

**When you go into court you are putting your fate into the hands of twelve people who weren't smart enough to get out of jury duty**  
Norm Crosby

## Animal Rights

Some people get a sadistic pleasure in torturing animals. Reports of beating up street dogs which have done no harm to anyone or pouring boiling water over them appear in newspapers or TV channels from time to time and appall the readers and viewers. To the delight of all animal lovers, the High Court of Uttarakhand in a path-breaking judgment has held that "all members of the animal kingdom, including birds and aquatic life, have similar rights as humans" and directed that they should be "treated as legal entities having a distinct persona with corresponding rights, duties and liabilities of a living person." This is a decision which should be made applicable to all the States. Better still, the Union Government should get the Parliament to legislate a law on these lines which shall have effect throughout the country.

Nowadays, even animals for slaughter are killed with as little pain as possible. But such barbaric practices as killing a pig by inserting a red hot iron into its rectum slowly till its pierces its heart while the animal makes heart-rending cries till death are still in vogue among some tribal people. Such practices need to be stopped. Till four years ago, monkeys used to be exported in large numbers, mainly to the United States, for medical experiments where the animals were subjected to extreme cruelty. A public outcry forced the Centre to ban such exports in 2014. Many other countries have also banned export of animals for medical experiments. The Society for Prevention of Cruelty to Animals (SPCA) is active in many countries, though each unit is an independent body.

Wanton killing has made many animals endangered species which are now protected by law. The graceful Royal Bengal Tiger is one such animal for which special sanctuaries have been set up. This has had a positive effect: the tiger population is rising. What is known to very few is that extinction of species affects the bio-diversity of a country or a region and in the long run it hurts the humans as well. Poaching of the one-horned rhinos in Assam still goes on despite the deployment of forest guards whose duty it is to stop poaching. A casual visitor to a zoo garden will often see not only children but even grown-ups making fun of teasing animals. What is needed is awareness that animals have as much right to live and live peacefully as humans have. The Uttarakhand High Court has recognized this right. It is a great step forward.

# Political reality of 1975: An assessment

## REFLEX ACTION

Harihar Swarup

However, Prime Minister Narendra Modi and his colleagues may abuse Indira Gandhi, compare her to Hitler, to mark the 43rd anniversary of Emergency, she remains the most popular leader of India. If BJP leaders think they can get votes by recalling days of Emergency and accusing Indira Gandhi of turning the country into dynastic democracy, they are sadly mistaken. Modi has, however, made Emergency the centre-piece of his counter attack on the Congress. "Your grandmother imposed Emergency, and you have cheek to call me a dictator!" he told Rahul Gandhi.

The fact is that Modi's image has been sliding down. His mass appeal is not as powerful as before 2014 general elections. During its four-year rule, the BJP has not shown any spectacular result and will be facing the people in less than a year's time. The party's electoral prospects don't appear too bright. While Arun Jaitley writes about dark days of the Emergency, trampling of personal liberties, excesses committed and how Emergency was a direct attack on our constitutional ideals, PM was more stringent in his criticism of Indira Gandhi and the "frightful days of Emergency". Jaitley says: "Mrs. Gandhi imposed Emergency under Article 352, suspended fundamental rights under article 359, and claimed that disorder was planned by the Opposition in the country at that time. The security forces were being asked to obey illegal orders and, therefore, in the larger interest of the nation, India had to become a disciplined democracy", Jaitley writes, quoting Mrs. Gandhi.

The Congress hit back at the BJP and said the "issue-less" government was raking up the Emergency 43 years after it was imposed and forgot to tell the people that Indira Gandhi had later revoked Emergency, conducted elections and won. It would be worth recalling days before imposition of Emergency. I have personally seen those days as a special correspondent of the PTI and drawing from Indira Gandhi's biography by the late Inder Mehrotra, recall the days before and after Emergency. Mehrotra had known Indira Gandhi personally and seen history being made as political correspondent of The

Statesman and The Times of India. The most conclusive evidence for this came from herself, though several years later when she was out of her power. Breaking her habitual her silence on the subject, she told Dom Moraes, one of her many biographers, that she had no option but to stay in office after Allahabad judgment because the country was "in peril" from "both external and internal enemies" and, "that there was no one else", around who could cope with the "grave threat". Evidently, her faith in her indispensability was never shaken.

On the day of Allahabad verdict, however, she did keep the option of temporarily withdrawal from office open to discussion. There were several among Indira's friends and well-wishers who were convinced that stepping down from office until the Supreme Court had pronounced on her appeal would be in the best interest of the country and herself. But they either kept quiet or expressed themselves most gingerly. Unusually strident by contrast were the hordes of those who argued that stepping down from office should not even be contemplated. This, they maintained was precisely what the "country's enemies wanted". Most cabinet ministers, almost all congress chief ministers and large number of MPs joined chores. They were anxious to display of her loyalty of Indira. But their main concern was to preserve their own position in the Indira-built power structure, the whole of which, they feared, might collapse, if she was out of office even temporarily.

The kind of danger that might arise if Indira did step down also became apparent during the short few hours when the option was considered and rejected. Jagjivan Ram, the alienated Defence Minister, served under Indira, loyally and happily. But she thought of

making Swaran Singh PM even temporarily he would assert his superior claim. All eyes were on Justice Krishna Iyer. He gave his ruling on the prayer for a stay order on the afternoon of June 24. Its purport was, however, that Indira could have a conditional stay of the Allahabad verdict. She could stay in office and speak in Parliament but until the appeal was decided she could not vote in Parliament. With whoop of delight JP announced on behalf of all the opposition parties the decision to launch a country-wide movement to secure Indira's resignation. He unfolded the details of the plan at a huge rally early this next evening at Delhi's Ram Lila ground. The rally's high point was JP's appeal to the army, the police and the bureaucracy to refuse to obey Indira and abide by Constitution instead.

At about 11 on the night of June 25 Indira accompanied by Chief Justice of India A N Ray went to Rashtrapati Bhavan to inform President Fakrudin Ahmed that her government had decided to impose a state of internal Emergency. Almost immediately, India went under Emergency rule and the world's largest democracy turned into a virtual dictatorship. Many people said then and some continue to say now to this day that Indira imposed Emergency because of her authoritarian nature; she was fed up with dissent, a vigorous opposition and was happy to have dictatorial powers. This is not a fair assessment even though it must be conceded that Indira at times behaved imperiously. But she disapproved this charge by one simple act of calling for fresh election entirely on her own and apparently without being under any pressure to do so, barely after 19 months after the imposition of Emergency. That apart, Mary Carras, the only biographer of Indira, to have attempted a political-psychological analysis of her came to the conclusion that not only was she "democratic in temperament and personal style, but her self-image had been that of a democrat".

It is well known that the Janata Dal collapsed under its weight within 19 months and Indira Gandhi returned to power again. (IPA)



An artist dances during the Balaton Sound music festival in Zamard, Hungary—REUTERS

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- ACROSS**
- Bring up
  - Male deer
  - Lytic poem
  - Flies aloft
  - Acromatic division
  - Farm birds
  - Acromatic substance
  - Devoted followers
  - Easy pace
  - Primary
  - Sheepskin
  - Box
  - Thick
  - Female swan
  - Singing voice
  - Endures
- DOWN**
- Oppose
  - Slowly (mus)
  - Alex
  - Adds lustre to
  - Precious stone
  - Clergyman
  - Purify
  - Forward
  - Sports enclosures
  - Mineral spring
  - Insect

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# Alienation of Kashmir is the issue

## FOCUS

Amulya Ganguli

The series of by-election defeats suffered by the BJP in Rajasthan, Madhya Pradesh, Uttar Pradesh and Bihar along with its failure to form a government in Karnataka and the party's uncertain prospects in the three assembly elections this winter cannot but have made the saffron dispensation nervous about the next general election. Realizing that the BJP's sabka saath, sabka vikas mantra has lost its appeal it had in 2014, the party appears to have decided to fall back on its time-tested formula of communal politics based on projecting a "nationalistic", pro-Hindu image to rally its supporters.

The break-up of the BJP's ties with the People's Democratic Party (PDP) in Kashmir is its first big throw of the dice in this respect. Irrespective of whether the alliance with the PDP was hurting the BJP in Jammu because of the former's alleged indifference towards the Hindu-majority region, there was no way that the BJP could have continued to be in the PDP's company if it continued to lose ground in the rest of the country. To recover the BJP's position in the mainland, therefore, the tie-up with the

PDP had to be terminated in order to enable the BJP adopt a hardline against the terrorists as well as the home-grown militants. The BJP has no doubt that such a tough stance will be welcomed by the hard core of its supporters, who include the party's virulent army of trolls and the equally vitriolic newsmen in the pro-BJP channels.

It is open to question, however, whether the beating of the nationalist drum will enable the BJP to reverse the electoral tide which has been running against it in recent months. The answer will be available in the Rajasthan, Madhya Pradesh and Chhattisgarh elections in a few months' time. But the BJP will have to be wary about the possibility of the verdict being influenced not only by its "surgical strike" against the PDP, as Omar Abdullah has said, but also by a worsening of the already fraught situation in the Valley.

A deterioration will not only highlight the Narendra Modi government's failure to handle the sensitive situation in Kashmir, but may also lead to a setback on the diplomatic front if only because, to the world in general, the ups and downs in Kashmir are

associated with India's strained relations with Pakistan.

As the suggestion made at the recent Shanghai Cooperation Organization (SCO) conference by China and Russia about their willingness to constitute a "peace platform" to bring India and Pakistan together showed, the international community is becoming concerned about the unending tension between the two hostile neighbours on the subcontinent as a result of their differences over Kashmir. The suggestion by the Chinese ambassador in India about a trilateral conference involving India, Pakistan and China is in line with the SCO proposal, even if it hasn't been endorsed by Beijing.

If anything, these initiatives denote that India's insistence on a bilateral solution to the India-Pakistan problem is no longer taken as the last word on the subject. A worsening of the situation in Kashmir in such circumstances is bound to

encourage more such "friendly" overtures. It is incumbent on the BJP, therefore, to ensure that its preference for a "muscular" approach to the unrest in Kashmir does not lead to more clashes between the security forces on one hand and the terrorists infiltrating from Pakistan as well as the local stone-throwers on the other. As it is, a human rights panel of the UN has expressed dissatisfaction over the civil liberties in Kashmir, much to India's chagrin.

A deteriorating situation can persuade more such organizations to come forward even if New Delhi dismisses them as busybodies. Up until now, India has banked on Pakistan's dalliance with terrorism to keep the world at bay, especially with President Donald Trump adopting a harsh line on Pakistan's harbouring of anti-India and anti-Afghanistan jihadis on its soil. However, the emergence of the teenaged stone-throwers in the valley has made the scene

difficult for India. It is obvious that a "muscular" line against these school- and college-going kids will not pay dividends. What the appearance of the stone-pelters underlines is a deepening of the alienation of the local people of all ages from the government at the Centre. This psychological gulf cannot be bridged with a display of military might. The security forces may be able to bring about a semblance of surface calm by making a large number of arrests and by their pervasive presence.

But neither the world, nor the rest of the country, will see such a state of affairs as normal. Moreover, since such conditions cannot be allowed to continue indefinitely, New Delhi will have to make an effort sooner or later to reach out to the ordinary people and other stakeholders in Kashmir for the sake of peace. Since the BJP's latest step is intended to boost its image of toughness with an eye on impressing the electorate, the party will also have to guard against the possibility of the widening rift between Kashmir and the rest of the country being seen as a major policy failure and, therefore, proving to be counterproductive in the matter of winning votes. (IPA)