in our confrontation of Gandhi and the New Violence. The tendency to justify or accept violence leads to a thoroughly different conflict strategy from that of nonviolence.

There is not much worth in analyzing types of violence. More important is to relate the results of analysis with the gains. The concepts of violence have gone up to include suppression and exploitation under violence. Gandhi defined this as cowardness and adhered to protest against any exploitation. This leads to the concept of open violence against structural violence. *Satyagrah* infact is structural non-violence. It is planned and implemented. The metaphysics of *Satyagrah* is the belief that the barriers are unnecessary. By *Satyagrah* such barriers can be removed.

According to theorists of the New Violence, barriers are more economic and sociological than physical. This resulted into New Violence. Protests over economic and technical resources have changed the method of violence. The criticism of past nonviolent campaigns concerning race relations has centered on the slowness of the machinery and the timidity and modesty of their claims. Nonviolent movements in the

United States have not until recently asked for “justice now.”

Gandhi at least sometimes asked for immediate basic changes. In 1942, he started the “quit-India!” campaign — one of his least successful, perhaps — but not untypical of his impatience and “immodesty”; it reflected his belief in the practical possibility of, as well as the immediate need for, a rapid radical change, that is, a nonviolent revolution. Appeals to students to leave the colleges and fight for freedom are examples of actions based on a requirement of rapid change. With Gandhi tolerance in non-violence was a major demand.

The new tendency is to proclaim that things cannot continue as they are, radical change must come immediately; no one can be allowed to remain passive.

Fearlessness is indispensable for the growth of the other noble qualities. How can one seek Truth, or cherish Love, without fearlessness? (Bose 1948: 24)

The new violence is termed right to bring in immediate changes. The unrest and protests by *Gujjar* community in Rajasthan is an example of this new-violence. The protests and show of violence is not against person but against structure. Hence the new-violence leads to change the structure immediately. This new-violence is somewhat mix of Marxist theory. It negates antagonism and not antagonist.

The debate enhances with Gandhi's presence in the system. Gandhi's influence on the masses has made the protests easy, but his negation of parliamentary system can be quoted as neo-violence. His insistence of changing democratic machinery, if necessary, makes him a popular leader but not a strategist. According to him if the machinery is ill equipped to cope with large-scale injustice, direct action must be resorted to. This model is quoted time and again by Anna Hazare and his followers, including by Aam Admi Party recently to suggest urgency in changing the structure of parliamentary democracy.

This lead to the thought that there is, in Gandhi's view, nothing sacred about the electoral or legal system. Yet there is, of course, a grave responsibility associated with suspending or violating the system. Every plan to break a law must be thoroughly discussed and illuminated before its

**implementation. Martin Luther King, Jr. was completely clear about the basic function of self-respect in struggles for liberation:**

With a spirit straining toward true self-esteem, the Negro must boldly throw off the manacles of self-abnegation and say to himself and the world: "I am somebody. I am a person. I am a man with dignity and honor." (King 1967: 43–44)

**Gandhi and King both faced the question of creating self-respect, but it seems that Gandhi may have been more inventive in his choice of methods or that the social and cultural condition of the Indian peasants was in certain senses better than that of the American blacks in their ghettos.**

**The new leaders exhort their poor followers to hit back if insulted:**

If you feel humiliated, you will be justified in slapping the bully in the face or taking whatever action you might deem necessary to vindicate your self-respect. The use of force, in the circumstances, would be the natural consequence if you are not a coward. But if you have assimilated the non-violent spirit, there should be no feeling of humiliation in you. (*Harijan* 9.3.1940)

**This is taken up with new vigour by the new violence practitioners. There is no feeling of shame, of reduction in status, of loss of dignity. It is the aggressor that loses in dignity, not the so-called victim.**

**A variation of the New- violence with Gandhian non-violence reveals similarities. Some key phrases:**

- 1 Extreme activism.
- 2 Impatience: result now!
- 3 Concern for self-respect and personal identity.
- 4 If you lack self-respect, retaliate rather than submit to insults.
- 5 Make plans for parallel business and institutions.
- 6 Suppression, exploitation, and manipulation are forms of violence.

**But there are also deep divergences among neo-violence, new-violence and non-violence:**

1. Short-term physical and verbal violence may reduce long-term violence.

(Rejected by Gandhi, accepted by New Violence)

2. Fight antagonisms, not antagonists.  
(Accepted by Gandhi, in part rejected by New Violence)
3. Hate suppression, not suppressors.  
(Accepted by Gandhi, largely rejected by New Violence)
4. There are always basic interests in common.  
(Accepted by Gandhi, rejected by New Violence)
5. First destroy all that is bad and then start building.  
(Rejected by Gandhi, accepted by some New Violence leaders)

The outlook for the future is in some respect encouraging from the point of view of Gandhian thinking. The slogan of New Violence indicates a resolve to build up parallel institutions and furnish a constructive program. The mid way is found in Neo-Violence which gives room for warning and dialogue. The verbal violence may be shabby but prevents destruction by violence.

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## **Ubiquity of Comparative Politics in Sanskrit Literature**

**Pawan Kumar Sharma**

It is a well established fact that India was developed as a composite state only after independence from British in 1947. It is believed if British had not established their rule in India, India would still have remained in segmented state of fragmented entities. Many scholars have gone further to project that British came as late as 200 years or perhaps have left early with the same pace. Those who nurtured this perspective had not only deceived themselves, more so they led the youth of the country into the dark regime to the extent that they lost their confidence. Had the glorious past of India be made obvious to the young minds, India would have progressed with much better confidence than today. A study in ancient India would have led us to the enlightening realities of the past and also the mode in which India led the way for the world. Will Durrant in his famous 'Case for India' has projected; "India was the mother-land of our race, and Sanskrit the mother of Europe's languages; that she was the mother of our philosophy, mother, through Arabs. Of much of our mathematics, mother, through Buddha, of the ideals embodied in Christianity, mother through the village community, of self- government and democracy. Mother India is in many ways the mother of us all." <sup>1</sup> In 1853 Karl Marx also commented, "At all events, we

may safely expect to see, at a more or less remote period, the regeneration of that great and interesting country, whose gentle natives are, to use the expression of Prince Soltykov, even in the most inferior classes, "*plus fins et plus adroits que les Italiens*," ("More subtle and adroit than the Italians") whose submission even is counterbalanced by certain calm nobility, who, notwithstanding their natural languor, have astonished the British officers by their bravery, whose country has been the source of our languages, our religions, and who represent the type of the ancient German in the Jat, and they type of the ancient Greek in the Brahmin." Though Marx had never visited India still he talks about Indian rebirth. At the same time Indian perpetual element (*Sanatan*) had kept India modern. Marx, due to his ignorance, uses the word *punarjanm* while Saltikov too brings comparison between Indian Jat with German and Brahmin with Greek. It might be compared with German and Greeks because to them they were the only ancient civilizations. Who can challenge the truth that India is ancient even to Germany or Greece. Colonization had reduced India to a suppressed backward undeveloped and premature society which had no bright future. A number of reasons are responsible for this dislike resulting into ancient literature was either banned or not promoted enough. Durrant's book which was published in 1930 was also discarded for long by so called elite intellectuals because it raised the curtains from India's glorious past and brought forth British colonizing tendencies.

Another important writing is found by Sir William Jones who arrived in India on 15<sup>th</sup> January 1784 as the Justice in Supreme Court of British East India Company in Calcutta. His voluminous writings are found in five volumes which again speak of the glory of India. It also met the same fate and was conveniently forgotten by the elite intellectuals. Sir William Jones established Royal Asiatic Society in 1784 and involved it into magnanimous translation work of Sanskrit scriptures into English. This feat not only contributed into the European development saga but also turned out to be inspirational for the British Empire.

It so happened that the youth of India was purposefully kept at a distance not only with the glorified ancient past of

India but also from all those commentaries which celebrated or vocalized great Indian traditions. When we talk of comparative politics, we are mainly concerned with the Indian political traditions which are borrowed from the West. Aristotle is considered as the natural precursor of comparative politics because he is supposed to have studied the constitutions of 158 countries. The fact remains that much before Aristotle, Indian States were governed with variety of provisions of different constitutions which led to a pragmatic and substantial study of comparative politics. When we talk of modern comparative politics, J. W. Garner writes “material should be collected from the present or past systems of the nation so that a researcher can employ selection and comparison to bring out the ideal or progressive systems.”<sup>3</sup> This definition supports the belief that the critics still negate the political practices in ancient India. Many a times it is projected as if there was a complete lacuna of governing systems in ancient India as compared to the west. In fact Garner’s theory leads us to study different types of execution of various political systems which were popularly practiced in ancient India. A number of scriptures have reflected political systems of ancient states in India. Some of the most quoted texts are *Vedas, Ramayana, Mahabharata, Brahman Granth, Graha Sutra* and scriptures from Buddha and Jain religions. An impression of important governing system can be drawn as under:

1. *Bhojya* Governing system
2. *Swarajya* Governing system
3. *Vairajya* Governing system
4. *Madra* Governing system
5. *Rashtrik* Governing system
6. *Pettnic* Governing system
7. *Dwairajya* Governing system
8. *Arajak* Governing system
9. *Ugra* Governing system

**1. Bhojya Governing System:**

*Aitareya-Brahmana*<sup>4</sup>, *Pali Tipitaka*<sup>5</sup>, have referred to this type of governance. This governing system had some

mandatory conditions like the election of the King was not hereditary. The *Raathik* and *Rashtrik*<sup>6</sup> would govern in multiple governing systems within the state. This means that there can be more than one ruler<sup>7</sup>. Bhuj, in Gujarat is one of the best examples for this type of governing system.

### 2. *Swarajya* (Self-rule) Governing System:

It's also referred as *Aitareya-Brahmana*<sup>8</sup>. Its literal meaning is which can be governed by self. "*Taittiriya Brahmana*" gives detailed directives as how self-governance can be attained. One who leads his own peer group would be known as leader<sup>9</sup>. This was prevalent in North India according to *Shukla Yajurveda*<sup>10</sup>.

### 3. *Vairajya* Governing System:

This governing system was mostly popular in Himalayan terrain. This governance system was also adopted by Southern India in the due course. *Aitareya-Brahmana* throws enough light on this system<sup>11</sup> which means governance without a king<sup>12</sup>. The basis of this system was that the whole country group was brought to coronation with a purpose to rule.

### 4. *Madra* Governing System:

It was a strong and well defined governing system which was popular along *Shakal* (Sialkot, modern Pakistan). *Panini* too has brought out references in *Ashtadhyayi* about *Madra*. This system too followed multiple executive governing system based upon the democratic traditions<sup>13</sup>. Present Saurashtra is named after *Rashtrik/Surashtra* under this system.

### 5. *Rashtrik* Governing System:

This was prevalent in Western India<sup>14</sup> and it was more or less like *Bhojya/Pettanik*. The major difference was there was no hereditary to appoint king/ruler and it was highly democratic<sup>15</sup>.

### 6. *Pettanik/Paitenik* (Genetic) Governing System:

Literally it means hereditary or genetic arrangement of rulers<sup>16</sup>. The ruler was not elected democratically, rather he was enthroned on the basis of hereditary. *Aitareya-Brahmana*

also mentions this system<sup>17</sup>. It primarily dealt with specified group or family<sup>18</sup>. It was prevalent in Western India<sup>19</sup>.

#### 7. *Dwairajya* Governing System:

Kautilya in his *Arthashastra* has mentioned this system which means governed by two. There is a competitive combat between the two which destroys the one who is weak<sup>20</sup>. In *Mahabharata*<sup>21</sup> *Vind* and *Anwind* in Avanti are shown in this category. It was very popular system during 6<sup>th</sup> & 7<sup>th</sup> century in Nepal. *Lichchavi* and *Thakuri Rajvansh* also followed this system. Evidence of this system are found in Kathmandu.<sup>22</sup>

#### 8. *Arajak* (Anarchy) Governing System:

It leads to anarchy which means governed by whole society<sup>23</sup>. This term is also available in *Mahabharata*<sup>23a</sup>. Contrary to the modern connotation this is the ideal system as no one governs anyone. It seems it is possible only in less populated states where each decision could be taken jointly in the presence of entire group.

#### 9. *Ugra* (Aggressive) Governing System:

Vedas have mentioned about this governance. In this system though there was a ruler but no one was the king. *Ashoka* has mentioned this system as “Keral Putto”<sup>24</sup> and his sons as the rulers<sup>24</sup> in this system.

In the due course the governing systems were expanded to larger functions and tax collection became a major pointer to define the type of ruler. *Sukraniti-Sara*<sup>25</sup> categorizes the rulers according to the capacity and slabs off tax collection. Following were the categories in ascending order:

1. *Samanta* (He, who collects One lac to three Lakhs silver coins per annum in a form of tax)
2. *Mandalik* (He, who collects four Lakhs to ten Lakhs silver coins per annum in a form of tax)
3. *Rajan* (He, who collects eleven Lakhs to twenty Lakhs silver coins per annum in a form of tax)
4. *Maharaj* (He, who collects twenty one Lakhs to fifty Lakhs silver coins per annum in a form of tax)

5. *Swaraj* (He, who collects fifty one Lakhs to hundred Lakhs silver coins per annum in a form of tax)
6. *Samrajya* (He, who collects one Crore to ten Crore silver coins per annum in a form of tax)
7. *Viraj* (He, who collects eleven Crore to -fifty Crore silver coins per annum in a form of tax)
8. *Sarvabhaum* (He, who collects fifty one Crore and above silver coins per annum in a form of tax)
9. *Aitareya-Brahmana* too suggests the expansion of the state according to the capacity or the nature of the king.

स य इच्छे देवं वित्क्षत्रिय मयं सर्वा जितीर्जयतायं स सर्वाल्लोकान्चिन्देतायं सर्वेषां राजां श्रेष्ठमतिष्ठां परमतां गच्छेत् साम्राज्यं, स्वराज्यं, वैराज्यं परमेष्ठ्य राज्यं, महाराज्यमाधिपत्यमयं समंत पर्यायी स्यात्सार्वभौमः सार्वायुष आऽन्तादा परार्धात्पृथिव्यै समुद्र पर्यन्ताया एकराडिति तमेते नैन्द्रे महाभिषेकेण क्षत्रियं शापयित्वाऽभिषिचेत्।<sup>28</sup>

It was desired from a king to rise to the sovereign state passing through all eight stages of kingships. These eight methods bring enough opportunities to study the comparative governing systems. For example:

1. *Bhojya* governing system was based upon the vertical as well as horizontal span of governance.
2. A sovereign was supposed to be one who is capable of including other states as part of his all around expansion plans<sup>27</sup>. *Bharata, Dushyanta, Chandragupta and Samudragupta* fell in this category.
3. The other governing system was that of patronage where the smaller rulers would pay taxes to the greater one and would be protected in return. For example *Pandu* had taken *Magadh, Videh, Kashi, Sehem* etc. under his patronage<sup>28</sup>.
4. The other category of *Samrat* was personified by the strength of the state which would expand on the basis of might is right. *Mahabharata*<sup>29</sup> defines it as a surpass might<sup>30</sup> is the basis of this governing system. This form of governance is not treated as a healthy tradition.
5. *Parmeshthi* was a system which was perhaps a utopian formula obliquely placed with the *Samrajya* system. It

was mainly prevalent in *Ganarajya* where the eldest was the king by default<sup>31</sup>. *Shakya* and *Licchavi*<sup>32</sup> followed this system peace and cordial consensus<sup>33</sup> was the basis of *Parmeshthi*. This might have been the concept of welfare state<sup>34</sup>.

Quadrilateral or *Chaturant* was a system which encircles the four ends of the earth on the lines of:

उत्तरं यस्य समुद्रस्य, हिमाद्रेश्चैव दक्षिणम् ।  
वर्षं तद् भारतम् नाम, भारतः यत्र सन्तति ।<sup>36</sup>

In this manner there were found a variety of governing procedure systems in ancient India. The neighbouring states had due considerations to these governing procedures. In the course of time only two types of systems remained in existence.

1. *Chakravarti Samrat*
2. *EkRat*

At the end of this analytical study of Sanskrit texts it is established that these are already defined several systems of government and political arrangements in ancient texts. The need is to bring the same into light of popular discussion. In the modern times subject of comparative political theories was established as core studies in the end of 19<sup>th</sup> century which was primarily based upon the artificial arrangements of imposed governing systems. Much contrary to that the systems found in ancient Indian states were governed by *Dharma* (obligatory rules). *Dharma* was the integral part of life and though there were kings, states and rules still all were governed by *Dharma*. Hence we don't find categories, divisions or differences among the systems. This has been a distinct characteristic of India that though several states were governed by several methods, *Dharma* was the normalizing factor for all governing systems. This led to believe that systematic governing systems never came into existence nor developed in India. If we follow the Sanskrit texts and bring out the analytical arguments to the surface, this misconception will surely be dispelled.

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## **Ancient Hindu Astronauts: Forgotten Superior Civilization**

**Jagat Motwani**

“One of the world's oldest books on astronomy is the Hindu *Sut-ya Siddhanta*. It speaks of Siddhas and Vidyahatas, or philosophers and scientists, who were able to orbit the earth in a former epoch below the moon but above the clouds.” --**Andrew Tomas**<sup>1</sup>

“The importance of such studies and investigations could prove to be shocking for today's man because the existence of flying devices beyond mythology can only be explained with a forgotten superior civilization on earth.” --**Dr. Roberto Pinotti**

This chapter will take its readers to the incredible sciences of the ancient Bharat, and to the controversial and fascinating world of Pinotti's “forgotten superior civilization,” which is none but Bharat's.

Will Durant<sup>2</sup> has said:

“As we acquire knowledge, things do not become more comprehensible, but more mysterious.”

Tomas further says:

“Another book from India – the *Samara-nagana Sutradharna* – contains a fantastic paragraph about the distant past when men flew in the air in skyships and heavenly beings came down from the sky. Was there a sort of two-way space traffic in a forgotten era?”

Prof. H.L. Hariyappa<sup>3</sup> of Mysore University, in his essay on the *Rig Veda*, writes that in a distant epoch “gods came to the earth often times, and that it was the privilege of some men to visit the immortals in heaven.” The tradition of India is insistent upon the reality of this communication with other worlds during the Golden Age. The book further writes that the god Garuda is thought by Brahmins to be a combination of man and bird who travels through space.

Garuda is the national airline of Indonesia. According to the Wikipedia, the Garuda is a mythical bird or a bird-like creature that appears in both Hindu and Buddhist mythology. History tells that in ancient times Indonesia was colonized by Hindus and Buddhists, and its language Bahasa is very much influenced by Sanskrit. In Hindi, ‘bhasha’ (very comparable to ‘Bahasa’) means language. The names of several cities, like Jakarta, Surabaya, etc. and of individuals, like Sukarno, Suharto, Yudhoyono, Megawati, Sukarno-putri, (putri in Hindi means daughter) etc. seem to have their origin in Sanskrit. Its monetary unit Rupiah is very much comparable to Indian Rupaya.

Childress (p.168) writes about the Aerial warfare in Ancient India:

“The ancient Indian epics go into considerable detail about aerial warfare over 10,000 years ago. So much detail that a famous Oxford professor included a chapter on the subject in a book on ancient warfare.”

Childress (p.169) writes that Dikshitar, commenting on the famous Vimana text ‘*Vimanika Shastra*’, says:

“In the recently published ‘Samarangana Sutradhara of Bhoja’ a whole chapter of 230 stanzas is devoted to the principles of construction underlying the various flying machines and other engines used for military and other purposes. The various advantages of using machines, especially flying ones, are given elaborately. Special mention is made of their attacking visible as well as invisible objects, of their use at one’s will and pleasure, of their uninterrupted movements, of their strength and durability, in short of their capability to do in the air all that is done on earth.”

Sanskrit scholar Ramchandra Dikshitar,<sup>4</sup> in his book titled ‘*War in Ancient India*’ (1944), writes:

“No question can be more interesting than in the present circumstances of the world than India’s contribution to the science of aeronautics. There are numerous illustrations in our vast Puranic and epic literature to show how well and wonderfully the ancient Indians conquered the air. To glibly characterize every thing found in this literature as imaginary and summarily dismiss it as unreal has been the practice of both Western and Eastern scholars until recently. The very idea indeed was ridiculed and people went so far as to assert that it was physically impossible for man to use flying machines. But today what with balloons, aero planes and other flying machines, a great change has come over our ideas on the subjects.”<sup>5</sup>

Col. Henry S. Olcott (1832-1907), American philosopher and cofounder of the Theosophical Society, in a lecture in Allahabad in 1881, said:

“The ancient Hindus could navigate the air, and not only navigate it, but fight battles in it like so many war-eagles combating for the domination of the clouds. To be so perfect in aeronautics, they must have known all the arts and of the atmosphere, the relative temperature, humidity, density and specific gravity of the various gases.”

Frederick Soddy<sup>6</sup> (1877-1956), a Nobel Laureate (1921, Chemistry of radioactive substance), had a great regard for the Indian epics Râmâyanâ and Mahâbhâratâ, from which he might have got the idea of the awesome power of the atom. Therefore, it seems he did not take the records, as contained in these ancient Hindu epics, as fables. Soddy, in *‘Interpretation of Radium’* (1909), wrote:

“Can we not read into them (the texts of the epics) some justification for the belief that some forgotten race of men attained not only to the knowledge we have so recently won, but also to the power that is not yet ours?”

Dr. Vyacheslav Zaitsev<sup>7</sup> has said that the holy Indian (Hindu) Sages have mentioned in the Râmâyanâ that two storied celestial chariots with many windows roared off into the sky like comets. He adds that the Mahâbhâratâ and various Sanskrit books describe at length these chariots which were powered by winged lighting. He further remarks: “It was a ship that soared into the air, flying to both the solar and stellar regions.”

Dr. Roberto Pinotti<sup>8</sup> – an Italian scientist who had made exhaustive study of the history of Indian astronautics – told the World Space Conference that India may have had a superior civilization with possible contacts with extraterrestrial visitors, and the flying devices ‘Vimanas’, as described in ancient Indian texts and that it may underline their possible connections with today’s aerospace technology. He asked the delegates to examine in detail the Hindu texts instead of dismissing ‘all the Vimana descriptions and traditions’ as mere myths.

Dr. Pinotti asserted:

“The importance of such studies and investigations could prove to be shocking for today’s man because the existence of flying devices beyond mythology can only be explained with a forgotten superior civilization on earth.”

Pinotti’s “forgotten superior civilization” was none but the prehistory ancient Vedic civilization.

He pointed out that Indian (Hindu) gods and heroes fought in the skies using piloted vehicles with terrible vehicles. He further said that they were similar to modern jet propelled flying machines, and that certain descriptions of the Vimanas (airplanes) seemed “too detailed and technical in nature to be labeled as myth.”

Dr. Pinotti cites various texts to amazing secrets related to the operation of Vimanas, some of which could be compared to modern day use of radar, solar energy and photography. It is amazing that the ancient Indians had scientific ‘Airplane manual’, known as ‘Vymanika Shastra’. Quoting from it, Dr. Pinotti says that the ancient flying devices of India were made from special heat-absorbing metals named ‘Somaka, Soundalike and Mourthwika.’ He also writes that the *Shastra* also discusses the seven kinds of mirrors and lenses installed aboard for defensive and offensive uses. He explains that the so-called ‘Pinjula Mirror’ offered a sort of ‘visual shield’ preventing the pilots from being blinded by the ‘evil rays’, and the weapon ‘Marika’ used to shoot enemy aircraft does not seem too different from what we today call laser technology.

Dr. Pinotti had made an exhaustive study of the history of Indian astronautics. He talks about another text according to

which ancient Hindus knew the use of element 'fire' as could be seen from their '*Astra*' (weapons) that included *Soposamhara* (flame belching missile), *Prasvapna* (which caused sleep) and four kinds of *Agni Astras* (fire weapons) that traveled in sheets of flame and produced thunder.

It should be noted that '*Agni*' (fire) is seen as a Hindu goddess. It contributes lot to human life in various ways from life-sustaining kitchen to high technology. Its prime use in technology – manufacturing, missiles, space, astronautics, nuclear and what not – is surfacing now meeting various multifarious demands of the present complex life.

Fire is purifier too. Thus, it is used in all Hindu religious ceremonies. The seven promises, made by bride and groom, are taken while circling around fire. Even the end of the Hindu life (death) is blessed by Agni. Cremation is environment-purifying. It saves space for several beneficial uses.

Dr. Pinotti said that depictions of space travel, total destruction by incredible weapons and the fact that *Vimanas* (*Vimans*) resembled modern unidentified flying objects would suggest that India had a 'superior but forgotten civilization.' Dr. Pinotti suggests:

“In light of all this, we think it will be better to examine the Hindu texts and subject the descriptive models of *Vimanas* to more scientific scrutiny.”

All this technical version of the construction and operation of the ancient flying machines (airplanes), as given in the ancient Hindu scriptures, can not be considered as mythology. Only the Western technologists may say so, because they fear that their *Viman* (airplane) related technology may be thought, as based on the knowledge given in Hindu *Shastras* (scriptures).

The Mahâbhârâtâ (3067 BC)<sup>9</sup> people did have the knowledge of not only flying machines, but also of fire missiles (*Agnibans*, meaning fire arrows), and TV. Sanjaya was narrating, step by step, to the blind king Dhratrashta in his palace what was happening on the Kurukshetra, while the Mahâbhârâtâ War was in progress, just like watching cricket match on TV in living room in present times.

Hindus had the knowledge and technology how to create dense clouds to cover the sun and let the day look dark as seen at the sunset. Such necessity arose when Jayadratha, the powerful Raja of Sindh, was hiding himself until the sunset. Arjuna had taken an oath to kill him before the sunset, and if he failed he would kill himself in blazing fire. Arjuna wanted to kill Jayadratha, because he, with help of his army, had held Pandavas from going ahead to protect Abhimanyu, the son of Arjuna and Subhadra. He was surrounded and then killed by six great Kaurava warriors including Drona, Kripa, Karna, Ashvatthama, Kritavarman, and Brihadvalla.

To bring Jayadratha out from his hide, Lord Krishna covered the sun with his mighty potencies. It looked like sunset. Jaydratha jubilantly came out from hide to enjoy seeing Arjuna being burnt. Krishna again used his power to disburse the clouds and let the sun come out. Then Krishna told Arjuna to go and kill Jayadratha, which he did.

The question arises how the Mahâbhârâtâ people got the ideas about the things – fire missiles, airplanes, TV, etc. Ideas don't come from nothingness. Even the idea of 'zero' came from 'numbers', because zero itself is a number. Some incidents must have prompted ideas why and how it happened. Thus, TVs, missiles, airplanes, etc. have been invented. They didn't copy the present-time inventions. The PAST can not copy the PRESENT.

It is possible the present scientists got the ideas regarding the flying machines, nuclear missiles, TV, etc. from the ancient Hindu scriptures. UFOs might have given idea of flying in the air.

The infant Hindu scientific technology did not mature into its robust adulthood, only because of historically known self-centered mentality of Hindus – secrecy – not to share knowledge with others. Every new idea was secretly confined to family only. Thus it died with the family without its ultimate development.

The Indian Emperor Ashoka<sup>10</sup> started a 'Secret Society of the Nine Unknown Men'. Those nine men were great scientists. Each one wrote a book on his work. One wrote on "The Secrets of Gravitation." The work of the Society was kept so secret that only the name of the book was known to historians, but it was not read nor even seen by them. The book was kept in the secret library of the Secret Society. Where? No body knows if in India, Tibet or somewhere else.

It further says that only a few years back, the Chinese discovered some Sanskrit documents in Lhasa, Tibet. The documents were sent to the University of Chandrigath to be translated. Dr. Ruth Reyna of the University said recently that the documents contain directions for building interstellar spaceships. Their method of propulsion, Reyna said, was “anti-gravitational” and was based upon a system analogous to that of “laghima,” the unknown power of the ego existing in man’s physiological makeup, “a centrifugal force strong enough to counteract all gravitational pull.” It further says that according Hindu Yogis, it is this “Laghima’ which enables a person to levitate.

#### **Ancient Hindu traveled in space**

Dr. Reyna observes that according to the document which seems to be thousands of years old, the ancient Indians (Hindus) could use these flying machines, known by them as “Astras” (Weapons), for transporting some men onto any other planet.

It seems it was kept secret so that its advanced scientific inventions are not used for evil purpose of war.

Dr. A.V. Krishna<sup>11</sup>, professor of aeronautics at the Indian Institute of Science, Bangalore says:

“It is true that the ancient Indian Vedas and other texts refer to aeronautics, space ships, flying machines, ancient astronauts. A study of the Sanskrit texts has convinced me that ancient India did know the secrets of building flying machines, and those machines were patterned after space ships coming from other planets.”

Râmâyanâ<sup>12</sup> has a highly detailed story of a trip to the moon in a Vimana. It gives details about a battle with an “Asvin” (or Atlantean) airship. It further says that this is but a small bit of recent evidence of anti-gravity and aerospace technology used by Hindus. It suggests that in order to understand the technology, the ‘Rama Empire’ developed on the Indian sub-continent, we must go much further back in time, at least fifteen thousand years. It further says that Rama existed, apparently, parallel to the Atlantean civilization in the mid Atlantic Ocean.

I think this puzzle can be solved only when we locate the planet from where the UFOs are coming. May be, Bharatvasis

(Indians) had some relationship and communication with the residents of that planet, history of which has been lost or yet to be discovered. We do not know any other planet with human life.

I would like to stress the point that Hindu traditions call heroes as gods (*devas*). The gods, we are referring to as flying in the space above our planet, are merely humans with great divine powers. Or since we are unable to establish their factual identity, we may take them as mythological Hindu gods. Likewise the Greek mythology talks about Atlas, Titans, Olympian gods, and Zeus, the god of heavens.

Rama and Krishna were not mythological gods. History tells that Hindus worship Sri Rama and Sri Krishna as gods. Both were great warriors with amazing vision and powers. Both, like other humans, were born and died. Both were *Kshatris*, not *Brahmins*. They respected *Brahmins*. Hanuman, a disciple of Sri Rama, is worshipped as a god by most Hindus.

### **Concept of time: Age of the humanity**

It is fascinating to see comparative concept of time between the West and the East (Hindu). Shri Aurobindo Ghosh<sup>13</sup> (1872-1950), a great philosopher of modern India, has said:

“European scholarship regards human civilization as a recent progression starting yesterday with the Fiji islander, and ending today with Rockefeller, conceiving ancient culture as necessarily half savage culture. It is a superstition of modern thought that the march of knowledge has always been linear. Our vision of ‘prehistory’ is terribly inadequate. We have not yet rid our minds from the hold of a one-and-only God or one-and-only Book, and now a one-and-only Science.”

According to ‘Hinduism Today’<sup>14</sup>:

“Hinduism’s understanding of time is as grandiose as time itself. While most cultures base their cosmologies on familiar units such as few hundreds or thousands of years, the Hindu concept of time embraces billions and trillions of years. The *Puranas* describe time units from the infinitesimal *truti*, lasting 1/1,000,000 of a second to a *mahamantavara* of 311 trillion years. Hindu sages describe time as cyclic, an endless procession of creation, preservation and dissolution. Scientists such as Carl Sagan have expressed amazement

at the accuracy of space and time descriptions given by the ancient *rishis* and saints, mystically awakened senses.”

It is hard to believe all this. There are lot of commonalities and similarities in Greek and Hindu mythologies, so much that I tend to believe that there is truth in what Pococke has written in his book '*India in Greece; or Truth in Mythology*'. If we objectively examine the mythologies of the world societies, we would find in them lot of history. We can not have solid evidences of the truths in mythologies of the remote past. I get the answer in what two scholars have said – Dr. Carl Sagon: “Absence of evidence is not evidence of absence.” And Aldous Huxley: “Facts do not cease to exist because they are ignored.” .

Lynn Thorndike (1882-1965) – American historian, author of several books including '*A History of Magic and Experimental Science*' (8 vols) – remarked: “Thus we see that India’s marvels were not always false.”

John Burrows, in '*Ancient Vimana Aircraft*, remarks:

“Sanskrit texts are filled with references to gods who fought battles in the sky using Vimanas equipped with weapons.”

A few of the different modes of transportation as used in pre-history ancient Bharat:

- Jalayan – a vehicle designed to operate in air as well as on water (Rig Veda 6.58. 3).
- Tritala – a vehicle consisting of three stories (RV 3.14.1).
- Trichakra Ratha – three wheeled vehicle designed to operate in air (RV 4.36.1).
- Vaayu Ratha a gas or wind-powered chariot (RV 5.41.1).
- Vidyut Ratha, a vehicle that operates on power (RV 3.14.1).

Amazing Ancient Bharat!!! Difficult to understand why Bharat stopped her adventures.

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## **Equity of Liberation: *Gandhian* Societies from Purgation to a Dignified Epoch**

**Neerja A Gupta**

Systems have changed through the centuries, but need and the realization of need designed through apt implementation have never been better understood by anyone but Gandhi. The ease with which Gandhi brought self-reliance, truth, and non-violence into common practice in the Indian society depicts that his method was effective enough to establish a continual command upon the mental plane of the following generations. After a long lacuna of centuries, Gandhi was born to become the symbol of the universe of creativity. His message towards a utopian society is a purgative experiment on one's own self. In fact, the whole battle for independence was fought and won following Gandhi's knowledge of human demands.

The social creativity of Mahatma Gandhi revealed a concrete, genuine human path of love, through his life of spiritual and existential combat for human rights for the whole humanity. The outward simplicity of his life and his single minded devotion to non-violence cloaked innumerable deep currents of ideas, disciplines, loyalties and aspirations.

There was nothing mystical or miraculous about his development and growth from a common man into the unsurpassed Mahatma of our history. This was the base of the popular acceptance of his knowledge systems.

It's important to come across certain onset:

- Societies though look plural, is a unitary concept
- Gandhian is not a noun but a qualitative adjective

And

- Purgation is an inner process and it never achieved completely hence it is an ongoing process

Nineteenth Century was brought to end with a number of epoch making changes but the dawn of twentieth century has seen a sun never before. Especially for India the change was happening on a larger scale. It's not important to repeat the history. When Gandhi was in London where he got convinced of his alternative path which was to be used later to fight for freedom, his first reaction to violence was that of pathos when he mourns on violent actions of freedom fighters and he says that even if this effect gives us freedom then who would be ruling India: murderers? India can gain nothing out of murderers whether they are white or black. And Gandhi was worrying about tomorrow's Indian society born out of such violence.

G K Chesterton's article in Illustrated London News column on September 18, 1909 (Oct. 2 – American edition), gave tantalizing clues to an answer to Gandhi's fears. Chesterton's real concern was that “ the vision of Indian revolutionaries is not very Indian. Indian nationalists talk about parliaments, revolutions, constitutions, budgets and balances but these are western models of human progress, these notions have nothing to do with India's culture and spiritual heritage. If there is such a thing India, it has a right to be Indian and not an empty vessel filled with western notions.”

Coinciding Chesterton's views appeared Tolstoy's “letter to a Hindu” in New Age Left, Tolstoy addressed the strange paradox of India “he believed that 300 million people were held in subjection to an evil tyranny run by a small clique of “White Britons” utterly alien in thought and aspiration and

altogether inferior to those whom they enslave” (Gandhi and Churchill, 172)

Just imagine Tolstoy wrote: If Indians in their millions simply refused to participate in the evil.....they would not only break the power of Raj...they would break the power of violence. Through passive resistance they would rediscover the law of love, and not only would hundreds of whites be unable to enslave millions of non-whites, but millions will be unable to enslave one individual” (Gandhi and Churchill, 172-73).

These two articles along with a number of books that Gandhi was reading at that time made Gandhi decide that Non-violence, Truth and passive resistance are the means he would like to adopt. Perhaps at that time Gandhi wasn't very sure what he is fighting for but one thing he was absolutely sure that what he was fighting against.

In South Africa his fight was to bring all on the same side of the colour line and in India his fight was to bring the society at one level of liberation. The question of equity, leveling, swaraj, swadheenta, liberation, self reliance, dignity, self rule ...all these were not political terms for Gandhi. To my mind Gandhi was much pained to see the bondage of own people by its own societies than the governance of Britishers. He failed to understand the definition of so called elite society and *neech* samaj. Every time Gandhi observed fast, it was to resist the behavior of India's own people. He would not compromise with any derogatory term. Hence he called them *harijan*. His political epoch was a result of his social concerns.

Gandhian societies have only one discrimination and that is between oppressors and oppressed.

It wasn't clear at that time that the social creativity of Mahatma Gandhi would reveal a concrete, genuine human path of love through his life of spiritual and existential combat for politically motivated human rights for all mankind! It doesn't happen much often that a person turns into a thought. At least in India it never happened. The *agrah* was a big term. Gandhi's first such *agrah* was to transform a fractured society look like a mosaic or a collage.

Since time immemorial Indian society looked like a divided society which was vertically erected with many lower castes, conditions and religions. The skyline of Indian society was absolutely deprived of a horizontal sketch. Humiliation, insults, restrictions, status difference, subordination to the extent of self-negation and intolerance marked the society.

Gandhi both as a human being and as a thought, drew a new bottom line for the social realities and a new skyline for social dignities. He rebuilt a new order which was all inclusive. He demanded equality and equity for everyone. For him the trusteeship was not a phenomenon of few. The Indian-ness asserted by Hind Swaraj is astonishing, much- much visionary and strikingly universal. Perhaps that was the only way to create a dignified society. He asserted dignity and status through indigenous means irrespective of caste, creed, religion and status. What he rejected is not important but what he propounded is eye catching.

Gandhi evolved as a knowledge system in itself. From centuries the systems have changed but the need and the realization of need designed through the apt implementation has never been better understood so aptly by anyone but Gandhi. The ease with which Gandhi brought liberation from age old beliefs and led the society to open thinking skies with a concept of self-reliance, Truth, and Non-violence in common practice of Indian society, depicts that his method was effective enough to establish a continual command upon the mental plane of following generations. This led Gandhi as a thought to succeed.

The journey of purgation has been self-inclusive. Gandhi touched realism because of the principles of realism. Number 1: could correspond well with the people he would interface. That means whatever he propounded or behaved could be well tested, seen or conceived visually. This was a monumental behavior where the preacher is the practitioner.

And, beyond that he had cohesiveness. This means that beyond being scientifically right or experimentally successful Gandhi could also be lived in thought, in ideas, in philosophies and in the pattern of societies.

His existence didn't stop with age, rather after a long lacuna of centuries it happened that here was someone who himself becomes the symbol of universe of creativity. He created such a platter of equality which today's Indian political and social world whether likes or dislikes, but can never reject. It has become an ethos as well as a vital epoch of the society. It became a reality and a necessity both.

Gandhian vision of society is nothing less than *poorna swaraj*, which is essentially not political. The rule that governs self and leads to the theory of real *Ramrajya*. Liberation or *Swaraj* is symbolic of being liberated from all those chains that keep the society in bondage of so called upper castes and rulers. Its ethos is based on moral imperative, hence he talks about seven sins. In an age when Swami Shradhhanand was fighting for Hindu liberation and Jinnah was giving calls for Muslim liberation, when missionaries were trying to revive selected few, Gandhi was fighting for only one reality that is equity of liberation for all. For Gandhian society liberation is a predestined state of equality. Or equality is a predestined norm of liberation.

Today's Indian society has walked all along with Gandhi in a Gandhian way. It has lived in itself a Gandhian reality. Gandhi as man had purgated his own self but in Gandhian society the purgation is yet to be achieved. It's not even the half way. Its purgation is politically imposed, and one may then question the term purgation itself. But at the same time it is true that societies have changed than what it was about hundred years ago and Gandhian society is not only alive but is politically alive which itself is a miracle.

People made mistake when they took Gandhi as a spiritual saint. He was a wonderful social scientist who kept his experiments alive in the laboratory of his life. He was not to be worshipped or touched for cures. Whenever societies adapted Gandhi as thought and as a pattern, succeeded. Gandhi is still surviving in his philosophy and it's not much often that a man becomes the philosophy himself.

Today one may ask conveniently: Is Gandhi enough to draw a dream of a utopian society which is a purgative experiment on one's own self? In fact the whole battle for

independence was fought and won following Gandhi's knowledge of human equality and dignified societies. Gandhian societies are all the more relevant today. A new social order is taking place with much globalization and open societies.

New oppressors and new oppressed are being created. New castes are taking place and new nation theories are being established. Economics has upper hold over politics and soon this shall lead the society creating another state of inequality. Politics has already started serving the Money rulers.

This strange settlement leads to *sukshma* and *sthool* inner and physical both types of violences. Gandhian pattern of society has turned out to be an authentic liberation psychological remedy for stress ridden societies embodied with social creativity model and virtues of voluntary poverty at the forefront with kindness, selflessness, civility, firmness, courage, lawfulness, self-mastery, love and truth against cheating, oppression, corruption, capitalism, unlawfulness, cruelty and immoral acts.

But can it be called a new epoch? Well no other knowledge system implemented on societies has been as simple and at the same time as creative as the Gandhian one. It gives opportunity to the ever youthful minds for generations, to become fully functional, self-actualised and self-realized individuals. No one can attain liberation if one doesn't aspire one self. Self-help is must. Hence what Gandhi developed was an indigenous doctrine of knowledge which has the strength of reaching unto the last in its simplest form and which has the potential to draft the ever-lasting bio-political system which remains a credible alternative to common beliefs and faiths, and which is much more humane practical and down to earth in the creation of universal societies based on equality.

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