

QUARTERLY

AMBEDKAR VISION

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Sexual violence: In 62% cases dominant caste groups 'target' Dalit girls under 18 yrs




Ambedkar Society for South Asia

QUARTERLY AMBEDKAR VISION

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The 'Ambedkar Vision' is an effort to take forward the mission initiated by great social reformer and activist Dr. B. R. Ambedkar, to end the caste based discrimination and exploitation on the basis of social status or religion and to create caste free society. The Ambedkar Vision is trying to knock at the doors of the political powers of the region and also concerned international forums by highlighting the atrocities being committed against the oppressed and marginalized classes. We expect our readers to join us in this endeavor through their opinions and mentors as a contribution to public awareness & understanding of the issues of marginalized communities of South Asia.

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from the Editor

Hindutva ideology has led to discrimination and sectarian violence against minority groups in India especially Muslims and Christians. Human Rights Watch has attributed religious ethnic violence to alleged Hindutva groups. Under the BJP government, India is witnessing a progressive decline in human rights and constitutional protection. The government has intensified its crackdown on Independent and democratic institutions and harassing human rights activists, journalists, students, government critics and even peaceful protesters. Government is amplifying discrimination and is stirring it against minorities. Muslims are being specially targeted both by BJP policies and also by violent attack by party supporters. Despite of torture, killing and other abuses security forces and public officials are exempted from punishment and even police act partially. Security forces are safeguarded from accountability by Indian laws. Government is using modern technology to curtail rights on freedom of expression, association and assembly. These laws coupled by communal and divisive speeches by BJP leaders and officeholders has normalized violence and encouraged ultra-nationalist Hindutva groups to threaten, harass and violently attack members of minority religious communities especially Muslims and Christians. The failure of police to prosecute these crimes perpetuating further abuses. Government also failed to strengthen safety, security of women and children. A report by Dalit rights defenders (WHRO's) shows that in 62% cases dominant caste groups target Dalit girls' under-18 years. Caste based attitudes and discrimination from community, police medical officials, prosecutors' and judges all contribute towards impeding access to justice to Dalit women and girls. In 2017 elections in Nepal it was made mandatory that out of 5 persons elected in each ward, one must be a Dalit woman. The legally mandated number could not be achieved. Political parties gave the excuse that they could not find Dalit women candidate. But the barrier in this process is the discriminatory patriarchal mindset of political parties and lack of willingness. This approach became obstruction in Dalit women's progress. There is no specific law in the country.

Human Rights Watch Submission to the Universal Periodic Review of India

Introduction

During its third Universal Periodic Review in 2017, India spoke of “a rights oriented constitutional framework, a secular polity and independent judiciary, a range of national and state level commissions that monitor compliance with human rights, a free press and a vibrant and vocal civil society.”[1]

India is instead witnessing a serious regression in human rights and constitutional protections under the Bharatiya Janata Party (BJP)-led government of Prime Minister Narendra Modi. The government has escalated its crackdown on independent and democratic institutions and is using draconian sedition, counterterrorism and national security laws to prosecute and harass human rights activists, journalists, students, government critics and peaceful protesters. There are growing attacks, discrimination and incitement against religious minorities. The government has adopted laws and policies that systematically discriminate against minorities. Muslims are being especially targeted both by BJP government policies as well as in violent attacks by party supporters. Despite serious allegations of custodial torture, killings and other abuses, security forces and public officials continue to enjoy effective impunity from prosecution. Police have also failed to act impartially, filing politically motivated cases against government opponents.

Impunity for Security Forces

Despite pledges, India has not ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment nor the Convention for the Protection of All Persons against Enforced Disappearance. There were allegations of extrajudicial killings by police and security forces throughout the reporting period.[2] The government also failed to properly implement police reforms directed by the Supreme Court in 2006 and to ensure accountability.[3]

Security forces are shielded from accountability by Indian laws. All government officials and members of security forces are protected under section 197 of the Criminal Procedure Code, which provides that no court can recognize any offense (with the exception of sexual offenses) alleged to have been committed by a public servant in the discharge of an official duty without the approval of the central or state government. Such approval

to prosecute is seldom granted.

Soldiers are provided immunity when internally deployed under the Armed Forces Special Powers Act (AFSPA). The government dismissed both the 2018 and 2019 reports by the Office of the United Nations High Commissioner for Human Rights on Jammu and Kashmir, which raised serious concerns over security force abuses.[4] The government has failed to act on UPR recommendations to repeal AFSPA.

Recommendations

Repeal the Armed Forces (Special Powers) Act.

Repeal the Jammu and Kashmir Public Safety Act and the National Security Act.

Remove immunity granted under the Criminal Procedure Code in cases of violations of fundamental rights including torture and extrajudicial killings.

Implement police reform as recommended by the Supreme Court including to establish a complaint mechanism against police abuse. Ratify the Convention against Torture and its Optional Protocol and the Convention for the Protection of All Persons from Enforced Disappearance. Ratify the Rome Statute of the International Criminal Court (ICC) and implement the statute in national legislation, including by incorporating provisions to cooperate promptly and fully with the ICC and to investigate and prosecute genocide, crimes against humanity and war crimes before its national courts in accordance with international law.

Rights of Dalits, Adivasis and Religious Minorities

In the last UPR, India committed to strengthening its efforts to guarantee freedom of religion to all and combating instances of religious intolerance, violence and discrimination.[5] However, the government has instead adopted laws and policies that systematically discriminate against minority Muslims and Christians.[6] These laws, coupled with communal and divisive speeches by BJP leaders, including many officeholders, have normalized violence and encouraged ultra-nationalist Hindu groups to threaten, harass and violently attack members of minority religious communities, especially Muslims and Christians. Such bigotry has infiltrated independent institutions like the police, who fail to properly prosecute these crimes, perpetuating further abuses.

The Citizenship (Amendment) Act passed in December 2019 discriminates against Muslims, making religion the basis for citizenship. The Citizenship Amendment Act, coupled with the Indian government's push for a nationwide citizenship verification process through a National Population Register and a proposed National Register of Citizens, aimed at identifying "illegal migrants," has heightened fears that millions of Indian Muslims could be stripped of their citizenship rights and disenfranchised. In Assam, India's first state that completed the National Register of Citizens, the process has left nearly two million people at risk of arbitrary detention and statelessness. Human Rights Watch found that the process in Assam lacked standardization, leading to arbitrary and discriminatory decisions by officials and put undue hardship on poorer residents and women who do not have access to identity documentation - dating back for decades - to establish citizenship claims.[7]

At least 10 states in India forbid forced religious conversion, but in fact misuse the laws to target Christians, particularly from Dalit or Adivasi communities.[8] They are also used to harass and arrest Muslim men in relationships with Hindu women.[9]

States in India use laws against cow slaughter to prosecute Muslim cattle traders even as BJP-affiliated groups attack Muslims and Dalits on rumors that they killed or traded cows for beef. Since May 2015, at least 50 people have been killed, mostly Muslims and hundreds injured in attacks by these so-called cow protection groups that claim affiliation to the BJP. Police have often stalled prosecutions of the attackers, while several BJP politicians have publicly justified the attacks.[10]

Dalits continue to be discriminated against in education and in jobs despite government commitments to the contrary in the last UPR. According to government data, attacks against Dalits and Adivasis have continued to rise during the reporting period.[11] Dalit and Adivasi women remain especially vulnerable to violence, including sexual violence.

Recommendations

Repeal or amend the Citizenship Amendment Act, anti-conversion laws and laws banning cow slaughter, to comply with India's international human rights obligations.

Discard any plan for a nationwide citizenship verification project until there are public consultations to establish standardized procedures and due process protections ensuring the process is not discriminatory and does not impose undue hardship on poor, minority communities and women.

Fully prosecute those responsible for inciting discrimination, hostility or violence and for attacking religious minorities, including government supporters and party leaders. Ensure prompt, independent and credible investigations into violence, including gender-based violence, against Dalits and Adivasis.

Crackdown on Civil Society, Freedom of Speech, Assembly and Association

The government has shut down foreign funding for thousands of civil society groups, particularly those that work on human rights or the rights of vulnerable communities, using the Foreign Contribution Regulation Act (FCRA).[12] Several UN bodies have warned that the FCRA is being used to silence dissent. In October 2020, the UN High Commissioner for Human Rights Michelle Bachelet said that the act is "indeed actually being used to deter or punish NGOs for human rights reporting and advocacy that the authorities perceive as critical in nature." [13]

People who protest or criticize the government are frequently labeled "anti-national" and the authorities target them by bringing politically motivated criminal cases under the broadly worded counterterrorism law, the Unlawful Activities Prevention Act (UAPA), sedition law or by alleging financial fraud or irregularities.[14] Although the government has repealed the farming law amendments, initially, protesting farmers were labeled "terrorists" by BJP leaders.[15]

The authorities are wrongfully prosecuting 18 human rights defenders under the UAPA who participated in protests against the citizenship law, blaming them for the communal violence in Delhi in February 2020 which left 53 people dead and hundreds injured, most of them Muslim. Muslim victims said that the police failed to respond adequately and were at times complicit in these attacks. Courts have found that police investigations were marked by bias, delays, inaccuracy, lack of proper evidence and failure to follow proper procedures.[16]

The Indian government has arrested 16 prominent human rights defenders working on rights of India's most marginalized communities under the UAPA in relation to anti-caste violence that took place in Bhima Koregaon in Maharashtra state in January 2018.[17] They are accused of being members of a banned Maoist organization and of inciting violent protests despite proof that evidence was planted against them.[18] One of the defenders, Stan Swamy, 84, a well-known tribal rights activist, died in July 2021 in custody, prompting the UN special rapporteur on human rights defenders to say his death "will forever remain a stain on India's human rights record." [19] UN High Commissioner Bachelet has also raised concerns over the use of the UAPA against human rights activists.[20]

Government data shows a rising number of UAPA cases in Jammu and Kashmir, from fewer than 60 annually until 2015 to 255 cases in 2019.[21] Kashmiris are facing repression after the government revoked the state's special constitutional status and split it into two federally governed territories in August 2019, with many detained.[22] The government regularly shuts down the internet in the Muslim-majority region.[23] There are growing restrictions on media, a number of journalists and human rights defenders have been arrested on spurious terrorism charges and authorities regularly harass critics, including through use of counterterrorism raids.[24]

Recommendations

Immediately drop the charges and release all human rights defenders, journalists and others held on politically motivated charges.

Amend the Unlawful Activities (Prevention) Act to conform to international standards.

Repeal the colonial-era sedition law.

Stop harassment of human rights defenders and amend the FCRA so that it does not interfere with the rights to freedom of expression and association.

Release all those arbitrarily detained in Jammu and Kashmir, drop the politically motivated charges against critics and protect people's right to peaceful protests.

Privacy and Digital Rights

The Indian government is using technology to curtail rights as part of its broadening crackdown on freedom of expression, association and peaceful assembly.

India continues to impose the largest number of internet shutdowns globally.[25] India's Supreme Court has directed the authorities to ensure that internet shutdowns do not violate constitutional rights and that telecom or internet services are suspended only in exceptional circumstances such as a public emergency or for reasons of public safety. The court has also directed the authorities to always publish internet suspension orders and to ensure that the orders are lawful, necessary, proportionate and limited in scope.[26] However, internet shutdowns remain common in India and the authorities continue to disregard court directive to publish internet suspension orders. In February 2021, the government enacted the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, which target internet intermediaries, including social media services, digital news services and curated video streaming sites. While the government said it wants to curb the spread of "fake news," this policy effectively allows greater governmental control over online content including to curb legitimate

criticism, threatens to weaken encryption and seriously undermines rights to privacy and freedom of expression online.[27] Three UN human rights experts said the rules did not conform with international human rights norms.[28]

Despite the constitutional and international law rights to privacy, Indian authorities have also been implicated in using the Israeli-produced spyware Pegasus to target activists, journalists and political opponents.[29] The government has repeatedly stalled attempts to investigate these allegations. Its refusal to disclose information to the Supreme Court, arguing national security implications, finally led the court to appoint an independent committee. India's failure to establish proper judicial and parliamentary oversight of government surveillance measures also violate privacy and other civil liberties guaranteed under domestic and international law. The government's proposed Personal Data Protection Bill, 2021, falls short of international standards on safeguarding the right to privacy and other human rights. In particular, the bill provides that the central government may exempt agencies from compliance with any or all of its provisions with respect to data processing or data sharing, raising concerns over enhanced state surveillance powers.[30]

In September 2018, the Supreme Court upheld the constitutionality of the biometric identification project Aadhaar for accessing government benefits and filing income tax, but restricted it for other purposes. Rights groups raised concerns that Aadhaar registration requirements had prevented poor and marginalized people from getting essential services that are constitutionally guaranteed, including food and health care.[31]

Recommendations

End broad, indiscriminate internet shutdowns. Ensure any restriction on internet access is lawful, necessary, proportionate and limited in scope and publish every shutdown order in line with the Supreme Court directives. Repeal the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. Revise the draft bill on data protection to ensure it is in line with international standards on safeguarding the right to privacy of users and other human rights and is accompanied by surveillance reform. Create adequate safeguards, including meaningful, non-biometric alternatives, to ensure that an Aadhaar registration requirement does not prevent poor and marginalized people from getting essential services that are constitutionally guaranteed such as food and health care. Also provide sufficient safeguards relating to storing and protecting centrally stored data under Aadhaar.

Rights of Women and Girls

In the last UPR, India cited laws and policies brought since

2013 to strengthen the safety and security of women. However, survivors of sexual violence continue to face barriers to justice.[32]

The government has failed to properly implement the 2013 Sexual Harassment of Women at Workplace Law. In June 2019, India voted in favor of the International Labour Organization (ILO) Violence and Harassment Convention. However, the authorities have failed to properly implement the 2013 Sexual Harassment of Women at Workplace Law, leaving many women, especially those in the informal sector, at risk of violence and without recourse.[33]

In February 2022, India's BJP-led Karnataka state issued a directive backing discriminatory bans at several government-run educational institutions on Muslim female students from wearing the hijab or headscarf, inside classrooms.[34] In March, the state high court upheld the government order banning the hijab from classrooms.[35]

Recommendations

Develop, adopt and implement binding regulations providing standard operating procedures for all police, forensics experts and the judiciary in dealing with violence against women. Enforce the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 by creating effective oversight, carrying out inspections and investigations, sanctioning employers who fail to comply and ensuring remedies for survivors. Ratify and implement ILO Convention on Domestic Workers, 2011, No. 189 and the ILO Convention on Violence and Harassment, 2019, No. 190 paying special attention to sectors with heightened risk of violence and harassment. Repeal directives that ban the hijab and ensure that schools and universities are inclusive spaces and safeguard girls' and women's right to freedom of religion and expression.

Rights of Children

India made significant progress after the Right to Education Act came into effect in 2010, guaranteeing free and compulsory education to children ages 6 to 14. However, government failure to ensure equitable access to remote education and resources amid school closures during the Covid-19 pandemic reversed some of those gains and exposed entrenched discrimination against marginalized populations.[36] Decline in earnings and loss of jobs due to the pandemic resulted in an increase in child labor, early marriage and trafficking.[37] A UNICEF report said about 10 million students are at risk of never returning to school.[38]

In May 2021, the United Nations Secretary-General called on India to endorse the Safe Schools Declaration.[39]

Recommendations

Launch mass outreach campaigns to persuade communities and families of children who have been out of school either due to the pandemic or other reasons to return to school. Enable schools to assess students' level of learning and to provide necessary support through free extra tutoring, counseling and addressing other needs. Endorse and implement the Safe Schools Declaration.

Rights of Lesbian, Gay, Bisexual and Transgender Persons

In a landmark September 2018 ruling with global significance, India's Supreme Court decriminalized consensual adult same-sex relations.[40] This was one of the main recommendations on LGBT rights during the last UPR.

The Transgender Persons (Protection of Rights) Act, which was passed in December 2019, fails to provide full protection and recognition including the right to self-identify, which India's Supreme Court recognized in a historic judgment in 2014. Its provisions are also contrary to international standards for legal gender recognition.[41]

Recommendations

Amend the Transgender Persons (Protection of Rights) Act to conform to international standards. Ensure LGBT persons enjoy all fundamental rights, without discrimination.

Rights of Persons with Disabilities

India accepted recommendations during the third cycle to "take holistic measures to protect the rights of persons with disabilities," but many remain locked up in overcrowded and unsanitary institutions.[42] Women and girls with disabilities are at a heightened risk of sexual violence and face obstacles in accessing justice.[43]

The 2017 mental health care bill prohibited people with psychosocial disabilities from being chained. However, in January 2019 the media reported that thousands of people with psychosocial disabilities remained shackled in the state of Uttar Pradesh.[44]

Recommendations

Create and implement a national de-institutionalization policy with a time-bound action plan, based on the values of equality, independence and inclusion for persons with disabilities and shift progressively to voluntary community-based mental health and independent living services. Fully implement laws and policies to protect rights in cases of sexual violence against women and girls with disabilities. Implement the existing ban on shackling.

Source: Human Rights Watch

Journalists From India's Lowered Castes Are Making Their Stories Known

Voices represented in Indian media are overwhelmingly upper-caste and male. Now Dalit-led media, taking inspiration from Dr. Ambedkar's legacy and Black liberation movements, is bringing their experiences to light with grace and humor - both at home and in the diaspora.

India's prime-time television news is known for its lively - many would say divisive - debates. One recent debate on NDTV, widely regarded as liberal media, revolved around growing public demands for a caste census to understand how educational and job opportunities are spread among India's many caste groups. Among those who advocated for a caste-based tabulation of the population in the census was Harvard University scholar Dr. Suraj Yengde. Overlooking his academic credentials, NDTV described him as a "Dalit scholar and columnist," leading him to tweet: "They didn't use the prefix for me but continued using 'Dr.' for others."

The privileged structures of India's newsrooms with nationwide reach, known as national or Delhi media in common parlance, might help to explain this slip-up. Upper castes are at the top of the hierarchy of India's millennia-old class structure that determines people's social status at birth, and Dalits are at the bottom. The largest proportion of the population is made up of intermediate castes known as "other backward castes." India also has a sizeable population of Adivasis (indigenous tribes). Bahujan, which translates to "the many," is a popular term for India's demographic majority that's not upper caste.

Hinduism's caste system has proliferated to religions across South Asia - and its sway over Indian media is startling. Upper castes have a monopoly over the news and knowledge circuits of India and that bias reflects in the way news is presented. A 2019 study found that upper castes, who comprise less than a third of India's population, occupied 90% of leadership positions across national TV channels, represented 75% of anchors and two-thirds of commentators.

"Only people of a particular community are talking about everyone," says Meena Kotwal, journalist and founding editor of The Mooknayak, a YouTube channel and online publication. Data also backs what's visible across screens every night; panels discussing law, economy, policy, defense and the COVID-19 pandemic are overwhelmingly male. When religious minorities appear as panelists, their role is limited to talking about their religion.

Building Media Platforms of Their Own

Against all odds and away from the cacophony of the national media, diverse and marginalized socio-economic groups are



Deepali Srivastava

seizing digital spaces to tell their stories. Their audience and influence are growing by the day among Bahujan masses. Many of the media outlets leading this movement are founded by Dalits and are leading a rich anti-caste discourse, catapulting unknown stories into the limelight, and simply providing a platform for Dalit-Bahujan creative and intellectual exchange.

"When Dalits and Bahujan are talking among themselves, the experience can be informative, cathartic and very authentic in nature," says multimedia artist Anurag, who believes the Dalit-Bahujan critique of Indian society is underexplored. His Anurag Minus Verma Podcast became one of the world's most-listened podcasts before reaching its 50th episode. From a firsthand account of India's prison system to microaggressions faced by Bahujan students in India's institutions of higher education, Anurag and his guests highlight stories that are largely excluded from commercial media.

The movement is based in Dalits' rich intellectual tradition. Kotwal's The Mooknayak is named after one of the many publications launched by India's civil rights icon Babasaheb Dr. Bhimrao Ambedkar just over a century ago. But media jobs and prestigious assignments are still hard to come by for marginalized communities. "Every year, Dalit and Adivasi journalists graduate from journalism institutes but fail to get jobs," Kotwal says. "One of the reasons for establishing The Mooknayak was just that."

Sudipto Mondal agrees. Mondal is executive editor of independent digital news portal The News Minute, which reports on South India. "It will take a huge overhaul to get Dalit and Adivasi numbers in proportion to our populations in the media," Mondal says. "The achievable thing at this point is to have senior editorial persons from our communities in leadership positions. It's about increasing our critical presence."

India banned caste discrimination in 1950 and officially designated Dalits and Adivasis as groups that suffered the greatest disadvantages in the traditional social order. India

also runs the world's largest affirmative action program, known as reservations, which establishes quotas for Dalits, Adivasis and other lowered castes to hold positions in Parliament, state legislatures, government jobs and government-run educational institutions. But there are no reservations in the private sector, including media. In an environment of corporate consolidation and growing inequality along caste and class lines, no one expects the private sector to champion diversity. So unsurprisingly, the advertisement-driven national media caters to the urban affluent and habitually neglects issues that affect the lives of majority of Indians.

While digital channels have opened up new spaces for Dalit-Bahujan perspectives, hate and harassment have also exploded. UN rights experts recently wrote to the Indian government, expressing concerns over death threats against Kotwal. "Digital space is the exact replica of how things work in the physical world," Anurag says. "The same problem, whether it's casteism, sexism or Islamophobia, has migrated online."

Mockery of accents and clothes, jokes about affirmative action and casteist slurs are all too common, especially in elite-dominated spaces such as Instagram. In this milieu, satire is a powerful tool. Before launching his podcast, Anurag had garnered a large following on Instagram by posting short videos that subverted trending clips and memes with his distinct social commentary. "Pop culture spaces are an immense medium to influence the mind without people realizing it," he says. "People laugh at something, but it stays in their minds."

An Indian-American Progressive Movement Grows

India's influential Dalit voices are well connected to a growing South Asian civil rights movement in the U.S. that has started challenging the diaspora's historic silence on caste. There are allegations, including a 2020 lawsuit against Cisco, that caste discrimination has migrated to Silicon Valley, which has a sizeable Indian American workforce and several upper-caste Hindu CEOs. Anurag was recently on a speaking tour that took him to the University of Michigan and Harvard University, while Kotwal joined virtually from India to talk about her journey in an event organized by two U.S.-based groups: the Dalit Solidarity Forum and India Civil Watch International.

This anti-caste movement in the U.S. draws its inspiration from the Black Civil Rights movement. In turn, Black journalists and scholars such as Isabel Wilkerson and Dr. Cornel West are among those who regard Dr. Ambedkar as a great public intellectual of international significance.

On May 19, numerous progressive South Asian groups came together to co-sponsor a conversation between Dr. West and JV Pawar, a co-founder of the Indian Dalit Panthers modeled after the Black Panthers. "As much as we have Dalit Black solidarity, we embrace all of those who are rendered invisible," Dr. West told the audience. "Just like Martin

Luther King, Malcom X, Angela Davis and Toni Morrison, Ambedkar taught us that in a very human way."

Ten days later, former Black Panthers were in a small, little-known Indian city called Nanded sharing the stage with Pawar to mark the 50th anniversary of Dalit Panthers. Mondal was there to report on this historic gathering where speakers reminded the audience of efforts by Dr. Ambedkar to build solidarity with the foremost Black intellectual of his time, W.E.B. Du Bois.

Not surprisingly, the Indian national media missed this story.

These days, the greeting "Jai Bhim" (Victory to Bhim) flows as naturally in progressive South Asian circles in the U.S. as it does throughout the informal settlements of India where Dr. Ambedkar's life and legacy are celebrated with spontaneous fervor every year on his April 14 birthday. In a sign of growing international solidarity, April 14 is now recognized as "equality day" in Colorado; Jersey City, New Jersey; and British Columbia, Canada.

Women in Media Show the Way

India's national media is based in and around the capital Delhi, the center of the universe for well-heeled, well-connected, big-name journalists. Outside of big cities, it's a different story. India's first-ever Oscar-nominated documentary this year, "Writing with Fire," is a view into the lives and experiences of journalists at Khabar Lahariya, a Dalit women-led rural news outlet. Yashica Dutt, Columbia Journalism School alum and author of the groundbreaking book, "Coming Out as a Dalit," recently wrote this about the film's subjects: "(They) spent years taking workshops to learn not only how to build relationships with the police, political party representatives and sources but also how to hold space as marginalized women in male-occupied territories."

With remarkable grit and intelligence, women and women-led organizations are at the forefront of creating alternative knowledge systems. "The hierarchy of men over women exists across caste and religion, so how can Bahujan media be any different?" asks Kotwal, explaining why she took the risk of establishing her own outlet. Mondal believes that The News Minute's female leadership is intentionally building a diverse newsroom, encouraging a healthy contest of ideas. "There is a lot of overlap anecdotally between women, queer, Dalit and Adivasi experiences," he says. "And that intersectionality eases out some of the conversations we are having in this newsroom."

Rich conversations about identity, culture and politics are happening in India and across the global diaspora. But so far, big media in Delhi is still not listening.

Deepali Srivastava is a writer and editor whose articles on economic and environmental issues have appeared in Forbes Asia, MSNBC.com, and strategy-business.com. As founder and president of Script the Future, she also provides editorial services to organizations.

22

people get five-year jail term each for vandalising Hindu temple in Pakistan

A Pakistani anti-terrorism court (ATC) sentenced 22 people to five years in jail each for attacking a Hindu temple in Punjab province last year.

In July 2021, hundreds of people attacked the Ganesh Mandir temple at Bhong city, district Rahim Yar Khan, some 590 kms from Lahore, in reaction to alleged desecration of a Muslim seminary by an eight-year-old Hindu boy.

The angry mob, carrying weapons, sticks and bamboos, assaulted policemen deployed at the temple and vandalised and burned down a part of the temple. The attackers had also damaged the idols, walls, doors and electric fittings while desecrating the temple. The trial of 84 arrested suspects began last September which concluded in the first week of May.

“ATC Judge (Bahawalpur) Nasir Hussain announced the verdict. The judge handed down imprisonment of a five-year each to 22 suspects while acquitting the remaining 62 people, giving them a benefit of doubt,” a court official told PTI. All the suspects were brought to

the court amid tight security from the New Central Jail, Bahawalpur before the judge announced the verdict.

The official said the court handed out the punishment to 22 accused persons after the prosecution presented the relevant evidence in the form of footages and witnesses testified against them.

On the order of the apex court, the government had earlier recovered more than PKR 1 million (\$5,300) compensation from the suspects. The temple was later restored on the order of the Supreme Court.

Then Chief Justice of Pakistan Gulzar Ahmed regretted that vandalism at the Ganesh Mandir had brought shame to the country as police acted like silent spectators. "Imagine what mental agony the desecration incident had brought to the members of the Hindu community," the Chief Justice had observed. Pakistan's Parliament had also condemned the temple attack by adopting a resolution.

Source: The Hindu



UN writes to India over inaction on death threats to Dalit journalist

A group of United Nations rights experts has written to the Indian government expressing concerns regarding the death threats received by Dalit journalist, Meena Kotwal and the failure of the police to take cognizance of the same.

The UN Special Rapporteur on Human Rights Defenders and other UN experts said that they wrote to the Government of India on 3 February this year regarding this and the communication remained confidential for 60 days before being made public, during which time the Indian government was expected to respond. However, the government did not respond during this period, they alleged.

The undersigned include the UN Special Rapporteur on the situation of human rights defenders, Mary Lawlor; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye; Special Rapporteur on minority issues, Fernand de Varennes; and the Working Group on the discrimination against women and girls, the members of which include Melissa Upreti (chair), Dorothy Estrada-Tanck (vice-chair), Elizabeth Broderick, Ivana Radacic and Meskerem Geset Techane.

In the communication to India, the UN rights experts expressed their serious concerns regarding what appears to be a deliberate and sustained campaign of threats and abuse towards Meena Kotwal. "We are deeply concerned by the numerous threats against her life and physical integrity and at the coordinated attempts by unknown individuals to further intimidate and threaten her. The intimidation of and threats against Ms Kotwal is particularly concerning, as it appears to be in direct retaliation for her exercising of her right to freedom of opinion and expression online, which in this instance involves a protest against the oppression of women, among whom Dalit women are disproportionately subjected to multiple forms of discrimination and violence and extremely marginalized, constituting a violation of international human rights law and standards," they said. Meena Kotwal is a Dalit woman human rights defender, journalist and the founder of 'The Mooknayak', an online news channel and website that covers issues related to the persecution of the Dalit minority and marginalised people. It also advocates for social justice and democracy for the marginalised.

Source: Pakistan Today

 **THE
MOOKNAYAK**



Sexual violence: In 62% cases dominant caste groups 'target' Dalit girls under 18 yrs

Rajiv Shah

A new report, based on research carried out by Dalit women human rights defenders (WHRDs) in 13 Indian States, where they have been handling cases of caste-based sexual violence, has said that in most of the cases, the perpetrators of sexual violence against Dalit women and girls belong to dominant castes.

Titled "Caste-Based Sexual Violence and State Impunity", the report says, "Of the 50 cases studied, details of the caste of 36 perpetrators are available: eight perpetrators each were from Yadav and OBC communities; four from the Rajput community; three each from the Jat and Muslim communities; two from the Sikh community; and one each from the Prajapati, Maratha, Brahmin, Vaniba Chettiya, Vanniyar, Gupta, Thakur and Gujjar castes." "An alarming finding is that

in over half the cases (62%) men and boys of dominant caste groups have targeted Dalit girls under the age of 18 years", the report, which covers the States of Bihar, Chhattisgarh, Gujarat, Haryana, Kerala, Maharashtra, Madhya Pradesh, Odisha, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh and Uttarakhand, says.

The 50 cases examined in the report are based on incidents of sexual violence that took place over a span of seven years, between 2015 and 2021. Of these, 32 are from the last three years - between 2019 and 2021 - to assess the impact of the pandemic on access to justice by Dalit women survivors of sexual violence.

Citing the Hathras rape and murder case of Uttar Pradesh of 2020 and the Delhi Cantonment rape case of





the nine-year-old Dalit girl of 2021, the report says, "Sexual violence is being used by those in dominant positions as a weapon to assert power and reinforce existing hierarchies." Contesting the 2020 National Crime Records Bureau (NCRB), which says that around 10 Dalit women and girls are raped every day in the country, the report says, "This is merely tip of the iceberg. Official data represents only cases where the victims were able to file a First Information Report (FIR)."

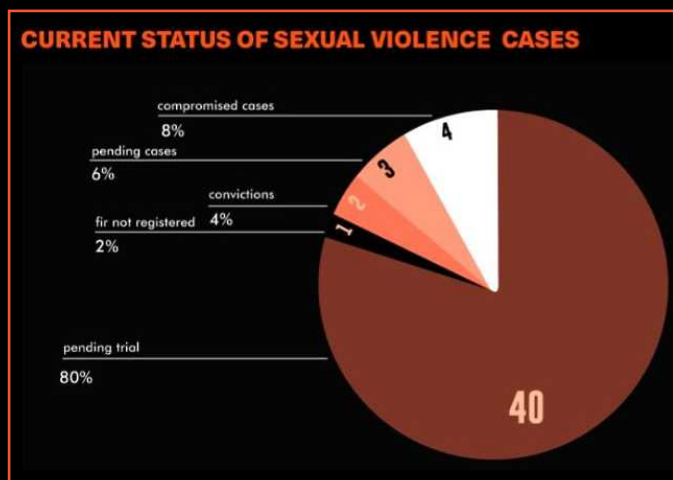
It adds, "Data from the National Family Health Survey-4 shows that rates of sexual violence are highest amongst Scheduled Tribes (7.8%) and Scheduled Castes (7.3%) women, followed by Other Backward Castes (5.7%) and Others, i.e. groups not marginalised based on caste or tribe (4.5%)."

Citing a study titled Dalit Women Speak Out, conducted in 2006 by the National Campaign for Dalit Human Rights (NCDHR), covering 500 Dalit women's experiences of violence in four Indian states, the report says, the study found that there were convictions in only three cases, i.e. less than 1% of the total instances of violence.

Fifteen years after the study, the report says, legal and policy environment has gone through dramatic changes as a result of widespread public protests, changes in penal laws on rape, expansion of the definition of rape, setting up of the Nirbhaya Fund, NCRB starting publication of disaggregated data on violence against Dalit women and girls and amendment of the Scheduled Caste & Scheduled Tribe Prevention of Atrocities (PoA) Act. Despite this progress, the report regrets, issues which impede access to justice are still being reported by survivors. The 50 cases analysed in the report, in fact, suggest that "caste-based nature of atrocities continues to be invisibilised by the public, government authorities and courts now, as it was before."

It underlines, "The systemic casteism and patriarchy inherent in the criminal justice system is also not adequately acknowledged and addressed. Caste-based attitudes and discrimination from the community, police, medical officials, prosecutors and judges all contribute towards impeding access to justice for Dalit women and girls."

Thus, "nationally, on an average, only 10% of the police force is made up of women... With respect to caste diversity, all states and union territories have a reserved quota in the police force for Scheduled Caste (SC)




candidates. However, only eight states and UTs meet or exceed their SC constable quota."

Further, of the 13 States covered in the report, "Madhya Pradesh and Uttar Pradesh are doing the worst, having filled only 56% and 59% of reserved posts respectively. With respect to the judiciary, only 13% of judges in the High Courts across the country are women, while only 30% of judges in subordinate courts are women. Since Independence, there have been only six Dalit Judges appointed to the Supreme Court, with only one Dalit having held the office of Chief Justice thus far." Acute lack of caste diversity in the criminal justice system, the report notes, has led to a situation where in one case out of the 50 cases studied, no FIR was filed due to constant pressure and threats from the accused, with the the police suspected to be colluding with the accused.

In another seven cases, according to the report, despite an FIR being registered, it did not include the offence of rape or attempt to rape, despite the survivor's insistence. And in cases where the victim is dead, the family's belief that a rape had taken place based on injuries to the genital areas of the victim indicating rape was disregarded.

The police failed to include provisions of the PoA Act in the FIR in 7 out of 46 for which the Act was applicable, the report says. In cases when FIR was registered under the PoA Act, this was done only based on the insistence of the victim-survivor or her family; or due to pressure by Dalit WHRDs. In some cases, the police appeared to be unaware of PoA Act provisions, particularly of the 2015 amendments which strengthened the Act.

Then, the report says, there were delays in filing FIR in as many as 22 out of 50 cases. "Such delays ranged from half a day to three months. The most common length of delay found was between two and five days."



Pointing out that NCRB data also prove this, the report says, "At the end of 2020, the pendency percentage in cases of rape against Dalit women and girls was 25.5%. This means that more than one-fourth of reported cases were pending police investigation at the end of 2020, despite the two-month limit to complete the investigation and file the charge sheet."

NCRB data also show on an average around 8.51% of cases in 2020 of atrocities against Dalits were ended by the police as 'false'. "However, in Haryana and Rajasthan, 37.2% and 36.9% of cases of atrocities against Dalits, were designated false by the police. These figures show that in Haryana and Rajasthan, a large number of cases are dropping out", the report says.

Pointing towards long delays in the trial process, the report says, "In all 40 cases which have not been closed yet, the trial has been pending for more than two months - the stipulated time according to law for the completion of rape trials. The trials in three cases have been pending for over six years and for over three years in seven others."

Nationally, too, a large number of cases remain pending trial. NCRB data shows 1,59,660 cases of rape pending trial at the end of 2020, the report says. The pendency for cases of rape against Dalit women and girls (cases pending before courts at the end of the year) was 96.3%.

Stating that the Covid-19 pandemic, lockdowns and other associated measures have caused further delays in trials, report says, pendency percentage rose from 91.4% in 2019 to 96.3% in 2020. Almost all cases studied in which the trial started in 2019 or later remain pending before courts. In 37 out of the 50 cases studied, the report says, the survivors or families of victims received threats from the accused, their family or other members of the community and were pressured either not to complain or to withdraw or compromise the case. In two other cases, survivors noted that they received indirect pressure to compromise.

Of these 39 cases, in five the survivor or family of the victim agreed to change their statement before the police or court and stop co-operating in the criminal case, it adds.

Referring to the Nirbhaya Fund set up by the Government of India for the implementation of initiatives aimed at enhancing the safety and security of women in the country, the report says, "Only 46.21% of the total money allocated to the Nirbhaya Fund until July 2021 has been spent." It adds, As per data released

by Union Minister for Women and Child Development, in a written reply in the Lok Sabha in August 2021, around Rs 445.63 crore has been released to States from 2018 to 2021 for setting up centres across the country. However, only Rs 89.79 crore have been utilised by states so far - around 20% of the released funds."

The report regrets, "Bihar has only used 0.48% of these funds, while a few States have failed to utilise any of it. For instance, though West Bengal has been allocated Rs 2.94 crore, the State has not used any of this money." The victims-survivors of sexual violence or their families are entitled to the right to compensation, both for the offence of rape as well as for offences registered under the Scheduled Caste and Scheduled Tribe Prevention of Atrocities (PoA) Act.

The a minimum compensation is to the tune of Rs 5,00,000 to victims-survivors of rape and Rs 8,25,000 to victims-survivors of gang rape. Of this 50% is payable after medical examination and confirmatory medical report, 25% after filing of a charge sheet and 25% upon conclusion of the trial by a lower court. However, the report says, a number of survivors and WHRDs have noted that "most of the money is often used to pay private lawyers to support the prosecution and to cover costs of travel for the victim or her family to attend court proceedings. In some instances, the money has been used to pay for the medical treatment of the survivor."

Thus, "Despite its importance and legal entitlement, compensation was not received in 31% of cases for which the information is available (14 out of 44). In a few others, compensation was not paid due to the lack of registration of an FIR or only a part of it was received due to failure of the police to file a charge sheet." "Even in the cases where compensation was received, it required repeated follow-up with government authorities from Dalit WHRDs and CSOs supporting the survivor. Where there is no support from WHRDs, survivors are often unaware of the entitlement to compensation or relief and the steps to do so", the report regrets.

"Further", says the report, "Despite the PoA Rules mandating the provision of the relief amount within seven days, the payment was delayed significantly in most cases. The period of delay ranged between two months and a year. Delays were more commonly reported in the payment of interim compensation (due after filing the charge sheet). In one case, it was received three years after the charge sheet was filed."

Source: Counter View

Despite law, Nepal fails to achieve Dalit women representation in wards



Tika R Pradhan

When Prabha Pariyar was approached with a proposition to run for ward member, she had little idea about it. “I spoke with some senior members in the community. Then some CPN-UML leaders also reached out to me,” said Prabha, 43. “Then I thought the position could be a platform for me to raise the issues of our community.” She was fielded as a member of Ward 27 of Kathmandu Metropolitan City. Since no candidacy was filed against her, she won the position unopposed long before the elections.

“I have now also taken the party membership,” said Prabha, who used to work for a non-governmental organisation. Nepal is holding local elections on May 13. The Local Level Election Act-2017 has made it mandatory that of the five persons elected in each ward, one must be a Dalit woman. That means, 6,743 Dalit women representatives must be elected in 753 local units across the country. Prabha is one of those. Despite the law, however, only 6,620 Dalit women will be elected as ward members from the upcoming elections, as there are no candidates for 123 wards. The legally-mandated number could not be achieved in the last local elections held in 2017 either. As many as 176 seats reserved for Dalit women as ward members remained vacant.

willingness—which have become barriers to electing Dalit ward members in the legally mandated number.

According to Pradip Pariyar, a Dalit rights activist, patriarchal mindset prevalent among political party leaders and their discriminatory approach continue to pose an obstruction in Dalit women's progress. “Instead of implementing the constitutional provision of inclusion they [political leaders] have the mindset to seek loopholes so that they could cut down the seats of the underprivileged communities,” said Pradip. “They seem to be least bothered to implement the constitution that they drafted.”

The Pariyar-led Samata Foundation had organised province-wise campaigns before nominations were filed for the local polls. According to Pradip, political parties had committed to fielding as many Dalit candidates as possible in leadership positions of local bodies. “It is surprising that not just one political party but all political forces are reluctant to field Dalit candidates,” said Pradip.

Political parties have resorted to the excuse that they could not find Dalit women candidates. Dalit rights activists, however, say there are multiple factors—from discriminatory mindset among leaders to political parties' lack of



As per the census of 2011, Dalits account for 13.8 percent of the total population of Nepal. Article 42 (1) of the constitution states that the socially backward women, Dalit, indigenous people, indigenous nationalities, Madhesi, Tharu, minorities, persons with disabilities, marginalized communities, Muslims, backward classes, gender and sexual minorities, youths, farmers, labourers, oppressed or citizens from backward regions and indigent Khas Arya shall have the right to participate in the State bodies on the basis of inclusion principle. When Nepal held its first local elections in 20 years in 2017, around 41 percent of the elected representatives were women. As many as 6,567 Dalit women members were elected for 6,743 vacant positions. This was hailed as a big move forward towards women's participation.

Although 176 ward seats reserved for Dalit women remained vacant, there were expectations that political parties would work towards electing all 6,743 Dalit women members. Durga Sob, a Dalit rights activist who has worked for decades for the uplift of the Dalit women through various social organisations, joined politics a few years ago, hoping that political platform could help her raise the voice more strongly. "But I have realised political parties are not committed to the spirit of the legal and constitutional provisions," said Sob, a former chair of the Feminist Dalit Organisation and now a central member of the Janata Samajbadi Party. "If Dalit women were elected in the past and will be elected again, it's because of the mandatory legal provisions, not because the political parties actually want it."

Most of Nepal's political parties are led by men from the so-called upper caste. Article 24 of the constitution has exclusively mentioned the right against untouchability and discrimination. Its Clause 1 states that no person shall be subjected to any form of untouchability or discrimination in any private and public places on grounds of his or her origin, caste, tribe, community, profession, occupation or physical condition. Clause 5 says any act of untouchability and discrimination in any form committed in contravention of this Article shall be punishable by law as a severe social offence and the victim of such act shall have the right to obtain compensation in accordance with law.

There is also a specific law in the country-Caste-based Discrimination and Untouchability (Offense and Punishment) Act 2011-that safeguards Dalit rights.

Despite the constitutional provisions and law, however, few politicians appear committed to ensuring their implementation. As a representative case, take a remark

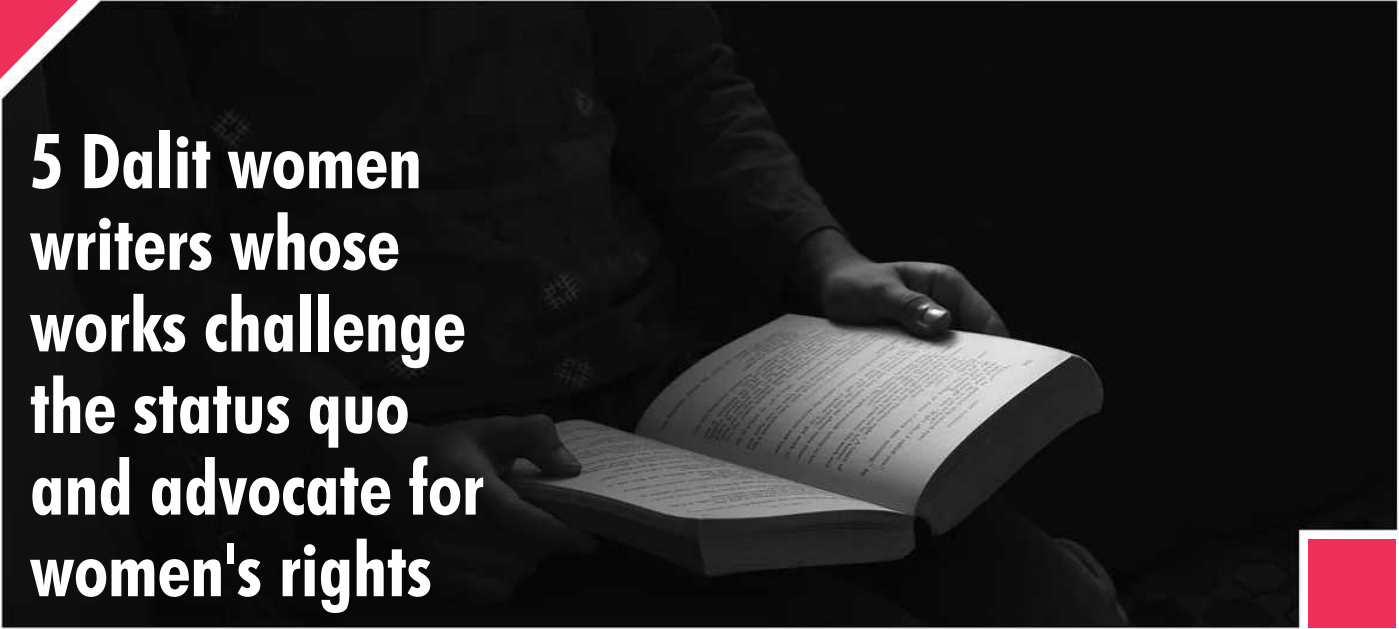
by a senior Nepali Congress leader in 2017, issued ahead of the local elections then. Addressing a meeting of the then Legislature-Parliament in April 2017, Arzu Rana Deuba had demanded that the mandatory provision of fielding Dalit women in each ward of the 753 local units should be scrapped because it won't be possible to find Dalit woman leaders at every ward. She had also demanded the Speaker's ruling to amend the Local Level Election Act-2017 that makes it mandatory for the parties to field a Dalit woman as member in each ward. Arzu, a central member of the Congress, is also the wife of Prime Minister Sher Bahadur Deuba.

According to Bhim Bishwokarma, a researcher and executive director of Jagaran Media Centre, which advocates for the elimination of caste-based discrimination and creating a more equitable, inclusive and secular society through media mobilisation, Nepali society continues to view Dalits as second class citizens. "Dalit women are not being fielded in some wards because there is some sort of fear among the so-called upper caste people that they have to show respect to Dalits if they are elected," said Bhim. "Caste-based discrimination continues despite the law against it. While it's difficult for Dalit women to get space, they continue to face discrimination once they are elected." Some of the reasons behind the lack of nomination of Dalit women ward members, according to Dalit rights activists, are that they are not affiliated to political parties, their names are not on voters' list and the difficulty they face to get citizenship certificates. Dalit leaders in political parties admit that they failed to pay adequate attention to the issue of inclusion and Dalit women's nominations in the numbers mandated by the law. "There were five years for the parties to learn to avoid a similar mistake after 176 Dalit women members in wards were not elected in 2017. But this time too, there won't be 123 Dalit women members," said Chhabilal Bishwakarma, a secretary of the UML.

Rights activists say affirmative measures are a must to ensure participation of and space for the marginalised in state organs.

"Despite the law, parties are not fielding candidates. Now it has become imperative to amend the constitution to mention the provision," said Pariyar of the Samata Foundation. "I don't think political leaders are taking the inclusion issue seriously. Hundreds of wards will continue to remain without Dalit women ward members unless it is made mandatory by the constitution."

Source: Kathmandu Post



5 Dalit women writers whose works challenge the status quo and advocate for women's rights

We recently observed Dalit History Month. Social Story spotlights Dalit women writers who overcame odds to make a mark as activists and claim their space in Indian literature. Inspired by Black History Month, Dalit History Month observed every April since 2015 has started to put the spotlight on the lives and contributions of a historically marginalised community. Dalit History Month is marked via various events that showcase the art, literature and traditions of Dalits. Especially Dalit literature, written in various languages, including Marathi, Hindi, Kannada, Sindhi and Tamil and includes poetry, short stories and autobiographies.

The earliest Dalit literature dates back to the 11th century in the Western Chalukya dynasty, found in the works of Madara Chennaiah - a cobbler-saint who is considered the "Father of Vachana poetry". Here are five women Dalit writers who have made significant contributions to Dalit literature, which has continued to grow in contemporary times.

Babytai Kamble

Born in the Mahar community in 1929, Baby Kamble - fondly called Babytai - is a prominent Dalit leader and a great follower of Dr BR Ambedkar. Known for her reflexive feminist style, her autobiography Jina Amucha was translated from Marathi to English as *The Prisons We Broke* and is considered a vital insight into the caste system in the 20th century.

Bama Faustina Soosairaj

Born in 1958, Faustina Mary Fatima Rani and her family belonged to a Paraiyar community of Roman Catholics. She started her career as a school teacher educating girls from economically backward families. She also served as a nun for seven years. A vocal advocate for women's rights and independence, Faustina writes under her pen name Bama. Her autobiography *Karukku* is considered a classic example of subaltern writing that depicts oppression, even within the church. Her other works include *Sangati* and a collection of short stories called *Kusumbukkaran*, which depicts the lives

of Dalit women.

Urmila Pawar

Born in 1945 in Ratnagiri, Maharashtra, Urmila Pawar's father was a schoolteacher in an institute for 'untouchable' children. After obtaining a Master of Arts in Marathi literature, she worked for the Public Works Department in Maharashtra till her retirement. Her books in Marathi are considered to be some of the leading treatises on the intersectionality of caste and gender. For example, *We Also Made History*, (co-authored with Meenakshi Moon, a close associate of Dr Ambedkar) is told from the Dalit feminine lens and steers away from the traditional patriarchal narrative. She had also penned an autobiography - *The Weave of My Life: A Dalit Woman's Memoirs* - which was translated to English from the Marathi original, Aidan.

Meena Kandasamy

Born in 1984, Kandasamy is a leading poet, author, translator and activist based in Chennai. Her writing appeals to more contemporary audiences and she is one of the leading English translators of Dalit literature. Her parents are professors and Kandasamy holds a DPhil in Sociolinguistics. She writes on caste annihilation, feminism and linguistic identity and one of her best-known novels is *When I Hit You* and *Exquisite Cadavers*.

Kumud Pawde

Born in 1938 in Maharashtra, Kumud Pawde is one of the founding members of the National Federation of Dalit Women (founded by Ruth Manorama) - an NGO that advocates for Dalit women's rights. She broke barriers by studying Sanskrit at a time when it was not permitted for Dalits to learn the subject. Kumud Pawade also served as the Head of the Department of Sanskrit at the Government College in Amravati. Her autobiography *Antahsphot* is a deep dive into the exploitation of Dalit Women.

Source: YourStory.com



Hate speech and death threats: Canadian academics harassed after criticizing Hindu nationalism in India

Katie Swyers
Judy Trinh

Chinnaiah Jangam opened his computer and saw a cartoon of himself cleaning a white person's boots.

The history professor at Carleton University in Ottawa said he received thousands of hateful emails like that over the past five years, along with abusive voicemails on his office phone. He said he has also been accosted in person by groups picketing his academic lectures because they disagree with his politics.

"Imagine every Monday, you get up and see that picture," said Jangam. "Half your day will go, coming to terms with it."

He closed most of his social media accounts in response, in part, he said, to try to shield his family.

Jangam is one of several Canadian academics whose work relates to India who say they are being harassed and threatened by diaspora groups for being critical of both the country's politics under Prime Minister Narendra Modi's ruling Bharatiya Janata Party (BJP) and Hindutva, the right-wing political ideology it espouses.

"There is a growing violence against Muslims and Dalits," said Jangam, who is Dalit - the lowest strata of the Hindu caste system. It's a group previously called "untouchables" because their low status meant they weren't even touched by others.

"I come from that background. I have a social responsibility and also moral responsibility to speak out." Steven Zhou, a former researcher with the Canadian Anti-Hate Network who has chronicled far right movements

within diaspora groups, said Hindutva is a superficial politicization of Hinduism.

Its aim, said Zhou, is "to cast the Indian society as one that should be for Hindus first and foremost above other religious minorities." Zhou said Hindutva is a modern political ideology that advocates for Hindu supremacy and seeks to transform India, a secular democracy, into an ethno-religious country.

Although the supremacist ideology of Hindutva has its roots in Hinduism, there is debate as to whether the political aspects of the ideology can be separated from its religious and cultural foundation. Many academics argue it is separate. Gopala Krishna, director of Dwarapalakas, a self-described Hindu advocacy group in the Greater Toronto Area, said Canadians don't understand Hinduism and are presently getting their perspectives from "non-Hindu religions talking to and talking down to Hinduism."

Sectarian violence

Zhou said the Hindutva ideology has led to discrimination and sectarian violence against minority groups in India such as Muslims and Christians. Human Rights Watch has also attributed religious and ethnic violence to alleged Hindutva groups.

In December 2021, in the northern Indian city of Haridwar, Hindu religious leaders openly called for a genocide against Muslims at a Hindutva-organized event. And in March, an Indian court upheld a ban against hijabs in schools - the matter is before the Supreme Court of India.

Zhou said while Hindutva has not led to physical violence in Canada, the ideology has become "rhetorically violent" and is used to silence academic criticism of Indian politics. BC News spoke to 18 Canadian academics who say they have been harassed or threatened by those supporting Hindu nationalism. Their harassment ranged from abusive emails to death and rape threats.

Most did not want to speak publicly for fear of increased harassment, being denied visas to India and endangering loved ones in their homeland. At the end of January, York University in Toronto held an online forum discussing the growing challenges and threats academics face while working on projects pertaining to India. Professors noted that co-ordinated online attacks often follow any criticism of Modi and the BJP. Jangam was one of the speakers.

He said he's been targeted by right-wing Hindu groups abroad and in Canada because he is one of the first tenured academics in Canada who is Dalit.

Since Modi and the BJP came to power in 2014, Jangam said violence and discrimination have increased against Dalits. "Dalits constitute nearly 20 per cent of the Indian population. That means that more than 250 million ... people have been mistreated for centuries and denied access to education," said Jangam.

The professor has been outspoken in his criticism of the Modi government and its treatment of minorities and has been targeted by numerous online attacks against his character. Despite the harassment, Jangam refuses to back down.

"We have to speak truth to power," he said.

The eight years the BJP have been in power in India have emboldened groups supporting Hindutva, said Ingrid Therwath, a Franco-Indian journalist who has been researching Hindu extremism for more than 20 years. Therwath said large online networks established in India harass academics abroad.

How Hindu nationalism spreads abroad

Hindutva is well-established in India and is the bedrock of the Rashtriya Swayamsevak Sangh (RSS), a paramilitary national volunteer organization founded in 1925, with numerous sister organizations and an active membership estimated at more than five million people, including Modi and the majority of ministers from the BJP in government.

The BJP has historic links with the RSS. Therwath said the RSS network was founded on the principles of Italian fascism, is ideologically similar to Nazism and was



exported abroad by the Indian diaspora. She said the first Canadian branch of the RSS's international organization was established in Toronto in the 1970s. Therwath said Canadian Hindu extremist groups often create seemingly benign cultural organizations and use them to promote far right views. "They are factually hate groups," said Therwath, adding the groups promote hate speech and discrimination in India, participate in online harassment and channel funds from abroad to India for sectarian and political projects through various charities.

Kristin Plys, director for the Centre of South Asia Civilizations at the University of Toronto, found herself in the crosshairs of Hindu nationalists in the Greater Toronto Area after supporting an online conference on contemporary Indian politics last September.

Conference targeted by online campaign

The virtual conference, called Dismantling Global Hindutva, was endorsed by more than 50 universities across Canada and the United States, including McMaster, Harvard and Princeton.

The event featured international scholars discussing the implications of Hindutva - more than half the speakers and moderators were Hindu. Dalit and Muslim speakers also participated.

In a bid to prevent harassment, the organizing committee stayed anonymous. Despite the precautions, Al Jazeera reported that Hindutva groups claimed to have spammed participating universities with 1.3 million emails. They posted private information online and some American participants received death threats. Before the start of the conference, about 50 protesters demonstrated on the U of T campus in an attempt to pressure the university to retract its endorsement.

At least four GTA-based Hindu groups organized or participated in a protest at the University of Toronto's St. George campus on Sept. 9, 2021, over the university sponsoring the Dismantling Global Hindutva Conference.

Following the protest, Dwarapalakas sent Plys a series of emails that frightened her. In one email shown to CBC, Dwarapalakas accused her of being a Taliban sympathizer and warned her that they were "in her backyard."

Dwarapalakas then sent her a food delivery gift card, which campus police told Plys may have been an attempt to get her home address if she activated the card. After reporting the threats to campus security, Plys said she had to "change everything about her life."

Campus security gave her a panic button that sets off an ear-splitting alarm when pushed. Professor given self-defence classes. She changed her office hours, varied her commute and enrolled in self-defence classes. Her university department asked her to temporarily teach her courses online to help protect her colleagues. When Plys reported the incident to police, she was told her complaint was being investigated as hate speech.

"I received countless emails from various groups that were threatening in nature," said Plys. "But this was the only group that really crossed the line to try to take the online hate into the real world." Gopala Krishna, director of the Hindu advocacy group Dwarapalakas, says Canadian academics open up an onslaught of hate against Hindus and cry 'academic freedom' the moment they get hate back. (CBC)

Krishna, the director of Dwarapalakas, who also occasionally hosts a community program on the OMNI television network, admits to writing the emails, but said he wasn't trying to intimidate Plys. Instead, Krishna said he wanted her to know that Dwarapalakas was watching her to "expose her intellect."

Even though the conference the University of Toronto sponsored was called "Dismantling Hindutva," Krishna said the event was attacking Hinduism in all its political, cultural and religious aspects.

"What they are doing is exactly that, they want to dismantle Hinduism," he said. "You attack us from all directions - Muslims, Dallits, [gender], academics."

Krishna said Plys is "promoting hatred against Hindus of Canada by sponsoring" the event.

Criticism called 'Hinduphobia'

In his interview with CBC News, Krishna labelled anything he perceived as critical of Hinduism "Hinduphobia." He said academics are planting "divisive ideas" that have a "direct impact on violence on the streets of India."



Journalist Therwath disagrees with that idea.

"This is disinformation," Therwath said of the assertion that Hindus are under attack in India, where they make up more than 80 per cent of the population. The researcher likens "Hinduphobia" to the concept of anti-white racism.

Malavika Kasturi, a South Asian history professor at the University of Toronto, said those who critically study India or disagree with Hindutva are labelled one of three things by harassers: Hinduphobic, anti-Indian or, if they are of Indian origin, anti-national. University of Toronto Prof. Malavika Kasturi says she has received hate mail and been trolled for her writing and the work she does with the Centre of South Asian Civilization at U of T, which has been called 'Hinduphobic' for its events.

Kasturi said a "Hindutva army" has harassed her with a barrage of email threats. She wants the Canadian government to take the intimidation seriously, just as it would threats from white supremacist groups.

"It is a Canadian issue. It's not a South Asian cultural issue," said Kasturi. "It's a question of human rights." How India's farmers faced down their prime minister and won. Indian consulate says teachers' lessons on farmer protests could 'poison' relations with Canada. When asked by CBC News if the RCMP is monitoring the rise of Hindu nationalism in Canada, an agency spokesperson said by email "the RCMP does not comment on or investigate movements or ideologies," but investigates individual criminal activity.

The spokesperson added it is important for individuals in Canada, regardless of race, religion, nationality, ethnic origin, gender, disability or sexual orientation "to know that there are support mechanisms in place to assist them when experiencing potential threats to their safety and security."

"Anyone who feels threatened online or in person should report these incidents to their local police."

Source: CBC Canada

ARTICLE 19 urges

government to develop a national plan of action to counter hate speech



Article 19, the UK based international human rights organization, urges Bangladesh government to develop and implement a national Plan of Action to counter hate speech.

Article 19 also stressed the need of promoting inter-religious and intercultural dialogue and tolerance to counter hate speech. The rights-based organization raised the issue on the eve of the observation of the UN "International Day for Countering Hate Speech", which will be marked for the first time on 18 June, 2022, read a media release.

Faruq Faisel, South Asia Regional Director of ARTICLE 19 said, "The exponential spread and proliferation of hate speech is becoming a deep concern in Bangladesh and around the world. Physical and verbal attacks against religious and ethnic minorities are on the rise in Bangladesh due to the influence of hate speech, especially online."

"Bangladesh government has obligations under the Bangladesh constitution and international human rights law to take effective measures to address and combat incidents of racial and religious intolerance, discrimination and related violence. Bangladesh constitution guarantees the freedom of religion and prohibits communalism, abuse of religion for political purpose, discrimination or favor based on religion (art. 12). The constitution also provides that the State shall not discriminate against any citizen on grounds of religion, race, caste, sex or place of birth (art. 28 (1))", he added.

According to a Ain O Salish Kendro report, in Bangladesh, around 3,679 attacks on the Hindu community took place between January 2013 and September, 2021. The attacks included vandalism of and setting fire to 559 houses and 442 shops and businesses. At least 1,678 cases of vandalism and arson attacks on Hindu temples, idols and places of worship have been recorded. While 11 citizens from the Hindu community have died in these incidents, another 862 were injured. Two Hindu women were raped and another four were sexually assaulted, said the media statement.

In October, 2021, at least six people were killed and 100 injured in communal violence and mayhem that took place during the Durga Puja celebrations. Article 19 urged both the government and citizens to combat hate speech - which is a threat to human rights of the citizens of Bangladesh.

Source: TBS Bangladesh

Rights groups condemn 'pressure' against USCIRF to report on religious persecution in India



Hundreds of U.S.-based civil rights and faith groups and individuals have condemned the pressure being placed on a prominent federal commission to dilute its reporting on religious persecution in India. In a letter to the United States Commission on International Religious Freedom (USCIRF) on April 10, these organizations and individuals said the commission must withstand the pressure from US-based Hindu nationalists and recommend again that the US Department of State designate India as a Country of Particular Concern (CPC), its harshest nomenclature for the world's worst persecutors of religious minorities. "It is clear that those seeking to obfuscate the reality of India's persecution of its religious minorities are now using intense lobbying and combative communication to prevent USCIRF from recommending India's designation as a CPC for the third straight year," the letter said.

"We have also learned that such pressure includes attempts to influence USCIRF Commissioners and officials to exclude even a mention of Prime Minister Narendra Modi or his Hindu supremacist Bharatiya Janata Party (BJP) in the 2022 report." The USCIRF has announced it will release its Annual Report for 2022 on April 25. Its last two reports in 2020 and 2021 had recommended that India be designated as CPC, along with China, Pakistan, Iran, Vietnam, Nigeria and several other countries. Both the Trump Administration and the Biden Administration did not accept that recommendation.

Leading organizations that have signed the letter include Indian American Muslim Council; Hindus for Human Rights; Jubilee Campaign USA; International Christian Concern; India Civil Watch International; Federation of Indian American Christian Organizations; Dalit Solidarity Forum in the USA; Cameroon American Council; Asian Children Education Fellowship; Association of Indian Muslims of America; International Society for Peace and Justice; Justice For All; Dar El Eman; Coeur d'Alene Bible Church; New Life Church; Fresh Heart Ministries; Director of Governmental Affairs, Greentree Global; Spokane Fatherhood Initiative; Indian Muslim Association of Carolinas; Christian Freedom International; and International Asian Christian Front.

"We urge you to not allow Hindu supremacist individuals or organizations to influence the integrity of USCIRF in general and your annual report in particular. As you must know, religious persecution in India has only escalated since last year's publication of USCIRF's Annual Report 2021. More than ever before, Muslims, Christians and Dalits are under intense attacks and are experiencing massive human

rights abuses as well as diminishing space for religious freedom," their letter said.

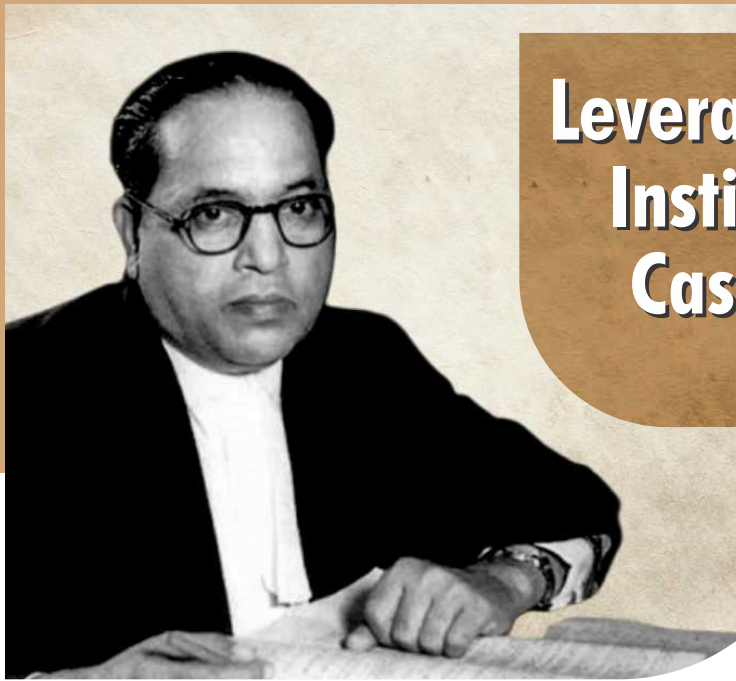
Thousands of Muslims, Christians and human rights advocates had been jailed under "draconian laws" such as the Unlawful Activities (Prevention) Act. "Vigilante mobs connected to Prime Minister Modi's Bharatiya Janata Party (BJP) and its ideological parent, the Rashtriya Swayamsevak Sangh (RSS), have mushroomed across the country, attacking Christians, Muslims and Dalits, often lynching them to death. The letter stated that Karnataka, Haryana and Uttar Pradesh, three states under BJP rule, have passed highly discriminatory laws targeting these two minority communities in the name of anti-conversion. "Churches and mosques are vandalized and outrightly demolished by officials, as happened near the Indian capital of New Delhi and in Uttar Pradesh," it said.

"In December 2021, repeated calls were made by saffron-robed Hindu "monks" calling for genocide of millions of Muslims, for sexual violence against Muslim women and much more. The past year also saw the highest attacks on record on Indian Christians, including large-scale assault and vandalism on Christmas Day, December 25," the letter said.

"The Religious Liberty Commission of the Evangelical Fellowship of India recorded 505 incidents of hate against Christians in 2021, including threats and harassment, physical violence, false accusations of conversion, desecration of houses of worship, arbitrary arrests, hate campaigns and more," the letter said. USCIRF must not ignore the significant decline of democracy in India that is accompanied by the most horrific forms of religious persecution, it remarked. "We urge you to duly record in your Annual Report 2022 the role of the Modi Government, the RSS, the BJP, the VHP, the Bajrang Dal and the various state governments, especially in Assam and Uttar Pradesh that are BJP-ruled, in the sharp escalation in the violence against India's religious minorities," it said.

"We urge you to recommend this year, as you did in 2020 and 2021, that the U.S Department of State-designate India as a Country of Particular Concern and sanction officials and organizations that are involved in religious persecution. India's persecuted millions are counting on the international community to defend their right to life and dignity. They desperately need USCIRF to play its part in this regard," the letter said.

Courtesy: Two circles



Leveraging International Institutions to Address Casteism: The case of AMBEDKAR

Suraj Yengde

that can help activists leverage international institutions to address caste injustices: (1) UN route, (2) academic institutions, (3) think tanks and (4) civil society solidarity. Discussing the first option, the author recalls when Ambedkar resorted to it. Here is an excerpt:

During Dalit History month, on the birth anniversary of Dr B.R. Ambedkar, Penguin Random House is releasing 'The Dalit Truth', a symphony of Dalit voices as they call out to the future.

The multitude of Dalit truths and their battles against the lies perpetrated by the caste system are reflected in the pages of this book. It points towards a future filled with promises and prospects for the coming generations.

The book, edited by K. Raju, national coordinator for the SC, ST, OBC and minorities cells of the Indian National Congress, is being published as the eighth volume in the Rethinking India series, published in collaboration with the Samrudhha Bharat Foundation. The authors featured in the volume come from various fields of social existence and bring narratives of different colors - not just stories of dismay but those of possibilities. The essays offer deep insights into social, educational, economic and cultural challenges and opportunities faced by the Dalits, the varied strategies of political parties for their mobilization and the choices to be made by Dalits for realizing equality.

The volume features expert views by authors such as Sukhdeo Thorat and Badri Narayan to Bhanwar Meghwanshi and from young thinkers and activists Jignesh Mevani and Suraj Yengde. It analyses the current Dalit status, economically, socially and politically, the relevance of Ambedkar and the new path of empowerment to be forged.

In his essay, Suraj Yengde first suggests four methods

Leveraging International Institutions to Address Casteism

By Suraj Yengde

Ambedkar's UN Route

B.R. Ambedkar, on the contrary, was committed to making caste an issue of international concern. He saw this as the only way to get required justice for the Dalit community, which was put on the receiving end by the Indian National Congress and Jinnah's Muslim League. Up to the Lahore Resolution, the Dalits were confident that a minority alliance between the Dalits and Muslims would help both the groups to fight in the Hindu-majority country. However, after the Lahore Resolution, this partnership was out of the question and thus, Ambedkar started actively seeking international alliances.

Pursuant to this, Ambedkar ensured that he took in confidence the British political class and general public that was invested in India. His 1946 trip to England, to advocate for international relief for the Dalits, has been analysed by Jesús Cháirez-Garza in his paper 'B.R. Ambedkar, Partition and the Internationalization of Untouchability, 1939-47'. Cháirez-Garza argues that after his failure to secure rights from the imperial government, Ambedkar embarked to meet with the leaders of the British parliament.

Prominent among them was the Conservative Party leader Winston Churchill. Ambedkar also made

representations to the leadership of various political parties and MPs from the Labour Party, Conservative Party and the Fabians. Ambedkar's diplomatic move to garner international support was stopped by the influence of M.K. Gandhi, who preferred to not 'negotiate' with Ambedkar for fear of losing on 'both fronts'. For Ambedkar, the call of the Indian nationalists for self-determination-'Swaraj'-while defying the purpose of minority rights protection, was betrayal and unbecoming of a nation state.

Thus, he chose to approach the UN after his failure to receive adequate support from the Opposition and the government. This time, Vallabhbhai Patel, along with other Congress leaders, approached Ambedkar to negotiate. Gandhi continued to distrust Ambedkar's efforts. In a reply to a letter by Carl Heath, a member of the Indian Conciliation Group who was an ardent follower of Gandhi, the latter did not exhibit sympathy to Ambedkar's cause of internationalizing the struggle of the untouchables. Referring to Ambedkar, Gandhi added, 'with men like him the end justifies the means' and he refused to meet or entertain Ambedkar's pressing demands.

The cause of Ambedkar was, however, echoed by Churchill and Jan Smuts, prime minister of South Africa, at international meetings and the United Nations. Smuts used the issue of untouchability to silence the hypocritical Indian government delegation led by Maharaj Singh, former governor of Bombay, who pressed for the rights of Indians in South Africa at the UN. Both Churchill and Smuts, colonial warlords, used untouchability for their own politics. The untouchables, however, remained the suppressed subjects, in spite of their sound political presence.

Ambedkar got a seat in Nehru's first cabinet as a law minister but was not given the important portfolios he had hoped for. In his resignation letter, Ambedkar elucidated various reasons for his exit. He was tokenized in the administration without having been given any substantive powers.

Ambedkar had not taken the case of the untouchables to the UN in 1947. His reasoning was premised on trusting the Constituent Assembly and the future Parliament of India, which he hoped would accord required rights to the untouchables. He was wrong and thus his bitterness grew towards the ruling dispensation.

Ambedkar also perhaps did not pursue the UN route aggressively, because he was hoping to get into the Constituent Assembly so he could channel the



Constitution towards this goal. However, provisions made in the Constitution for the scheduled castes did not impress him. He bluntly stated in the resignation letter that:

... the provisions made in the Constitution for safeguarding the position of the Scheduled Castes were not to my satisfaction. However, I accepted them for what they were worth, hoping that the Government will show some determination to make them effective. What is the position of the Scheduled Castes today? So far as I see, it is the same as before. The same old tyranny, the same old oppression, the same old discrimination which existed before, exists now and perhaps in a worst form.

This was a damning self-indictment of the leader of the scheduled castes who had hoped to secure their future in a Brahmin-Baniya-ruled independent India. Getting Ambedkar into the Constituent Assembly worked mutually for Ambedkar and the Congress party. However, the causes Ambedkar espoused were subdued and could not see the light. The internationalization of the Dalit cause and the intervention of the UN on the caste issue would have been an embarrassment for India. Perhaps there was some unwritten, silent agreement between the

Congress and Ambedkar when he threatened to take India to the UN, which would work in delegitimizing the leadership of dominant caste Hindus in a recently independent nation. And this would also mean taking down the third-world, coloured people's internationalism that Nehru wanted to champion.

These questions remain with us, but the indifference of the UN towards the issue of caste continues.

Source: Governance Now

'Talk Isn't a Problem, CASTEISM IS': Thenmozhi Soundararajan on Google Row

Ayesha Jain

Dalit rights activist and executive director of Equality Labs, Thenmozhi Soundararajan, in an interview with The News Minute on 5 June, spoke on caste, the Google talk row and an opportunity that the tech giant now has, to rise to the occasion.

The interview comes in the background of Tanuja Gupta, a senior manager at Google, resigning from the company last week. Gupta's departure came after Thenmozhi was de-platformed and disallowed from giving a presentation on caste. The talk was supposed to be a part of the tech company's Diversity Equity Inclusivity (DEI) programme, aimed at sensitising employees on issues surrounding race, gender and sexuality and now, caste. It was called off after several Google employees, in emails addressed to company heads, called Soundararajan "anti-Hindu" and "Hindu-phobic", a move that Soundararajan referred to as "caste-bigoted" and called it a "disinformation" campaign.

Following this, the activist appealed directly to Google's Chief Operating Officer (CEO) Sundar Pichai, who hails from an upper-caste Indian family, to allow her to give her presentation. However, she did not receive any response from him. Speaking to The News Minute's Dhanya Rajendran in a virtual interaction, the activist expressed, "two days before the talk, a small group of people decided to launch a caste-bigoted and disinformation campaign and many of those comments were very violent and derogatory and unlawful in terms of Dalit people because we are a protected class, not just in South Asia but in America, in many civil rights bodies." Resuming her narration of the events that transpired, she added that the DEI staff member, who brought her into the company, was also targeted. "They doxxed her, which means they leaked the invite with her name and email address... so very quickly, this turned into a workplace safety issue," she stated. Revealing that an official at Google claimed that 'caste' did not meet its standards of a protected category, she added, "The issue of caste is not going to go away with PR

stunts. We don't need more press releases; we need policy change and real material commitment to DEI work that addresses this issue at the core."

'A Talk Isn't the Problem, Casteism Is'

After Gupta's resignation, which sought to clarify that it was against caste discrimination, Google claimed that they had "a very clear, publicly shared policy against retaliation and discrimination in our workplace."

"We also made the decision to not move forward with the proposed talk which - rather than bringing our community together and raising awareness - was creating division and rancor," Google Spokesperson Shannon Newberry reportedly said.

Responding to this in the interview to TNM, Thenmozhi stated that 'every part of their reaction reflects that they need to do caste equity.' "Every part of Google's reaction reflects that they need to do caste equity, People in very high leadership positions at Google don't understand what caste is and who should be at the table to make decisions around how to speak about this issue and they instead embolden discriminatory disinformation," she added, stressing that: On the talk being labelled divisive by Google, she said, "At this point, no talk can be 'divisive'. The company is already divided about the issue. Workplaces already feel impacts on casteism across its platforms. So a talk on caste isn't the problem, casteism is. And the only way we can solve this issue is with courage and empathy. I just wish Google had given us the chance to show them the other way."

Source: The Quint





Ambedkar Society for South Asia
